

**JUNE 5, 1991**

**OLYMPIA, WASHINGTON**

**ISSUE 91-11**



---

## **IN THIS ISSUE**

Agriculture, Department of  
Attorney General, Office of the  
Boiler Rules, Board of  
Code Reviser's Office  
Community Development, Department of  
Convention and Trade Center  
Eastern Washington University  
Ecology, Department of  
Edmonds Community College  
Education, State Board of  
Employment Security Department  
Escrow Commission  
Fisheries, Department of  
Funeral Directors and Embalmers, Board of  
Governor, Office of the  
Grays Harbor College  
Hardwoods Commission  
Health, Board of  
Health Care Authority  
Health, Department of  
Higher Education Coordinating Board  
Higher Education Personnel Board  
Human Rights Commission  
Labor and Industries, Department of  
Library, Washington State

Licensing, Department of  
Lottery Commission  
Parks and Recreation Commission  
Personnel Board  
Pharmacy, Board of  
Pilotage Commissioners, Board of  
Professional Athletic Commission  
Professional Engineers and Land Surveyors,  
Board of Registration for  
Public Disclosure Commission  
Public Instruction, Superintendent of  
Puget Sound Water Quality Authority  
Retirement Systems, Department of  
Revenue, Department of  
Secretary of State  
Social and Health Services, Department of  
South Puget Sound Community College  
Transportation Commission  
Transportation Improvement Board  
University of Washington  
Utilities and Transportation Commission  
Washington State Patrol  
Washington State University  
Wildlife Commission

(Subject/Agency index at back of issue)  
This issue contains documents officially  
filed not later than May 22, 1991

## 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

All documents appearing in the Washington State Register are prepared and printed at public expense. There are no restrictions on the republication of official documents appearing in the Washington State Register. All news services are especially encouraged to give wide publicity to all documents printed in the Washington State Register.

## CERTIFICATE

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

DENNIS W. COOPER  
Code Reviser

---

## STATE MAXIMUM INTEREST RATE

The maximum allowable interest rate applicable for the month of June 1991 pursuant to RCW 19.52.020 is twelve point zero percent (12.00%).

**NOTICE: FEDERAL LAW PERMITS FEDERALLY INSURED FINANCIAL INSTITUTIONS IN THE STATE TO CHARGE THE HIGHEST RATE OF INTEREST THAT MAY BE CHARGED BY ANY FINANCIAL INSTITUTION IN THE STATE. THE MAXIMUM ALLOWABLE RATE OF INTEREST SET FORTH ABOVE MAY NOT APPLY TO A PARTICULAR TRANSACTION.**

The maximum allowable retail installment contract service charge applicable for calendar year 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 twelve point zero percent (12.0%) for the third 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 twelve point zero percent (12.0%) for the second calendar quarter of 1991.

---

# WASHINGTON STATE REGISTER

(ISSN 0164-6389) is published twice each month by the Statute Law Committee, Office of the Code Reviser, Olympia, WA 98504, pursuant to RCW 34.08.020. Subscription rate is \$161.85 per year, sales tax included, post-paid to points in the United States. Second-class postage paid at Olympia, Washington.

POSTMASTER: SEND ADDRESS CHANGES TO:

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

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

**Raymond W. Haman**  
*Chairman, Statute Law Committee*

**Dennis W. Cooper**  
*Code Reviser*

**Gary Reid**  
*Chief Assistant Code Reviser*

**Kerry S. Radcliff**  
*Editor*

**Joyce Matzen**  
*Subscription Clerk*

## STYLE AND FORMAT OF THE WASHINGTON STATE REGISTER

### 1. ARRANGEMENT OF THE REGISTER

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

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

The three types of rule-making actions taken under the Administrative Procedure Act (chapter 34.05 RCW) may be distinguished by the size and style of type in which they appear.

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

### 3. PRINTING STYLE—INDICATION OF NEW OR DELETED MATERIAL

RCW 34.05.395 requires the use of certain marks to indicate amendments to existing agency rules. This style quickly and graphically portrays the current changes to existing rules as follows:

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

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

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

### 5. EFFECTIVE DATE OF RULES

- (a) Permanently adopted agency rules normally take effect thirty days after the rules and the agency order adopting them are filed with the code reviser's office. This effective date may be delayed or advanced and such an effective date will be noted in the promulgation statement preceding the text of the rule.
- (b) Emergency rules take effect upon filing with the code reviser's office unless a later date is provided by the agency. They remain effective for a maximum of one-hundred-twenty days from the date of filing.
- (c) Rules of the state Supreme Court generally contain an effective date clause in the order adopting the rules.

### 6. EDITORIAL CORRECTIONS

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

### 7. INDEX AND TABLES

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

1990 – 1991

DATES FOR REGISTER CLOSING, DISTRIBUTION, AND FIRST AGENCY ACTION

Issue No.	Closing Dates <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 91-10-035**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Institutions)**

[Filed April 24, 1991, 4:57 p.m.]

**Original Notice.**

Title of Rule: Chapters 275-25, 275-26, 275-27, 275-36, 275-38, and 275-41 WAC.

Purpose: Consistent with the legislature's enactment of Title 71A RCW, these WAC sections have been revised or written to ensure compliance with this RCW.

Statutory Authority for Adoption: Chapter 275-25 WAC is RCW 71A.14.030; chapter 275-26 WAC is RCW 71A.12.080; chapter 275-27 WAC is RCW 74A.16.020 [71A.16.020]; chapter 275-36 WAC is RCW 71A.12.080; chapter 275-38 WAC is RCW 74.09.120; and chapter 275-41 WAC is RCW 71A.12.080.

Summary: The writing or revision of these WAC sections brings them into compliance with Title 71A RCW.

Reasons Supporting Proposal: The writing or repealing of these WAC sections was necessary to ensure compliance with Title 71A RCW.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Tom Moore, Developmental Disabilities, 753-4563.

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

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

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

Proposal Changes the Following Existing Rules: See above.

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

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on June 25, 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 June 25, 1991.

Date of Intended Adoption: July 9, 1991.

April 24, 1991  
 Rosemary Carr  
 Acting Director  
 Administrative Services

**AMENDATORY SECTION** (Amending Order 1936, filed 1/12/83)

WAC 275-25-010 DEFINITIONS. (1) All terms used in this chapter not defined herein shall have the same meaning as indicated in the act.

(2) "Act" means:

(a) The Alcoholism Act (chapter 70.96 and 70.96A RCW) as now existing or hereafter amended((:)); or

(b) ~~((The State and Local Services for Mentally Retarded and Developmentally Disabled Act ()))~~ Local Funds for Community Services chapter 71.20 RCW((:)), State Services chapter 71A.12 RCW, and Local Services chapter 71A.14 RCW as now existing or hereafter amended((:)); or

(c) Drug and alcohol rehabilitation, education programs—drug treatment centers (chapter 69.54 RCW) as now existing or hereafter amended.

(3) "County" means each county or two or more counties acting jointly.

(4) "Department" means the department of social and health services.

(5) "Exemption" means the department's approval of a written request for an exception to a rule in this chapter provided an:

(a) Assessment of the exemption request ensures granting the exemption shall not undermine the legislative intent of Title 71A RCW; and

(b) Evaluation of the exemption request shows granting the exemption shall not adversely effect the quality of the services, supervision, health, and safety of department-served persons.

Agencies and individual providers shall retain a copy of each department-approved exemption.

(6) "Indian" shall mean any:

(a) Person enrolled in or eligible for enrollment in a recognized Indian tribe; any person determined to be or eligible to be found to be an Indian by the secretary of the interior; and any Eskimo, Aleut or other Alaskan native((:));

(b) Canadian Indian person who is a member of a treaty tribe, Metis community, or other nonstatus Indian community from Canada((:));

(c) Unenrolled Indian person considered ~~((to be))~~ an Indian by a federally or nonfederally recognized Indian tribe or by an urban Indian/Alaska community organization.

~~((6))~~ (7) "Plan" means the application a county submits to the secretary for review and approval under the act(s); or revision of an existing plan.

~~((7))~~ (8) "Population" means the most recent estimate of the aggregate number of persons located in the designated county as computed by the office of financial management.

~~((8))~~ (9) "Secretary" means the secretary of the department or such employee or such unit of the department as the secretary may designate.

**NEW SECTION**

WAC 275-25-015 EXEMPTIONS. The department may approve an exemption to a specific rule in this chapter as defined under WAC 275-25-010.

**AMENDATORY SECTION** (Amending Order 1936, filed 1/12/83)

WAC 275-25-030 PROGRAM OPERATION—GENERAL PROVISIONS. (1) The provisions of this section shall apply to all programs operated under authority of the ~~((act(s)))~~ acts.

(2) The county and all contractors and subcontractors must comply with all applicable law or rule governing the department's approval of payment of funds for the ~~((program(s)))~~ programs. Verification may be in the manner and to the extent requested by the secretary.

(3) ~~((No))~~ State funds ~~((with))~~ shall not be paid to a county for costs of services provided by the county or other person or organization who or which was not licensed, certified, ~~((and/or))~~ and approved as required by law or by rule whether or not the plan was approved by the secretary.

(4) The secretary may impose such reasonable fiscal and program reporting requirements as ~~((he or she))~~ the secretary deems necessary for effective program management.

(5) Funding.

(a) ~~((A contract must be negotiated and executed between))~~ The department and ~~((the))~~ county ~~((prior to any))~~ shall negotiate and execute a contract before the department provides reimbursement ~~((by the department))~~ for services ~~((to be provided))~~ under ~~((the))~~ contract, except as provided ~~((for in))~~ under WAC 275-25-020(10). ~~((The department shall not execute the contract unless the county's plan has been approved pursuant to WAC 275-25-020(7:))~~

(b) Payments to counties shall be made on the basis of vouchers submitted to the department for costs incurred under the contract. The department shall specify the form and content of the vouchers ~~((shall be specified by the department))~~.

(c) The secretary may make advance payments to counties, where such payments would facilitate sound program management. The secretary shall withhold advance payments from counties failing to meet the requirements of WAC 275-25-020 until such requirements are met. Any county failing to meet the requirements of WAC 275-25-020 after advance payments have been made shall repay said advance payment within thirty days of notice by the department that the county is not in compliance.

(d) If the department receives evidence a county or subcontractor performing under the contract is:

- (i) Not in compliance with applicable state law or rule; or
- (ii) Not in substantial compliance with the contract; or
- (iii) Unable or unwilling to provide such records or data as the secretary may ~~((reasonably))~~ require, then the secretary may withhold all or part of subsequent monthly disbursement to the county until such time as satisfactory evidence of corrective action is forthcoming. Such withholding or denial of funds shall be subject to appeal ~~((pursuant to))~~ under the Administrative Procedure Act (chapter ~~((34.04))~~ 34.05 RCW).

(6) Subcontracting. A county may subcontract for the performance of any of the services specified in the contract. ~~((A))~~ The county's subcontracts shall include:

(a) A precise and definitive work statement including a description of the services ~~((to be))~~ provided;

(b) ~~((Specific agreement by))~~ The subcontractor's specific agreement to abide by the ~~((act(s)))~~ acts and the rules;

(c) Specific authority for the secretary and the state auditor to inspect all records and other material the secretary deems pertinent to the subcontract; and agreements by the subcontractor that such records will be made available for inspection;

(d) Specific authority for the secretary to make periodic inspection of the subcontractor's program or premises in order to evaluate performance under the contract between the department and the county~~(:); and~~

(e) Specific agreement by the subcontractor to provide such program and fiscal data as the secretary may ~~((reasonably))~~ require.

(7) Records: Maintenance. Client records shall be maintained for every client for whom services are provided and shall document:

- (a) Client demographic data;
  - (b) Diagnosis or problem statement;
  - (c) Treatment or service plan; and
  - (d) Treatment or services provided including medications prescribed.
- (8) Liability.

~~((Neither))~~ (a) The promulgation of these rules ~~((nor))~~ or anything contained in these rules shall not be construed as affecting the relative status or civil rights or liabilities between:

- (i) The county and community agency~~(, and/or); or~~
- (ii) Any other person, partnership, corporation, association, or other organization performing services under a contract or required herein and their employees, persons receiving services, or the public ~~((generally, nor shall)).~~

(b) The use or implied use herein of the word "duty" or "responsibility" or both shall not import or imply liability other than provided for by the statutes or general laws of the state of Washington, to any person for injuries due to negligence predicated upon failure to perform on the part of an applicant, or a board established under the ~~((act(s)))~~ acts, or an agency, or said agency's employees, or persons performing services on said agency's behalf~~((but))~~.

(c) Failure to comply with any compulsory rules shall be cause for the department to refuse to provide the county and community agency funds under the contract.

#### AMENDATORY SECTION (Amending Order 1771, filed 3/1/82)

WAC 275-25-520 SERVICES—DEVELOPMENTAL DISABILITIES. (1) A county may purchase ~~((and/or))~~ and provide ~~((any or all of the))~~ services listed ~~((in RCW 71.20.060 and/or 71.20.070))~~ under chapter 71A.14 RCW. ~~((However, only the following services are eligible for division of developmental disabilities funds whenever such services are purchased or provided for developmentally disabled persons who are determined eligible by the department's bureau of developmental disabilities, case services, and in accordance with approved county plans and with service definitions, standards and guidelines issued by the division:~~

- (1) Direct services may be provided in the following areas:
  - (a) Child development services;
  - (b) Employment services;
  - (c) Community integration services; and
  - (d) Residential services.

(2) Indirect services may be provided in the following areas:

- (a) Program evaluation;
- (b) County planning and administration; and
- (c) Consultation and staff development)

The department shall pay a county for department authorized services provided to an eligible developmentally disabled person.

(2) A county may purchase or provide authorized services. Authorized services may include, but are not limited to:

- (a) Early childhood intervention services;
- (b) Employment services;
- (c) Community integration services;
- (d) Residential services;
- (e) Senior citizen services;
- (f) Individual evaluation;
- (g) Program evaluation;
- (h) County planning and administration; and
- (i) Consultation and staff development.

#### AMENDATORY SECTION (Amending Order 1936, filed 1/12/83)

WAC 275-25-530 FUNDING FORMULA—DEVELOPMENTAL DISABILITIES. (1) For the purposes of this section, "county" shall mean the legal subdivision of the state, regardless of ~~((any))~~ a county's agreement with another county to provide ~~((developmental disabilities))~~ services jointly to an eligible developmentally disabled person.

(2) The ~~((allocation of))~~ division shall allocate funds to counties ~~((shall be based on the following criteria))~~ as follows:

(a) ~~((The department may withhold up to ten percent of allocated funds to provide funding for new programs, for state-wide priority programs, and for emergency needs:~~

(b) ~~Each county shall be)~~ A guaranteed ~~((a))~~ minimum amount for basic ~~((developmental disabilities))~~ services to eligible developmentally disabled persons subject to the availability of state and federal funds~~((: (c) The remainder of the funds shall be)); and~~

(b) An additional amount for services to eligible developmentally disabled persons distributed ~~((either))~~ on a county per capita basis or on ~~((a))~~ an average rate per ~~((client))~~ eligible developmentally disabled person basis, whichever ~~((will more equitably support developmental disabilities programs))~~ is most equitable.

(3) A county may utilize five or less percent of the county's allocated fund for county administrative expenses.

(4) The department may withhold ten or less percent of allocated funds for new programs, for state-wide priority programs, and for emergency needs.

#### AMENDATORY SECTION (Amending Order 1945, filed 2/9/83)

WAC 275-26-005 PURPOSE. (1) The ~~((division of developmental disabilities, for the purpose of enabling certain developmentally disabled persons as defined in WAC 275-26-025 and 275-26-520 to live in an independent setting, may provide a training and support service to clients living in the client's own home))~~ purpose of these standards is to specify measures which shall carry out the legislative intent of Title 71A RCW authorizing the department to provide or contract for the provision of services to persons with developmental disabilities residing in community residential settings.

(2) ~~((The generally expected outcome of such services is the client's need for tenant support or alternative living services will be substantially decreased over time, depending upon the client's individual need))~~ Residential services shall provide eligible clients the opportunity to:

(a) Enjoy all rights and privileges under the Constitution and laws of the United States and state of Washington;

(b) Participate in community life with nonhandicapped and less-handicapped persons to the greatest extent possible; and

(c) Achieve a greater measure of independence and fulfillment.

#### AMENDATORY SECTION (Amending Order 1945, filed 2/9/83)

WAC 275-26-010 DEFINITIONS. (1) "~~((Administrative hours))~~ Agency" ~~((is a measure of time devoted to the function of administration and management of the organization. Administrative hours include time spent with employees related to the employee's overall job performance or other work management functions, but does not include the time spent by administrators relating to individual tenants))~~ means the department-certified entity providing residential instruction and support services to clients.

(2) ~~(("Alternative living services" means the provision of training and support services to clients renting, buying or owning living accommodations))~~ "Agency Account" means an account to which funds may be deposited and from which payments may be made by an agent designated by a depositor. In the event there is more than one depositor

named on an account, each depositor may designate the same or a different agent for the purpose of depositing to or making payments of funds from a depositor's account.

(3) ("Average monthly staff hours") is a measure of the average number of staff hours devoted to serving participating tenants. Average monthly staff hours is calculated by dividing the sum of staff and supervisory hours (excluding any hours devoted to administrative functions) by the tenant months. "Agent" means a person designated by depositors in a contract of deposit or other document to have the authority to deposit and to make payments from an account in the name of the depositors.

(4) "Certification" means the determination of satisfactory compliance with the rules and regulations outlined as referenced under this section.

(5) "Client or Person" means a person ((determined by)) the division ((to be)) determines under RCW 71A.16.040 and WAC 275-27-026 eligible for division-funded services ((funded by the division)).

((+5)) (6) "Client services" means instruction and support activities promoting the following client-centered benefits:

(a) Health and safety:  
 (i) Need for and use of health services;  
 (ii) Dealing with illness and injury and first aid procedures;  
 (iii) Learning about basic nutrition;  
 (iv) Maintaining good health;  
 (v) Obtaining mental health services when needed;  
 (vi) Learning about human sexuality;  
 (vii) Aware of fire evacuation plans;  
 (viii) Knowing emergency procedures;  
 (ix) Aware of burglary protection strategies; and  
 (x) Learning self-protection.  
 (b) Personal power and choice:  
 (i) Securing housing and furnishings reflecting personal preferences, life style, and financial means;

(ii) Expressing opinions and making decisions;  
 (iii) Learning and exercising rights and responsibilities;  
 (iv) Improving communication skills;  
 (v) Participating in various activities, including new experiences;  
 (vi) Exercising a voter's rights;  
 (vii) Participating in staff hiring, training, and evaluation; and  
 (viii) Making career choices.

(c) Positive recognition by self and others:  
 (i) Creating positive self-esteem and feelings of self-worth;  
 (ii) Choosing valued social roles; and  
 (iii) Making choices influencing valued perception of self and others.  
 (d) Integration in the physical and social life of the community:  
 (i) Residing in areas convenient to shopping, banking, eating, worshipping, learning, making friends, and otherwise participating in community life;

(ii) Assisting people to use available transportation;  
 (iii) Meeting new people and participating with other members of the community in shared activities; and  
 (iv) Accessing educational and vocational opportunities.

(e) Relationships:  
 (i) Establishing, maintaining, expanding, and improving relationships by providing personal interaction opportunities with people;  
 (ii) Involving the client's family, guardian, or representative in planning and decision making which affect the client;  
 (iii) Resolving disagreements among clients or among clients and family, friends, neighbors, and co-workers;  
 (iv) Coping with the loss of a significant relationship, such as the death of a friend or family member, end of a relationship, loss of a job, or change of staff.

(f) Competence and self-reliance:  
 (i) Learning and using skills useful to the person, such as meal preparation, cleaning laundry, using household appliances, money management and budgeting, and use of leisure time in settings where the skills are needed;

(ii) Identifying situations in which the client needs or desires assistance from others;

(iii) Accomplishing tasks requiring the assistance of staff or others; and  
 (iv) Acquiring and using adaptive devices and equipment.

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

((+6)) (8) "Depositor", when utilized in determining the rights of persons to funds in an account, means a person who owns the funds.

(9) "Division" means the division of developmental disabilities of the department of social and health services.

((+7)) "Individual direct service hours" is a measure of the hours of one-to-one tenant support services received by a participating tenant; and is calculated for each service event by dividing the number of provider staff delivering a service event by the number of participating tenants in the event and multiplying by the duration of the event.

(8) "Participating tenants" means a person eligible for services from the division of developmental disabilities, referred to the provider by the division and placed in an independent living setting by the provider, receiving thirty or more individual direct service hours during the billing month; provided that a tenant entering or leaving the program during any billing month is considered a "participating tenant" if he or she received an average of one hour of individual direct service hours per day in the program. (10) "Exemption" means the department's approval of a written request for an exception to a rule in this chapter provided an:

(a) Assessment of the exemption request ensures granting the exemption shall not undermine the legislative intent of Title 71A RCW; and

(b) Evaluation of the exemption request shows granting the exemption shall not effect the quality of the services, supervision, health, and safety of department-served persons.

Agencies and individual providers shall retain a copy of each department-approved exemption.

(11) "Facility based" means a residence which is owned, leased, or rented by an entity other than the client.

(12) "Group home" means a residence licensed by the applicable state authority and operated by an agency certified by the division of developmental disabilities.

(13) "Group training home" means a residence meeting the definition of RCW 71A.22.020(2) and which is operated by an agency certified by the division of developmental disabilities as defined under RCW 71A.22.040.

(14) "Instruction" means goal-oriented teaching addressing skill acquisition and skill enhancement.

(15) "Nonfacility based" means the client owns, leases, or rents a residence, although others may guarantee the client's credit.

((+9)) (16) "Provider" means the ((tenant support agency, alternative living)) agency or ((alternative living)) individual ((provider contracted by)) with which the department ((to provide training)) contracts for providing client instruction and support services ((to clients)).

((+10)) (17) "Residence" means the place or home where a client resides.

(18) "Residential service" means work or duties performed by the provider to meet clients' daily living needs and enhance clients' lives.

(19) "Secretary" means the secretary of the department or ((such)) a department officer the secretary may designate to carry out in whole or in part the administration of this chapter.

((+11)) "Supervisory hours" is a measure of time devoted to the function of certain tenant related supervisory tasks such as consultation with employees related to individual tenants or groups of tenants and specific program services. (20) "Single account" means an account in the name of one depositor only.

((+12)) (21) "Support" means:

(a) Assistance to ((the tenant or)) a client in performance of necessary functions or ((performance of necessary functions on behalf of the tenant or client. Where the client's skill has not been developed, support is provided as a substitute in those areas affecting the client's survival)) of a task; or

(b) ((Assistance to the client in the fostering and development of typical relationships in the community.

(13) "Tenant" means a person eligible for services from the division; referred by the division to and receiving services from a tenant support agency, living or preparing to live, in his or her own independent living setting.

(14) "Tenant month" represents the average number of participating tenants attending the tenant support program during the billing month. A tenant month is calculated by multiplying the number of participating tenants attending the program for the full month by the number of days in the billing month, adding the number of days attended by participating tenants leaving or entering the program (providing the tenants attending for a partial month average one hour per day of individual direct service hours); dividing the sum by the number of days of the billing month. In the event the number of tenant months

results in a fraction, the number shall be rounded to two decimal places:

(15) "Tenant support agency" means the entity certified by the department to provide training and support services to tenants who are or will be renting, buying or owning an apartment or home.

(16) "Tenant support services" means the provision of an average of forty-four hours monthly of training and support services to participating tenants served by a tenant support agency.

(17) "Training" means goal-oriented instruction targeting the skills not yet developed and enhancing the skill proficiencies affecting a tenant's or client's survival or independence.

(18) "Work day" means the day or days the local division of developmental disabilities field services office is open for business)) The performance of a task on behalf of a client, that is, someone else does the client's task.

(22) "Trust and P.O.D. accounts" means accounts payable on request to a depositor during the depositor's lifetime, and upon the depositor's death to one or more designated beneficiaries, or which are payable to two or more depositors during their lifetimes, and upon the death of all depositors to one or more designated beneficiaries. The term "trust account" does not include deposits by trustees or other fiduciaries where the trust or fiduciary relationship is established other than by a contract of deposit with a financial institution.

(23) "Trust or P.O.D. account beneficiary" means a person other than a co-depositor who has been designated by a depositor to receive the depositor's funds remaining in an account upon the death of a depositor or all depositors.

#### NEW SECTION

WAC 275-26-019 EXEMPTIONS. The department may approve an exemption to a specific rule in this chapter as defined under WAC 275-26-010.

#### AMENDATORY SECTION (Amending Order 2349, filed 3/20/86)

WAC 275-26-020 CERTIFICATION. (1) Initial certification.

(a) The agency's application for initial certification shall include a mission statement, budget forecast, staff coverage schedule, staff in-service training plan, and agency policies and procedures. The department shall provide the county a copy of the agency's application. The department shall review the recommendations from the county.

(b) The agency shall file with the department a statement of assurance providing, in substance, in operation and administration of the agency, a person shall not be refused admission to or employment in the agency, or otherwise denied participation in the activities of the agency on the grounds of:

- (i) Race;
- (ii) Religion;
- (iii) Marital status;
- (iv) Age;
- (v) Sexual orientation;
- (vi) Color;
- (vii) Creed;
- (viii) National origin; or
- (ix) Handicapping condition, including communicable diseases and HIV/AIDS.

(c) The agency shall comply with:

- (i) Relevant federal, state, and local laws and ordinances; and
- (ii) Department-established standards of care, instruction, and support.

(d) Initial certification may be granted upon assurance the agency shall comply with the rules and regulations outlined under chapter 275-26 WAC within one hundred eighty days of the effective date.

(e) Upon receipt of initial certification, the agency shall be approved for referral of, and service provision to, clients.

(f) In the event initial certification expires before the date of formal evaluation and review, the department may extend initial certification for a specified period of time, not to exceed one hundred eighty days.

(2) Regular certification.

(a) Upon the department's determination ((by the department)) of ((substantial)) satisfactory compliance with the rules and regulations described and referenced herein, through formal evaluation and review under WAC 275-26-030, the ((division)) department may certify ((a tenant support)) an agency as approved for continued referral of and service provision to ((tenants under the provision of chapter 72.33 RCW)) clients. ((This certification is required biennially, but may be required more frequently by the division. Initial application or proposal

for certification shall be reviewed by the county and recommendations shall be forwarded by the county to the division. The county may submit recommendations to the division prior to annual certification by the department))

(b) The agency's certification may be granted for either a one-year or two-year period.

(c) Regular certification is required biennially, but the department may require a more frequent certification review. The county may submit recommendations to the department before certification.

(d) Regular certification may be extended for a period not to exceed one hundred eighty days.

((2)) (3) Provisional certification.

(a) An agency found ((to be substantially)) out of compliance with the provisions of this ((WAC)) chapter shall be subject to ((interim)) provisional certification ((and revocation procedures as outlined in WAC 275-26-015)) not to exceed one hundred eighty days.

(b) When the agency does not comply with the requirements of chapter 275-26 WAC within the one hundred eighty days, the department shall initiate certification revocation, as described under WAC 275-26-022.

(c) The department's notice of denial, modification, suspension, or revocation of certification is governed by chapter 43.20A RCW and section 95, chapter 175, Laws of 1989.

(d) When an agency comes into compliance with the requirements of chapter 275-26 WAC within one hundred eighty days, the department may grant a regular one-year or two-year certification.

#### NEW SECTION

WAC 275-26-021 REVIEW AND EVALUATION. (1) The department shall review and/or evaluate the agency's services as set forth by law or this chapter. Evaluation shall occur biennially, but the department may require more frequent evaluations.

(2) The department may, at any time, review each client's records and activities to ensure the agency continues serving the client's needs, interests, and welfare.

(3) The department shall file a report of the evaluation results. When the agency is out of compliance with the standards and regulations contained in chapter 275-26 WAC and department contracts, the report shall specify the corrective action to be implemented within a specific time. When corrective action is not implemented within the specified time, the department may withdraw the agency's certification as described under WAC 275-26-020.

(4) The department shall have the right to conduct additional evaluations or audits of the agency as the department deems necessary.

#### AMENDATORY SECTION (Amending Order 2997, filed 2/5/90, effective 3/1/90)

WAC 275-26-022 ADMINISTRATIVE REVIEW CONFERENCE—ADJUDICATIVE PROCEEDING PROCESS. (1) Within twenty-eight days after a ((tenant)) community residential support agency is notified of a certification determination it wishes to challenge, the agency shall request, in writing, that the division director or the division director's designee review such determination. The agency shall:

(a) Sign the request;

(b) Identify the challenged determination and the date thereof; and

(c) State as specifically as practicable the issues and regulations involved and the grounds for the agency's contention that the determination is erroneous. The agency shall include with the request copies of any documentation the agency intends to rely on to support its position.

(2) After receiving a timely request meeting the criteria of this section, the director shall contact the agency to schedule a conference for the earliest mutually convenient time. The director shall schedule the conference for no later than thirty days after a properly completed request is received, unless both parties agree, in writing, to a specific later date. The conference may be conducted by telephone unless either the department or the agency requests, in writing, the conference be held in person.

(3) The agency and appropriate representatives of the department shall attend the conference. The agency shall bring to the conference, or provide to the department in advance of the conference, any documentation the agency intends to rely on to support the agency's contentions. The parties shall clarify and attempt to resolve the issues at the conference. If additional documentation is needed to resolve the issues, a second session of the conference shall be scheduled for not later

than thirty days after the initial session unless both parties agree in writing to a specific later date.

(4) Unless informal agreement has been reached at the conference, a written decision by the director of the division of developmental disabilities (~~with~~) shall be furnished to the agency within sixty days after the conclusion of the conference.

(5)(a) An agency contesting the director's determination shall within twenty-eight days of receipt of the determination:

- (i) File a written application for an adjudicative proceeding by a method showing proof of receipt with the office of appeals; and
- (ii) Include in or with the application:
  - (A) A specific statement of the issue or issues and law involved;
  - (B) The grounds for contesting the director's determination; and
  - (C) A copy of the director's determination being contested.

(b) The proceeding shall be governed by the Administrative Procedure Act (chapter 34.05 RCW), RCW 43.20A.205, this chapter, and chapter 388-08 WAC. If any provision in this chapter conflicts with chapter 388-08 WAC, the provision in this chapter governs.

#### AMENDATORY SECTION (Amending Order 1945, filed 2/9/83)

WAC 275-26-025 ELIGIBILITY FOR ((TENANT)) RESIDENTIAL SERVICES AND SUPPORT ((SERVICES)). (~~In order to participate in tenant support services, the eligible person must:~~)

- ~~(1) Be eighteen years of age or older;~~
- ~~(2) Already live or be prepared to move into an apartment or private community housing;~~
- ~~(3) Have sufficient earned or unearned income to pay his or her housing, food, and other incidental costs;~~
- ~~(4) Be able to identify emergencies independently and seek assistance;~~
- ~~(5) Be able to be alone during night-time hours;~~
- ~~(6) Be able to use or learn to use a telephone, may use adaptive equipment;~~
- ~~(7) Does not consistently behave in a manner disruptive to the community;~~
- ~~(8) Demonstrates basic self-help skills, such as eating, dressing, grooming, and toileting;~~
- ~~(9) Demonstrates ability to use or learn to use public transportation independently and safely))~~ Any client referred by the division of developmental disabilities shall be eligible for residential services as defined by this chapter.

#### AMENDATORY SECTION (Amending Order 1945, filed 2/9/83)

WAC 275-26-050 ((TENANT)) CLIENT REMUNERATION. (~~Whenever appropriate or required by law, individual tenants))~~ Clients performing work for the ((tenant support)) agency shall be given remuneration in accordance with ((the minimum)) wage laws ((unless exemption has been granted to the minimum wage under applicable laws of the federal department of labor and state department of labor and industries)) and hours requirements stipulated by federal and state law, unless the United States Department of Labor or state department of labor and industries has granted written exemption.

#### AMENDATORY SECTION (Amending Order 1945, filed 2/9/83)

WAC 275-26-055 ADMINISTRATION. (1) The ((tenant support)) owner or board of directors of the agency shall have department-approved written statements ((approved by the division)) including, but not limited to, the following:

- (a) Agency philosophy, objectives, and goals;
- (b) ((Description of the tenant support agency's)) Program ((:)) description and admission ((, and discharge)) criteria;
- (c) Policies and procedures ((protecting the financial interests of the tenants;
- ~~(d) Policies and procedures describing designation of authority in the absence of the administrator and the agency's chain of authority;~~
- ~~(e) Policies and procedures describing methods of responding to emergencies including, but not limited to:~~
  - ~~(i) Natural or other disaster;~~
  - ~~(ii) Medical problems;~~
  - ~~(iii) Involvement of the tenant with law enforcement agencies;~~
  - ~~(f) Policies and procedures for notification of tenant's guardian and/or relatives in case of tenant's personal emergency))~~ describing the following:
    - (i) Administrative policy number one prohibiting abuse:

(A) The agency administrator shall complete and file with the division the document entitled division of developmental disabilities administrative policy number one prohibiting a client's mistreatment, neglect, or abuse. The agency shall retain a copy of the document; and

(B) All agency staff working with clients shall sign a similar department-approved document. The agency shall keep the document on record.

(ii) Organizational chart or description showing all supervisory relationships including the administrator's designee;

(iii) Definition of staff roles and responsibilities;

(iv) Criminal background inquiries required under chapter 388-330 WAC;

(v) Client confidentiality and release of information;

(vi) Client rights and grievance procedure;

(vii) Protection of client's financial interests, including management of client accounts, if applicable;

(viii) Drug administration, supervision, handling, storage, and disposal;

(ix) Self-administration of drugs, prescribed or not;

(x) Response to and contingency planning for:

(A) Medical emergencies;

(B) Natural or other disasters;

(C) Missing persons;

(D) Clients involved with law enforcement; and

(E) Unmanageable client behavior.

(xi) Notification of client's guardian and/or relatives in case of emergency.

(2) ((The tenant support agency director shall complete and file with the department the document entitled Division of Developmental Disabilities Administrative Policy Number 1, dated July 2, 1973, provided by the department prohibiting mistreatment, neglect or abuse of tenants. All staff working with tenants shall sign a similar document, approved by the department, compiled by the provider and kept in the staff's personnel file.

(3)(a) The tenant support agency will notify the division immediately of any serious incident involving a tenant, such as, when a tenant is missing, has had a serious injury or accident, or has been a victim or perpetrator of a felonious action, etc.

(b) Such notification will be followed by a written report of the incident submitted to the division on the next work day, unless an exception is granted by the division)) Following emergencies, as defined under WAC 275-27-020, the agency shall:

(a) Immediately notify the department orally of a serious incident or emergency as described in department policy;

(b) Submit a written incident report to the department as required by law or policy; and

(c) Notify the client's guardian or legal representative.

**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 1945, filed 2/9/83)

WAC 275-26-060 PERSONNEL. (1) The ((provider)) owner or board of directors of the agency shall maintain current written personnel policies and ((practices)) procedures which shall be made available to all employees.

(2) ((Requirements for staff employed by the tenant support agency shall include, but not be limited to, the following:

(a) Be eighteen years of age or older;

(b) Demonstrate capacity to be an appropriate role model;

(c) Exhibit mature behavior and the ability to make independent judgments)) Personnel policies and practices shall not discriminate against any employee or applicant for employment because of race, color, sex, religion, national origin, creed, marital status, age, Vietnam era or disabled veteran status, or the presence of any sensory, mental, or physical handicap, including communicable diseases, provided the sensory, mental, or physical handicap does not prevent the job's specific performance.

(3) Agency-employed staff shall meet the following minimum requirements:

(a) Have a background inquiry clearance by the authorized state agency;

(b) Exhibit mature behavior and the ability to make independent judgments;

(c) Be twenty-one years of age or older when employed as an administrator;

(d) Be eighteen years of age or older when employed as a direct care staff; and

(e) Have attained a high school diploma or GED equivalent.

(4) Agency employees shall treat a client with dignity and consideration, respecting the client's civil and human rights at all times.

(5) The performance of the administrator and each employee shall be evaluated, in writing ((at least)), annually or more often by the ((tenant support)) agency.

((4) Personnel policies and practices shall not discriminate against staff or prospective staff based upon a person's age, sex, marital status, race, creed, color, national origin or the presence of any sensory, mental or physical handicap. PROVIDED, That such sensory, mental or physical handicap does not prevent the specific performance of the job)) (6) The administrator or administrator's designee shall be responsible for:

(a) Recruiting, employing, and arranging for residential services staff training;

(b) Terminating from employment any employee performing in an unsatisfactory manner; and

(c) Preparing, maintaining, and safety storing policies and procedures and all client, personnel, and financial records.

(7) Clients shall not be routinely involved in the instruction and support of other clients.

#### AMENDATORY SECTION (Amending Order 1945, filed 2/9/83)

WAC 275-26-065 STAFFING. (1) ((The tenant support)) An agency shall provide sufficient staff to administer the program((;)) and perform ((training, supervision;)) instruction and support services.

(2) ((The tenant support)) An agency ((must)) shall provide the client with immediate ((accessibility)) access to ((tenant support agency)) staff or the means to contact staff twenty-four hours ((per)) a day, seven days each week.

(3) An agency required to have twenty-four hour staff coverage shall have a department-approved staff coverage schedule at the time of certification and when substantial changes occur. The agency shall retain a copy of department approval.

(4) Staff availability.

(a) An agency operating one residential program shall have a minimum of one paid half-time, twenty hours per week, administrator for the program.

(b) An agency operating two or more residential programs shall have a minimum of one paid half-time, twenty hours per week, administrator for each program. The agency may utilize one paid full-time administrator, forty hours per week, at the department's discretion. The agency shall retain a copy of department approval.

(c) Each facility-based residence shall maintain staffing requirements applicable to the specific licensing regulations and contract requirements under which the agency operates.

(d) When only one direct care staff member is on duty, the agency shall make or have provisions for a second person on call in case of an emergency.

#### AMENDATORY SECTION (Amending Order 1945, filed 2/9/83)

WAC 275-26-070 STAFF TRAINING. (1) The agency shall orient the new employee to the agency's philosophy, goals, policies, procedures, and program services within the first:

(a) Eighty hours of employment for staff scheduled to work twenty hours or more per week; or

(b) Forty-five days of employment for staff scheduled to work less than twenty hours per week.

(2) The ((tenant support)) agency shall ensure ((that)) staff receives a minimum of twelve hours of training during the first ((thirty days)) one hundred seventy-four hours of employment. Such training ((will involve)) shall include a combination of orientation, instruction, and ((supervised experience (working) with tenants. A minimum of four hours per month training shall be provided each direct service staff person during the first six months of employment)) on-the-job training.

(3) The agency shall provide a minimum of twenty training hours to each direct service staff person during the subsequent five employment months. Such staff training shall include, but not be limited to:

(a) Basic first aid/CPR;

(b) Knowledge and transmission of Hepatitis B; and

(c) Knowledge and transmission of human immunodeficiency virus (HIV), and acquired immunodeficiency syndrome (AIDS).

(4) The agency shall review and explain the current instruction and support plan for each client for whom the employee provides direct services before the employee works alone with the client.

(5) The agency shall document orientation, review, and training activities.

#### NEW SECTION

WAC 275-26-071 INDIVIDUAL SERVICE PLAN. The agency shall participate with department staff, the client, the client's guardian or legal representative, and other interested persons in the development of the individual service plan (ISP), under RCW 71A.18.010 and WAC 275-27-060, as required for each client.

#### NEW SECTION

WAC 275-26-072 INSTRUCTION AND SUPPORT. (1) The agency shall develop a written individual instruction and support plan (IISP) for each client:

(a) Based on the goals established in the department's individual service plan (ISP);

(b) Reflecting the client's preferences and concurrence;

(c) Identifying activities promoting one or more of the following client services:

(i) Health and safety;

(ii) Personal power and choice;

(iii) Positive recognition by self and others;

(iv) Integration in the physical and social life of the community;

(v) Relationships; and

(vi) Competence and self-reliance.

(d) Describing the methods of instruction and support promoting client-centered benefits and independence in the community.

(2) The agency shall:

(a) Implement the individual instruction and support plan (IISP) in a manner:

(i) Appropriate to the age of the client;

(ii) Taking place or occurring in typical community settings; and

(iii) Resulting in opportunities for:

(A) Positive change;

(B) Personal growth; and

(C) Development toward maximum independence.

(b) Document progress toward achieving the benefits described in the individual instruction and support plan (IISP);

(c) Review the plan semi-annually or more often;

(d) Consult with other providers and other interested persons as needed to coordinate and promote the individual instruction and support plan (IISP); and

(e) Revise the individual instruction and support plan (IISP) as benefits are achieved.

#### NEW SECTION

WAC 275-26-073 HEALTH SERVICES. (1) The agency shall have a means and procedure for ensuring a client has access to personal care and hygiene services, health services, and dental services. For a client for whom the agency provides an average of thirty hours or more of service per month, the agency shall provide instruction and support to the client by:

(a) Maintaining health records;

(b) Assisting the client to arrange appointments with health professionals;

(c) Assisting and ensuring transportation for the client to health services;

(d) Monitoring the client's implementation of medical treatment prescribed by health professionals; and

(e) Communicating directly with health professionals, when indicated.

(2) For each client for whom the agency provides an average of thirty hours or more a month, the agency shall ensure the client receives an annual physical and dental examination unless an exemption is granted, in writing, from the appropriate medical professional.

(3) The agency shall document client refusal to participate in health care services. Documentation shall include:

(a) A written description of events concerning client refusal to participate in health services; and

(b) A written plan to teach the client the benefits of health care participation.

**AMENDATORY SECTION** (Amending Order 1945, filed 2/9/83)

WAC 275-26-075 ~~((TENANT)) CLIENT RECORDS.~~ (1) The client's records shall include, but not be limited to, the following:

- (a) The client's name, address, and Social Security Number;
- (b) The client's guardian or legal representative's name, address, and telephone number;
- (c) Copies of legal guardianship papers, if any;
- (d) Client health records;
- (i) Names, addresses, and telephone numbers of relatives or responsible persons and the name, address, and telephone number of the client's:

- (A) Physician;
- (B) Dentist;
- (C) Mental health provider;
- (D) Other providing client health care services.
- (ii) Health care providers' instructions regarding health care needed;

and  
(iii) Written documentation that the health care providers' instructions have been followed.

- (e) A copy of the department's individual service plan (ISP); and
- (f) The client's agency-developed individual instruction and support plan (IISP).

(2) The ((tenant support)) agency shall maintain and keep current ((a record, including health and training records;)) documentation of:

- (a) Instruction and support activities for each ((tenant served)) client as a basis for review, study, and evaluation of the overall progress in programs provided by the agency to the participating ((tenants)) clients;

- (b) Semi-annual review of the IISP;
- (c) Consultation with other service providers and other interested persons;

- (d) IISP revisions and changes; and
- (e) Other activities relevant to the client.

((#2)) (3) The agency serving a client an average of thirty hours or more a month shall assist the client in maintaining a current, written property record. The record shall include:

- (a) Written receipts for all personal possessions the client purchases with a value of one-hundred dollars or more per item;

- (b) A list of items the client owns when moving into the program;
- (c) Description and identifying numbers, if any;
- (d) The date of acquisition of items purchased after moving into the program;

- (e) The date and reason for addition or removal from the record;

- (f) The signature of the staff making the entry.
- (4) Individual providers shall maintain records as required by the department.

(5) The agency shall consider all client record information ((contained in a tenant's record shall be)):

- (a) ((Considered)) Privileged and confidential;
- (b) ((Used in the best interest of the tenant)) Available to the department, to the client, and to residential services staff, as needed, to provide client services;

- (c) Available to ((all training and support staff, the department and, pursuant to RCW 71A.20.075;)) the county ((community)) developmental disabilities board when the department requests it as allowed under RCW 71A.14.070.

- (6) The agency shall prepare and record all record entries:
- (a) In ink;

(b) At the time of or immediately following the occurrence of the event recorded, in legible writing, dated, and signed by the person making the entry.

- ((#3)) (7) Any transfer or inspection of records, except ((pursuant to)) under subsection ((#2)) (5) of this section, shall be authorized by a release of information form, ((which is)) specific to the transfer or inspection signed by the ((tenant)) client or ((if incompetent by the)) guardian.

**NEW SECTION**

WAC 275-26-087 **TRANSPORTATION.** (1) The agency shall ensure or provide transportation for medical emergencies and medical appointments and therapies.

(2) The agency shall assist the client with or arrange transportation, in conjunction with the client and the division, for:

- (a) Implementation of the individual service plan (ISP);
- (b) Implementation of the individual instruction and support plan (IISP);

- (c) Work, school or other publicly-funded services;
- (d) Leisure or recreation activities; and
- (e) Client-requested activities.

(3) A vehicle used to transport clients shall be:

- (a) In safe operating condition; and
- (b) Properly insured for its usage.

**AMENDATORY SECTION** (Amending Order 1945, filed 2/9/83)

WAC 275-26-095 **PHYSICAL REQUIREMENTS.** (1) ~~The ((tenant support agency, when assisting a tenant with establishing a residence, will ensure the tenant is offered choices of housing meeting the following requirements)) agency shall ensure facility-based residential services provide clients the following conditions or necessary equipment:~~

(a) ((One living unit serves as a residence for no more than three tenants)) A clean, safe, and healthful environment;

(b) ((Is located)) A location in a ((typical multi-family or single-family dwelling)) residential neighborhood within reasonable distance of necessary physical resources, such as stores, bank, laundromats, churches, and other public services;

(c) ((Is located in a neighborhood or apartment complex not having a predominant population comprised of handicapped, ill or infirm people)) An adequate first aid kit or supplies and a first aid manual; and

(d) ((Is located in an area providing easy access to public transit and necessary resources such as grocery, bank, laundromat, churches, and other public services;))

(e) Is located in an area where access to tenant's work and/or work training involves not more than a reasonable effort;

(f) Has necessary equipment or conditions to guarantee minimum safety for the tenant in his or her housing unit, including, but not limited to) Compliance with all licensing regulations, when applicable.

(2) The department shall ensure nonfacility-based residential services provide clients the following conditions or necessary equipment:

((#1)) (a) A clean, safe, and healthful environment;

(b) Access to client-usable telephone equipment ((usable by the tenant));

((#2)) (c) A working smoke detector located in proximity to sleeping rooms;

((#3)) (d) A flashlight or other nonelectrical light source in working condition;

((#4)) (e) Basic first-aid supplies;

((#5)) (f) An evacuation plan, developed and practiced with ((tenant for evacuation)) the client, placed or stored within the living unit;

((#6)) (g) A safe storage area for flammable and combustible materials;

((#7)) No space used for residential purposes accessible only by ladder, folding stairs or a trap door;

((#8)) (h) Unblocked exits; and

(i) Accessibility by customary forms of ingress and egress for space utilized for residential purposes, excluding ladders, folding stairs, or trap doors.

((#2)) (3) The ((tenant support)) agency providing nonfacility-based residential services shall document activities with a ((tenant)) client relevant to subsection ((#1)) (2) of this section. ((Such documentation shall be kept in the tenant's record.

(3) Tenant support agencies serving tenants entered into the program prior to the effective date of this amendatory act are exempt from subsections (1)(a) through (c) of this section.))

**NEW SECTION**

WAC 275-26-100 **PAYMENT FOR SERVICE.** (1) The department shall pay allowable costs for residential services provided to eligible clients under department contract or policy.

(2) For a client receiving facility-based residential services and support:

(a) The client shall pay for cost of care or service from earnings or financial resources under department policy;

(b) Department payments under this chapter shall be supplemental to other financial resources of the client; and



(c) When a client's guardian controls the client's income, estate, or trust fund, the guardian shall reimburse the agency as described under this section.

(3) A client receiving nonfacility-based residential services shall pay for their own housing, utilities, food, clothing, and other personal and incidental expenses from earnings and other financial resources.

(4) The department shall require a client to participate in defraying the cost of services when mandated by federal or state statute or regulation.

(5) The provider shall inform the department when the client requires services beyond levels described under chapter 275-26 WAC. The department may provide payment for additional expenses or services. The provider shall retain a copy of department approval.

(6) To ensure a client is not charged for services provided by state-funded programs, any payment made for health services with client funds shall be supported by the department's written denial.

#### NEW SECTION

**WAC 275-26-107 PROGRAM SET-UP COST.** (1) The department may enter into a contractual agreement to reimburse the provider for costs incurred to establish the program. The provider's costs shall:

- (a) Be based on a budget negotiated with the department; and
- (b) Include client costs of establishing a residence.

(2) The provider shall submit the department-required billing documents.

#### NEW SECTION

**WAC 275-26-110 CHANGE OF OWNERSHIP.** (1) An agency shall inform the department in writing sixty days prior to a change of ownership.

(2) On the effective date of a change of ownership, the department shall terminate the department's certification with the previous provider.

(3) The department shall withhold final payment to the previous provider until the previous provider submits and the department accepts all reports and required documents.

#### NEW SECTION

**WAC 275-26-115 ACCOUNTING PROCEDURES FOR CLIENT ACCOUNTS.** (1) A client's bank account controlled by a person other than the depositor of the account shall be subject to the provisions of this chapter. Client accounts shall include, but not be limited to:

(a) Trust accounts in which the funds of two or more clients are co-mingled;

(b) Agency accounts:

(i) A fund to which a depositor-designated agent may deposit funds; and

(ii) From which a depositor-designated agent may make payments.

(c) Individual accounts requiring only the client's signature, but the provider primarily manages;

(d) Co-mingled imprest funds which:

(i) May serve as an advance or loan to the client; and

(ii) The depositor-designated agent may reimburse from the client's account.

(e) Individual petty cash funds; and

(f) Individual accounts the client manages are not subject to the provisions of this chapter.

(2) The client and agency provider shall protect the client's financial interests for subsection (1)(a), (b), (c), (d), and (e) of this section by:

(a) Making available to the requesting client the money held for the client unless the client's legal representative makes other arrangements;

(b) Securing a client's or client's legal representative's written consent for the management of the client's account;

(c) Keeping the client's account current by maintaining a running balance;

(d) Monthly or more often reconciling the client account to the bank statement;

(e) Making deposits to the client account within one week of receiving client money;

(f) Preventing the client account from either becoming overdrawn or showing a debit;

(g) Limiting imprest and petty cash funds to:

- (i) A reasonable amount necessary for the needs of the client; and
- (ii) Not exceed fifty dollars per client.

(h) Maintaining documentation to support client or client agent's financial transactions for the specific type of account:

(i) Co-mingled account records shall include:

(A) General ledger;

(B) Monthly bank statements and reconciliations;

(C) Checkbook registers;

(D) Deposit receipts;

(E) Canceled checks;

(F) Receipts for purchases; and

(G) Itemized ledgers showing deposits, withdrawals, and interest payments to individual clients.

(ii) Agency accounts and individual accounts the provider primarily manages, shall include the following records:

(A) Monthly bank statements and reconciliations;

(B) Checkbook register;

(C) Deposit receipts;

(D) Canceled checks;

(E) Receipts for purchases; and

(F) Itemized ledgers showing deposits, withdrawals, and interest payments to clients.

(iii) Co-mingled imprest fund records shall include:

(A) A subsidiary ledger;

(B) A monthly reconciliation to the cash amount;

(C) A detailed accounting of money received on behalf of the client and disposition of money spent;

(D) Receipts for purchases over the amount of ten dollars;

(E) Itemized ledgers showing a client's deposits and withdrawals, and interest payments paid to clients.

(iv) Individual petty cash fund records shall include:

(A) Subsidiary ledger;

(B) Monthly reconciliation to the cash amount;

(C) Detailed accounting of money received on behalf of the client, including cash received from writing checks over the purchase amount and disposition of money spent; and

(D) Receipts for purchases costing over twenty dollars.

(i) Notifying the department when the client's account reaches three hundred dollars less than the maximum amount allowable by federal or state law; and

(j) Making each client account available for the department's audit and inspection.

(3) When a client's provider receives a client's check, the provider assisting the client shall secure the client's:

(a) Signature and designation "for deposit only" and deposit the check to the client's account; or

(b) "X" mark and sign the check with the designation "for deposit only" and deposit the check to the client's account.

(4) When a provider manages agency and client checks written from agency and individual client accounts, the agency and client checks shall:

(a) Be signed at the time of purchase only; and

(b) Be signed by the client and co-signatory; or

(c) Be signed by the client and the staff member assisting the client; and

(d) Not be written for amounts greater than a purchase unless the provider maintains required documentation described under subsection (2)(h)(iii) and (iv) of this section.

(5) A provider who signs client and agency checks shall pay:

(a) Service charges for co-mingled client trust accounts and co-mingled imprest funds; and

(b) Overdraft charges and fees resulting from the provider's error or mismanagement.

(6) The agency shall retain the client's related bank books, bank statements, checkbooks, check registers, and all voided and canceled checks for a minimum of six years after audit settlement or contract termination.

(7) The client's provider may loan money to the client from the provider's funds and collect the debt from the client by installments.

(8) The client's provider shall not:

(a) Charge the client interest for money loans; or

(b) Borrow funds from the client.

(9) Upon a provider's transfer of ownership of movement of the client to a new provider, the previous provider shall within thirty days:

(a) Give the client or client's legal representative a written accounting of client funds held by the provider;



(b) Give the new provider a written accounting, in accordance with generally accepted accounting principles, of transferred client funds; and

(c) Obtain the new provider's written receipt for the transferred funds.

(10) When a client dies or a client's whereabouts are unknown, the client's provider shall within thirty days transfer the client's funds to the client's legal guardian or to the department.

(11) The provider shall not release client funds to a person other than the client or the client's guardian without the written consent of the client, the client's designated agent as appointed by power of attorney, or department-designated personnel.

#### REPEALER

The following sections of the Washington Administrative Code are repealed:

275-26-012	TENANT SUPPORT AGENCIES.
275-26-015	INITIAL AND INTERIM CERTIFICATION.
275-26-030	EVALUATION AND SUPERVISION.
275-26-032	EMERGENCY AND OTHER SERVICES.
275-26-080	HEALTH SERVICES.
275-26-085	TENANT SUPPORT PROGRAM PLAN.
275-26-090	TENANT SERVICES.
275-26-500	ALTERNATIVE LIVING PROGRAM.
275-26-520	ELIGIBILITY.
275-26-530	EVALUATION AND SUPERVISION.
275-26-540	ADMINISTRATION OF ALTERNATIVE LIVING SERVICES.
275-26-550	ALTERNATIVE LIVING SERVICES.
275-26-560	PROVIDER REQUIREMENTS.
275-26-570	MAXIMUM COMPENSATION.

#### AMENDATORY SECTION (Amending Order 2767, filed 2/28/89)

WAC 275-27-020 DEFINITIONS. (1) "Best interest" includes, but is not limited to, individual client program elements designed to:

- Achieve or maintain economic self-support;
- Achieve or maintain self-sufficiency;
- Prevent or remedy neglect, abuse, or exploitation of individuals unable to protect their own interest;
- Preserve, rehabilitate, or reunite families; and
- Prevent or reduce inappropriate institutional care by providing the least restrictive setting, such as community-based services, home-based services, or other forms of less-intensive service, to meet the individual's medical and personal needs.

(2) "Client or Person" means a person the division determines under RCW 71A.16.040 and WAC 275-27-026 eligible for division-funded services.

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

((3)) (4) "Director" means the director of the division of developmental disabilities.

((4)) (5) "Division" means the division of developmental disabilities of the department of social and health services.

((5)) (6) "Emergency" means a sudden, unexpected occurrence demanding immediate action.

((6)) (7) "Exemption" means the department's approval of a written request for an exception to a rule in this chapter provided an:

(a) Assessment of the exemption shall not undermine the legislative intent of Title 71A RCW; and

(b) Evaluation of the exemption request shows granting the exemption shall not adversely effect the quality of the services, supervision, health, and safety of department-served persons.

Agencies and individual providers shall retain a copy of each department-approved exemption.

(8) "ICF/MR" means a facility certified as an intermediate care facility for the mentally retarded by Title XIX to provide services to the mentally retarded or persons with related conditions.

(9) "Individual" means the person for whom division services are requested.

((7)) (10) "Informed consent" means an agreement obtained from ((an individual)) a person or ((his or her)) the person's authorized representative, for such ((individual's)) person's participation in an activity. The following information is necessary to informed consent:

(a) An explanation of the procedures to be followed including an identification of ((those which are)) experimental procedures;

(b) A description of the attendant discomforts and risks;

(c) A description of the expected benefits ((to be expected));

(d) A disclosure of appropriate alternative procedures;

(e) An offer to answer ((any)) inquiries concerning the procedures; and

(f) Instruction that consent may be withdrawn and participation discontinued at any time.

((8)) (11) "Intelligence quotient score" means a full scale score on the Wechsler, or the intelligence quotient score on the Stanford-Binet or the Leiter International Performance Scale.

((9)) (12) "More dependent program" means a program providing less opportunity for numbers and variety of community contacts for ((the individual)) a person or requiring more hours of staff supervision/training/support for the ((individual)) person.

((10)) (13) "Nonresidential programs" means programs including, but not limited to, county-funded habilitation services.

((11)) (14) "Residential programs" means those programs providing domiciliary care and other services, including, but not limited to, state residential facilities, group homes, skilled nursing facilities, intermediate care facilities, congregate care facilities, boarding homes, children's foster homes, adult family homes, and group training homes.

((12)) (15) "Respite care" means temporary services provided to a developmentally disabled ((individual and/or)) person and the ((individual's)) person's family on either an emergency or planned basis without which the individual may need a more dependent program.

((13)) (16) "Secretary" means the secretary of the department of social and health services or the secretary's designee.

#### NEW SECTION

WAC 275-27-023 EXEMPTIONS. The department may approve an exemption to a specific rule in this chapter as defined under WAC 275-27-020.

#### AMENDATORY SECTION (Amending Order 2418, filed 8/29/86)

WAC 275-27-060 INDIVIDUAL SERVICE PLAN. (1) The division ((staff)) may develop a written individual service plan (ISP) or other planning documents for each person determined eligible for division and department services within ((sixty)) ninety days of the eligibility date. Interim services may be provided if ((deemed)) necessary.

(2) An ((individual service plan)) ISP shall be based on an assessment of ((the individual's)) a person's needs and will specify the services adjudged to be in the best interests of the ((client)) person and meet the ((individual's)) person's habilitation needs. The ((individual service plan)) ISP shall be in the form and manner specified by the director.

(3) A ((client)) person, ((his or her parent or parents)) the parent if a person is seventeen years of age or younger, or the person's guardian, or an approved advocate may request review or modification of the service plan at any time based on changed circumstances.

(4) The department's implementation of specific provisions of the plan shall require the development, review, and significant modifications of the ((individual service plan)) ISP and shall include, to the maximum extent possible((:));

(a) Appropriate division staff((:));

(b) The ((client, his or her)) person;

(c) The person's parent ((or parents)) or guardian((, and));

(d) Personal ((representative)) advocate; or

(e) Representatives of the agency or facility which is, or will be, primarily responsible for the implementation of specific provisions of the plan.

(5) An ((individual service plan is)) ISP shall be a planning document, and ((is)) shall not be an authorization for services. ((A plan does)) An ISP shall not guarantee the authorization or delivery of services ((contained therein)). The authorization of such services is ((pursuant to)) described under WAC 275-27-230.

#### AMENDATORY SECTION (Amending Order 2418, filed 8/29/86)

WAC 275-27-230 AUTHORIZATION OF SERVICES. (1) The division's field services section shall be responsible for authorizing services received by ((all)) eligible ((division clients)) persons including, but not limited to:

(a) Placement to and from residential habilitation centers;

(b) Other community residential ((facilities, including, but not limited to, community IMR's, group homes, tenant support, and alternative living)) services;

- (c) Family support services; and  
 (d) Nonresidential programs.
- (2) The division's authorization of services shall be based on the availability of services and funding ~~((and/or services))~~.
- (3) ~~((Determination of services to be authorized))~~ The division shall include ~~((to the maximum extent feasible, the client, his or her parent or parents or guardian, and all))~~ the following persons when determining authorized services:
- (a) The person;  
 (b) The person's parent or guardian and may include:  
 (i) The person's personal advocate; or  
 (ii) Other responsible parties.
- (4) ~~The division shall not make an emergency or temporary admission of ((any individual)) a person to a residential habilitation center ((shall not exceed thirty)) for thirty-one days or more without the written approval of the division director or the director's designee.~~
- (5) ~~((A temporary admission of any individual to a residential habilitation center for respite care or diagnostic services shall not exceed thirty days))~~ The division shall authorize county-funded services only when the:
- (a) Service is included in a department contract;  
 (b) Person is twenty-two years of age or older; or  
 (c) Person is two years of age or younger and eligible for early intervention services.
- (6) ~~((Placement by the division in a county-funded service is limited as follows:~~
- (a) ~~The service must be included in a state-approved county plan;~~  
 (b) ~~Placement and funding is limited to those cases where the local school district is not responsible for provision of county-funded services. PROVIDED, That:~~
- (i) ~~The division shall aid the client in obtaining required services from the local school district;~~  
 (ii) ~~Exceptions may be granted by the division for county-funded services during nonschool months))~~ The department shall require a person to participate in defraying the cost of services provided when mandated by state or federal regulation or statute.

**AMENDATORY SECTION** (Amending Order 2997, filed 2/5/90, effective 3/1/90)

WAC 275-27-500 ADJUDICATIVE PROCEEDING. (1) A client, former client, or applicant acting on ~~((his or her))~~ the applicant's own behalf or through an authorized representative has the right to an adjudicative proceeding to contest the following department actions:

- (a) Denial or termination of eligibility set forth in WAC 275-27-030;  
 (b) Development or modification of the individual service plan set forth in WAC 275-27-060;  
 (c) Authorization, denial, reduction, or termination of services set forth in WAC 275-27-230;  
 (d) Admission or readmission to, or discharge from, a residential habilitation center;  
 (e) A claim the client, former client, or applicant owes an overpayment debt;  
 (f) A decision of the secretary under RCW 71A.10.060 or 71A.10.070;  
 (g) A decision to change a client's placement from one category of residential services to a different category of residential services.
- (2) Adjudicative proceedings are governed by the Administrative Procedure Act (chapter 34.05 RCW), RCW 71A.10.050, the rules in this chapter, and by chapter 388-08 WAC. If any provision in this chapter conflicts with chapter 388-08 WAC, the provision in this chapter shall govern~~((s))~~.
- (3) ~~((An))~~ The applicant's application for an adjudicative proceeding ~~((must))~~ shall be in writing and filed with the DSHS office of appeals within ~~((thirty))~~ twenty-eight days of receipt of the decision the appellant wishes to contest.
- (4) The department shall not implement the following actions while an adjudicative proceeding is pending:
- (a) Termination of eligibility;  
 (b) Reduction or termination of service, except when the action to reduce or terminate the service is based on the availability of funding and/or service; or  
 (c) Removal or transfer of a client from a service, except when a condition in subsection (5)(f) of this section is present.
- (5) The department shall implement the following actions while an adjudicative proceeding is pending:
- (a) Denial of eligibility;

- (b) Development or modification of an individual service plan;  
 (c) Denial of service;  
 (d) Reduction or termination of service when the action to reduce or terminate the service is based on the availability of funding ~~((and/or))~~ or service;  
 (e) After notification of an administrative law judge's (or review judge) ruling that the appellant has caused an unreasonable delay in the proceedings; or  
 (f) Removal or transfer of a client from a service when:  
 (i) An immediate threat to the client's life or health is present;  
 (ii) The client's service provider is no longer able to provide services due to:  
 (A) Termination of the provider's contract;  
 (B) Decertification of the provider;  
 (C) Nonrenewal of provider's contract;  
 (D) Revocation of provider's license; or  
 (E) Emergency license suspension~~((or))~~;  
 (iii) The client, the parent when the client is a minor, or the guardian when the client is an adult, approves the decision.
- (6) When the appellant files an application to contest a decision to return a resident of a state residential school to the community, the procedures specified in RCW 71A.10.050(2) shall govern the proceeding. These procedures include:
- (a) A placement decision shall not be implemented during any period during which an appeal can be taken or while an appeal is pending and undecided unless the:
- (i) ~~((The))~~ Client's or ~~((his or her))~~ the client's representative gives written consent~~((;))~~; or  
 (ii) ~~((The))~~ Administrative law judge (or review judge) after notice to the parties rules the appellant has caused an unreasonable delay in the proceedings.  
 (b) The burden of proof is on the department; and  
 (c) The burden of proof is whether the specific placement proposed by the department is in the best interests of the resident.
- (7) The initial order ~~((should))~~ shall be made within sixty days of the department's receipt of the application for an adjudicative proceeding. When a party files a petition for administrative review, the review order ~~((should))~~ shall be made within sixty days of the department's receipt of the petition. The decision-rendering time is extended by as many days as the proceeding is continued on motion by, or with the assent of, the appellant.

**AMENDATORY SECTION** (Amending Order 2086, filed 3/14/84)

WAC 275-27-820 COMMUNITY ALTERNATIVES PROGRAM (CAP)—SERVICES. (1) The department may authorize the following services ~~((may be authorized))~~ under 42 CFR Part 435 as specified ~~((by))~~ in the ~~((individual service plan:))~~ ISP:

- (a) Case management services, including intake, eligibility determination, assessment of need, ~~((placement:))~~ service coordination, service authorization, placement and case monitoring~~((:))~~;  
 (b) Habilitation services, including ~~((training))~~ instruction, support, and supervision ~~((of))~~ in developing ~~((the individual's))~~ a person's physical skills, personal care, ~~((and))~~ social ~~((or))~~ and community integration skills~~((:))~~;  
 (c) ~~((Respite care))~~ Family support for an eligible ~~((individuals))~~ person needing ~~((temporary))~~ support and supervision which the person's family cannot ~~((be provided by his or her family:))~~ provide; and  
 (d) ~~((Professional and))~~ Other community-based services.
- (2) The ~~((projected))~~ department cost of a person's services ~~((in the))~~ under CAP ~~((individual service plan may))~~ shall not exceed ~~((eighty))~~ one hundred percent of the cost of care in an ~~((HMR, as determined by DDD case management services at the time of individual service plan development))~~ ICF/MR.
- (3) The division shall review CAP eligibility ~~((annually))~~ under 42 CFR Part 435 on forms specified by the division director.

**REPEALER**

The following sections of the Washington Administrative Code are repealed:

- 275-27-300 COMPLETION OF INDIVIDUAL PROGRAM PLAN—RESIDENTIAL HABILITATION CENTERS.  
 275-27-310 EXCLUSION OF CHILD FROM EDUCATIONAL PROGRAM—RESIDENTIAL SCHOOLS.  
 275-27-320 DISCIPLINE—EXPULSION—SUSPENSION.

**REPEALER**

The following sections of the Washington Administrative Code are repealed:

WAC 275-36-010	Definitions.
WAC 275-36-020	Approval and certification of group homes.
WAC 275-36-030	Certification of group homes.
WAC 275-36-040	Provisional initial certification or interim renewal certification.
WAC 275-36-050	Eligibility for placement in group home.
WAC 275-36-061	Supervision.
WAC 275-36-065	Investigation of complaints.
WAC 275-36-071	Payment for service.
WAC 275-36-081	Resident remuneration.
WAC 275-36-091	Group home administration.
WAC 275-36-101	Personnel.
WAC 275-36-110	Staffing.
WAC 275-36-120	Staff ratios.
WAC 275-36-130	Inservice staff training.
WAC 275-36-140	Resident records.
WAC 275-36-150	Personal care and hygiene.
WAC 275-36-153	First aid services.
WAC 275-36-160	Transportation.
WAC 275-36-170	Individual service plan.
WAC 275-36-180	Group home service plan.
WAC 275-36-190	Educational and vocational training.
WAC 275-36-200	Family involvement.
WAC 275-36-211	Group home set-up cost.
WAC 275-36-260	Change of ownership.
WAC 275-36-270	Accounting procedures for resident trust accounts.
WAC 275-36-275	Trust moneys—Imprest fund.
WAC 275-36-280	Trust moneys control or disbursement.
WAC 275-36-285	Trust moneys availability.
WAC 275-36-290	Accounting upon change of ownership.
WAC 275-36-295	Procedure for refunding or transferring trust funds.
WAC 275-36-300	Liquidation of trust funds.
WAC 275-36-305	Resident property records.
WAC 275-36-310	Administrative review conference—Adjudicative proceeding.

**AMENDATORY SECTION** (Amending Order 2629, filed 6/1/88)

WAC 275-38-001 TERMS—DEFINITIONS. Unless the context clearly requires otherwise, the following terms shall have the meaning set forth in this section when used in this chapter.

(1) "Accrual method of accounting" ((=)) means a method of accounting where revenues are reported in the period when earned, regardless of when collected, and expenses are reported in the period incurred, regardless of when paid.

(2) "Active treatment ((in institutions for the mentally retarded))" ((requires the following:

(a) The individual's regular participation, in accordance with an individual habilitation plan, in professionally developed and supervised activities, experiences, or therapies.

(b) A written individual habilitation plan setting forth measurable goals or objectives stated in terms of desirable behavior and prescribing an integrated program of activities, experiences, or therapies necessary for the individual to reach the goals or objectives. The overall purpose of the plan is to help the individual function at the greatest physical, intellectual, social, or vocational level he or she can presently or potentially achieve.

(c) An interdisciplinary professional evaluation:

(i) Completed, for a recipient, before admission to the institution but not more than three months before, and for an individual applying for Medicaid after admission, before the institution requests payment;

(ii) Consisting of complete medical, social, psychological diagnosis and evaluations, and an evaluation of the individual's need for institutional care; and

(iii) Made by a physician, a social worker, and other professionals, at least one of whom is a qualified mental retardation professional.

(d) Reevaluation medically, socially, and psychologically at least annually by the staff involved in carrying out the resident's individual plan of care. The reevaluation must include review of the individual's progress toward meeting the plan objectives, the appropriateness of the individual plan of care, assessment of his or her continuing need for institutional care, and consideration of alternate methods of care.

(c) An individual post-institutionalization plan, as part of the individual plan of care, developed before discharge by a qualified mental retardation professional and other appropriate professionals)) means "active treatment" as defined under 42 CFR 483.440(a) including implementation of an individual program plan for each client as outlined under 42 CFR 483.440 (c) through (f).

(3) "Administration and management" ((=)) means activities employed to maintain, control, and evaluate the efforts and resources of a facility or organization for the accomplishment of the objectives and policies of that facility or organization.

(4) "Admission" means entering and being authorized to receive services from a state-certified facility.

(5) "Allowable costs" ((=See)) are described under WAC 275-38-680.

((5)) (6) "Appraisal" ((=)) means the process of establishing the fair market value or reconstruction of the historical cost of an asset acquired in a past period as performed by ((an individual)) a person professionally designated either by the American Institute of Real Estate Appraisers as a member, appraisal institute (MAI), or by the Society of Real Estate Appraisers as a senior real estate analyst (SREA) or a senior real property appraiser (SRPA). The process includes a systematic, analytic determination, the recording and analyzing of property facts, rights, investments, and values based on a personal inspection and inventory of the property.

((6)) (7) "Arm's-length transaction" ((=)) means a transaction resulting from good-faith bargaining between a buyer and seller who have adverse positions in the market place. Sales or exchanges of ((HMR)) ICF/MR or nursing home facilities among two or more parties where all parties subsequently continue to own one or more of the facilities involved in the transaction shall not be considered arm's-length transactions. Sale of an ((HMR)) ICF/MR facility which is subsequently leased back to the seller within five years of the date of sale shall not be considered an arm's-length transaction for purposes of chapter 275-38 WAC.

((7)) (8) "Assets" ((=)) means economic resources of the contractor, recognized, and measured in conformity with ((generally accepted)) accounting principles. Assets also include ((certain)) deferred charges which are not resources, but ((which are)) recognized and measured in accordance with ((generally accepted)) accounting principles. The value of assets acquired in a change of ownership entered into after September 30, 1984, shall not exceed the acquisition cost of the owner of record as of July 18, 1984.

((8)) (9) "Bad debts" ((=)) means amounts considered ((to be)) uncollectable from accounts and notes receivable.

((9)) (10) "Beds" ((=)) means unless otherwise specified, the number of set-up beds in the ((HMR)) ICF/MR facility, not ((to exceed)) exceeding the number of licensed beds.

((10)) (11) "Beneficial owner" ((=)) means any person:

(a) Directly or indirectly, through any contract, arrangement, understanding, relationship, or otherwise has or shares:

(i) Voting power including the power to vote, or to direct the voting of such ownership interest; and/or

(ii) Investment power including the power to dispose, or to direct the disposition of such ownership interest.

(b) Directly or indirectly, who creates or uses a trust, proxy, power of attorney, pooling arrangement, or any other contract, arrangement, or device with the purpose or effect of divesting ((himself or herself)) to the same person of beneficial ownership of an ownership interest or preventing the vesting of such beneficial ownership as part of a plan or scheme to evade the reporting requirements of this chapter((:));

(c) Subject to subsection ((4)) (5) of this section, ((has)) with the right to acquire beneficial ownership of such ownership interest within sixty days, including but not limited to any right to acquire:

(i) Through the exercise of any option, warrant, or right;

(ii) Through the conversion of an ownership interest;

(iii) ((Pursuant to)) Under the power to revoke a trust, discretionary account, or similar arrangement; or

(iv) ((Pursuant to)) Under the automatic termination of a trust, discretionary account, or similar arrangement((:)).

Except, any person acquiring an ownership interest or power specified in subsection ((4)) (11)(c)(i), (ii), or (iii) of this section shall be deemed ((to be)) the beneficial owner of the ownership interest acquired through the exercise or conversion of such ownership interest or power((:));

(d) ((Any person)) Who in the ordinary course of business is a pledgee of ownership interest under a written pledge agreement and

shall not be deemed ~~((to be))~~ the beneficial owner of such pledged ownership interest except under the following conditions:

(i) The pledgee shall take all formal steps necessary and be required to:

- (A) Declare a default and determine the power to vote; or
- (B) Direct the vote; or
- (C) Dispose or direct the disposition of how such pledged ownership interest will be exercised~~((and))~~.

(ii) The pledge agreement is bona fide and was not entered into with the purpose nor with the effect of changing or influencing the control of the contractor, nor in connection with any transaction having such purpose or effect, including any transaction with persons who meet the conditions set forth in subsection ~~((+1))~~ (11)(b) of this section; and

(iii) The pledge agreement, ~~((prior to))~~ before default, does not grant to the pledgee the power to:

(A) ~~((The power to))~~ Vote or direct the vote of the pledged ownership interest; or

(B) ~~((The power to))~~ Dispose or direct the disposition of the pledged ownership interest, other than the grant of such power or powers ~~((pursuant to))~~ under a pledge agreement where credit is extended and where the pledgee is a broker or dealer.

~~((+1))~~ (12) "Boarding home" ~~((=))~~ means any home or other institution licensed in accordance with chapter 18.20 RCW.

~~((+2))~~ (13) "Capitalization" ~~((=))~~ means the recording of an expenditure as an asset.

~~((+3))~~ (14) "Capitalized lease" ~~((=))~~ means a lease required to be recorded as an asset and associated liability in accordance with generally accepted accounting principles.

~~((+4))~~ (15) "Cash method of accounting" ~~((=))~~ means a method of accounting where revenues are recognized only when cash is received, and expenditures are expensed, and asset items are not recorded until cash is disbursed.

~~((+5))~~ (16) "Change of ownership" ~~((=))~~ means a change in the individual or legal organization responsible for the daily operation of an ~~((HMR))~~ ICF/MR facility.

(a) Events changing ownership include but are not limited to ~~((the following))~~:

(i) The form of legal organization of the owner is changed ~~((f))~~, such as a sole proprietor forms a partnership or corporation~~((g))~~;

(ii) Title to the ~~((HMR))~~ ICF/MR enterprise is transferred by the contractor to another party;

(iii) The ~~((HMR))~~ ICF/MR facility is leased, or an existing lease is terminated;

(iv) Where the contractor is a partnership, any event ~~((occurs))~~ occurring dissolving the partnership;

(v) Where the contractor is a corporation, the corporation is dissolved, merges with another corporation which is the survivor, or consolidates with one or more other corporations to form a new corporation.

(b) Ownership does not change when the following occurs:

(i) A party contracts with the contractor to manage the enterprise as the contractor's agent, ~~((+e))~~ that is, subject to the contractor's general approval of daily operating decisions~~((g))~~;

(ii) If the contractor is a corporation, some or all of its stock is transferred.

~~((+6))~~ (17) "Charity allowances" ~~((=))~~ means reductions in charges made by the contractor because of the indigence or medical indigence of a resident.

~~((+7))~~ (18) "Client or Person" means a person the division determines, under RCW 71A.16.040 and WAC 275-27-026, eligible for division-funded services.

(19) "Consent" means the process through which a person's agreement is obtained for procedures and for taking actions affecting that person.

(20) "Contract" ~~((=))~~ means a contract between the department and a contractor for the delivery of ~~((HMR))~~ ICF/MR services to eligible Medicaid recipients.

~~((+8))~~ (21) "Contractor" ~~((=))~~ means an entity contracting with the department to deliver ~~((HMR))~~ ICF/MR services to eligible Medicaid recipients.

~~((+9))~~ (22) "Courtesy allowances" ~~((=))~~ means reductions in charges in the form of an allowance to physicians, clergy, and others ~~((:))~~ for services received from the contractor. Employee fringe benefits are not considered courtesy allowances.

~~((+0))~~ "CSO" — The local community services office of the department.

~~((+1))~~ (23) "Custody" means immediate physical attendance, shelter, and supervision of a person for purposes of the person's care and welfare.

(24) "DDD" ~~((=))~~ means the division of developmental disabilities of the department.

~~((+2))~~ (25) "Department" ~~((=))~~ means the department of social and health services (DSHS) and its employees.

~~((+3))~~ (26) "Depreciation" ~~((=))~~ means the systematic distribution of the cost or other base of a tangible asset, less any salvage, over the estimated useful life of the asset.

~~((+4))~~ (27) "Discharge" means the resident's leaving the residential facility and the facility's relinquishment of responsibilities acquired by reason of the acceptance for admission of the resident.

(28) "Donated asset" ~~((=))~~ means an asset the contractor acquired without making any payment in the form of cash, property, or services. An asset is not a donated asset if the contractor made even a nominal payment in acquiring the asset. An asset purchased using donated funds is not a donated asset.

~~((+5))~~ (29) "Entity" ~~((=))~~ means an individual, partnership, corporation, public institution established by law, or any other association of individuals, capable of entering enforceable contracts.

~~((+6))~~ (30) "Equity capital" ~~((=))~~ means total tangible and other assets necessary, ordinary, and related to resident care from the most recent provider cost report minus related total long-term debt from the most recent provider cost report plus working capital as defined in this section.

~~((+7))~~ (31) "Exemption" means the department's approval of a written request for an exception to a rule in this chapter provided an:

(a) Assessment of the exemption request ensures granting the exemption shall not undermine the legislative intent of Title 71A RCW; and

(b) Evaluation of the exemption request shows granting the exemption shall not adversely effect the quality of the services, supervision, health, and safety of department-served persons.

Agencies and individual providers shall retain a copy of each department-approved exemption.

(32) "Facility" ~~((=))~~ means a residential setting certified as an ~~((HMR))~~ ICF/MR by the department in accordance with federal regulations. A state facility is a state-owned and operated residential habilitation center or a state-operated living alternative. A nonstate facility is a residential setting licensed in accordance with chapter 18.51 RCW as a nursing home or chapter 18.20 RCW as a boarding home.

~~((+8))~~ (33) "Fair market value" ~~((=))~~ means the price the asset would have been purchased for on the date of acquisition in an arm's-length transaction between a well-informed buyer and seller, neither being under any compulsion to buy or sell.

~~((+9))~~ (34) "Financial statements" ~~((=))~~ means statements prepared and presented in conformity with ~~((generally accepted))~~ accounting principles and this chapter including, but not limited to, balance sheet, statements of operations, statements of changes in financial position, and related notes.

~~((+0))~~ (35) "Fiscal year" ~~((=))~~ means the operating or business year of a contractor. All contractors report on the basis of a twelve-month fiscal year, but provision is made in this chapter for reports covering abbreviated fiscal periods.

~~((+1))~~ (36) "Funded capacity" for a state facility means the number of beds on file with the office of financial management by the first day of each biennium for operation during each ensuing fiscal year.

(37) "Generally accepted accounting principles" ~~((=))~~ means accounting principles currently approved by the financial accounting standard board (FASB).

~~((+2))~~ (38) "Generally accepted auditing standards" ~~((=))~~ means auditing standards approved by the American Institute of Certified Public Accountants (AICPA).

~~((+3))~~ (39) "Goodwill" ~~((=))~~ means the excess of the price paid for a business over the fair market value of all other identifiable, tangible, and intangible assets acquired. "Goodwill" also~~((:))~~ means the excess of the price paid for an asset over fair market value.

~~((+4))~~ (40) "Habilitative services" ~~((=))~~ means those services required by the individual habilitation plan provided or directed by qualified therapists.

~~((+5))~~ (41) "Harmful" means situations when the individual is at immediate risk of serious bodily harm.

(42) "Historical cost" ~~((=))~~ means the actual cost incurred in acquiring and preparing an asset for use, including feasibility studies, architects' fees, and engineering studies.

~~((+6))~~ (43) "Imprest fund" ~~((=))~~ means a fund;

(a) That is regularly replenished in exactly the amount expended from the fund; and

(b) In which the cash and expended receipts always equal a pre-determined amount.

~~((37)) "IMR" — When referring to~~ (44) "ICF/MR" means a facility ~~((one))~~ certified as an intermediate care facility for the mentally retarded by Title XIX to provide services to the mentally retarded or persons with related conditions ~~((When referring to a level of care, IMR is a range of services required for the mentally retarded or persons with related conditions. When referring to a person, a recipient requiring IMR services)).~~

~~((38))~~ (45) "Interest" ((=)) means the cost incurred for the use of borrowed funds, generally paid at fixed intervals by the user.

~~((39))~~ (46) "Joint facility costs" ((=)) means any costs representing expenses incurred benefiting more than one facility, or one facility and any other entity.

~~((40))~~ (47) "Lease agreement" ((=)) means a contract between two parties for the possession and use of real or personal property or assets for a specified period of time in exchange for specified periodic payments. Elimination or addition of any party to the contract, expiration, or modification of any lease term in effect on January 1, 1980, or termination of the lease by either party by any means shall constitute a termination of the lease agreement. An extension or renewal of a lease agreement, whether or not ~~((pursuant to))~~ under a renewal provision in the lease agreement, shall be considered a new lease agreement. A strictly formal change in the lease agreement which modifies the method, frequency, or manner in which the lease payments are made, but does not increase the total lease payment obligation of the lessee shall not be considered modification of a lease term.

~~((41)) "Levels of care" — The classification of levels of services provided to residents by a contractor, (e.g., levels A, B, C, D, and E).~~

~~((42))~~ (48) "Medicaid program" ((=)) means the state medical assistance program provided under RCW 74.09.500 or authorized state medical services.

~~((43))~~ (49) "Medical assistance recipient" ((=)) means an individual determined eligible for medical assistance by the department for the services provided in chapter 74.09 RCW.

~~((44))~~ (50) "Modified accrual method of accounting" ((=)) means a method of accounting in which revenues are recognized only when cash is received, and expenses are reported in the period in which incurred, regardless of when paid.

~~((45))~~ (51) "Net book value" ((=)) means the historical cost of an asset less accumulated depreciation.

~~((46))~~ (52) "Nonallowable costs" ~~((Same as "unallowable"))~~ means costs ~~((=))~~ not allowed under WAC 275-38-680.

~~((47))~~ (53) "Nonrestricted funds" ((=)) means donated funds not restricted to a specific use by the donor, ~~((e.g.))~~ for example, general operating funds ~~((=))~~.

~~((48))~~ (54) "Nursing home" ((=)) means a home, place, or institution, licensed in accordance with chapter 18.51 RCW, where skilled nursing, intermediate care, ~~((and/or IMR))~~ and ICF/MR services are delivered.

~~((49))~~ (55) "Operating lease" ((=)) means a lease under which rental or lease expenses are included in current expenses in accordance with ~~((generally accepted))~~ accounting principles.

~~((50))~~ (56) "Owner" ((=)) means a sole proprietor, general or limited partner, or beneficial interest holder of five percent or more of a corporation's outstanding stock.

~~((51))~~ (57) "Ownership interest" ((=)) means all interests beneficially owned by a person, calculated in the aggregate, regardless of the form such beneficial ownership takes.

~~((52))~~ (58) "Per diem (per resident day) costs" ((=)) means total allowable costs for a fiscal period divided by total resident days for the same period.

~~((53))~~ (59) "Prospective daily payment rate" ((=)) means the daily amount the department assigns to each contractor for providing services to ~~((IMR))~~ ICF/MR residents. The rate is used to compute the maximum participation of the department in the contractor's costs.

~~((54))~~ (60) "Qualified mental retardation professional (QMRP)" ~~((A therapist approved by the department having specialized training and one year's experience in working with the mentally retarded or developmentally disabled))~~ means QMRP as defined under 42 CFR 483.430(a).

~~((55))~~ (61) "Qualified therapist" ((=)) means any of the following:

(a) An activities specialist having specialized education, training, or experience as specified by the department ~~((=))~~;

(b) An audiologist eligible for a certificate of clinical competence in audiology or having the equivalent education and clinical experience ~~((=))~~;

(c) A dental hygienist as defined by chapter 18.29 RCW ~~((=))~~;

(d) A dietician: Eligible for registration by the American Dietetic Association under requirements in effect on January 17, 1974; or having a baccalaureate degree with major studies in food and nutrition, dietetics, or food service management; having one year supervisory experience in the dietetic service of a health care institution; and participating annually in continuing dietetic education ~~((=))~~;

(e) An occupational therapist being a graduate of a program in occupational therapy, or having the equivalent of such education or training, and meeting all requirements of state law ~~((=))~~;

(f) A pharmacist as defined by chapter 18.64 RCW ~~((=))~~;

(g) A physical therapist as defined by chapter 18.74 RCW ~~((=))~~;

(h) A physician as defined by chapter 18.71 RCW or an osteopathic physician as defined by chapter 18.57 RCW ~~((=))~~;

(i) A psychologist as defined by chapter 18.83 RCW ~~((=))~~;

(j) A qualified mental retardation professional ~~((=))~~;

(k) A registered nurse as defined by chapter 18.88 RCW ~~((=))~~;

(l) A social worker who is a graduate of a school of social work ~~((=))~~ accredited by the council on social work education or another comparable body and certified as required under chapter 18.19 RCW; or

(m) A speech pathologist eligible for a certificate of clinical competence in speech pathology or having the equivalent education and clinical experience.

~~((56)) "Recipient" — An eligible medical care recipient.~~

~~((57))~~ (62) "Regression analysis" ((=)) means a statistical technique through which one can analyze the relationship between a dependent or criterion variable and a set of independent or predictor variables.

~~((58))~~ (63) "Regional services" ((=)) means services of a local office of the division of developmental disabilities.

~~((59))~~ (64) "Related organization" ((=)) means an entity which is under common ownership and/or control with, or has control of or is controlled by, the contractor. An entity is deemed to "control" another entity if one entity has a five percent or greater ownership interest in the other, or if an entity has capacity, derived from any financial or other relationship, and whether or not exercised, to influence directly or indirectly the activities of the other.

~~((60))~~ (65) "Relative" ((=)) means spouse; natural parent, child, or sibling; adopted child or adoptive parent; stepparent, stepchild, stepbrother, stepsister; father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law; grandparent or grandchild; uncle, aunt, nephew, niece, or cousin.

~~((61))~~ (66) "Resident day" ((=)) means a calendar day of resident care. In computing calendar days of care, the day of admission is always counted. The day of discharge is counted only when the resident was admitted on the same day. A ~~((resident))~~ person is admitted for purposes of this definition when ~~((she or she))~~ the person is assigned a bed and a resident record is opened.

~~((62))~~ (67) "Resident living staff (also known as resident care and training staff)" ((=)) means staff whose primary responsibility is the care and development of the residents, including:

(a) Resident activity program;

(b) Domiciliary services: ~~((and/or))~~ and

(c) Habilitative services under the supervision of the QMRP.

~~((63))~~ (68) "Restricted fund" ((=)) means a fund where the use of the principal ~~((and/or))~~ or income is restricted by agreement with or direction by the donor to a specific purpose, in contrast to a fund over which the owner has complete control. These generally fall into three categories:

(a) Funds restricted by the donor to specific operating purposes;

(b) Funds restricted by the donor for additions to property, plant, and equipment; and

(c) Endowment funds.

~~((64))~~ (69) "Secretary" ((=)) means the secretary of DSHS.

~~((65))~~ (70) "Start-up costs" ((=)) means the one-time preopening costs incurred from the time preparation begins on a newly constructed or purchased building until the first resident is admitted. Start-up costs include administrative and nursing salaries, utility costs, taxes, insurance, repairs and maintenance, training costs, etc. Start-up costs do not include expenditures for capital assets.

~~((66))~~ (71) "Superintendent" means the superintendent or the superintendent's designee of a residential habilitation center.

(72) "Title XIX" ((=)) means the 1965 amendments to the Social Security Act, P.L. 89-07, as amended.

~~((67)) "Unallowable costs" — Costs not meeting every test of an allowable cost, as determined in WAC 275-38-680.~~

~~((68)) (73) "Uniform chart of accounts" ((=)) means a list of account titles identified by code numbers established by the department for contractors to use in reporting costs.~~

~~((69)) (74) "Vendor number (also known as provider number)" ((=)) means a number assigned to each contractor delivering ((HMR)) ICF/MR services to ((HMR)) ICF/MR Medicaid recipients.~~

~~((70)) (75) "Working capital" ((=)) means total current assets necessary, ordinary, and related to resident care as reported in the most recent cost report minus total current liabilities necessary, ordinary, and related to resident care from the most recent cost report.~~

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

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

### NEW SECTION

WAC 275-38-003 EXEMPTIONS. The department may approve an exemption to a specific rule in this chapter as defined under WAC 275-38-001.

### AMENDATORY SECTION (Amending Order 2629, filed 6/1/88)

WAC 275-38-005 ((HMR)) ICF/MR CARE. (1) The department has the administrative and legal responsibility to purchase the services of ((an institution)) for intermediate care facilities for the mentally retarded and persons with similar conditions ((HMR)) (ICF/MR), and ((HMR-based)) ICF/MR-based services for eligible developmentally disabled persons. The department has the responsibility to assure adequate care, service, and protection are provided through licensing and certification procedures.

(2) ((The intent of)) This chapter ((is to establish)) establishes standards for habilitative training, health related care, supervision, and residential services to eligible persons.

(3) Each state and nonstate ((HMR)) ICF/MR facility shall be certified as a Title XIX ((HMR)) ICF/MR facility.

(4) Each nonstate ((HMR)) ICF/MR facility with a certified capacity of sixteen beds or more shall be licensed as a nursing home in accordance with chapter 18.51 RCW.

(5) Each nonstate ((HMR)) ICF/MR facility with a certified capacity of fifteen beds or less shall be licensed as a boarding home for the aged in accordance with chapter 18.20 RCW.

(6) Facilities certified to provide ((HMR)) ICF/MR services must comply with all applicable federal regulations under Title XIX, Section 1905 of the Social Security Act 42 U.S.C. as amended, and non-state-operated facilities must comply as well ((as)) with state regulations governing the licensing of nursing homes or boarding homes for the aged, and other relevant state regulations.

(7) Fifty percent or more of the licensed bed capacity of a facility shall be occupied by persons with mental retardation or related conditions as of the date of application for certification.

(8) Certified facilities shall admit only developmentally disabled persons as residents.

(9) State facilities may not exceed funded capacity, unless otherwise authorized by the secretary in accord with RCW 71A.20.090.

(10) The sections of this chapter will supersede and replace any and all sections affecting ((HMR)) ICF/MR facilities or programs in chapters 388-88 and 388-96 WAC except where specifically referenced in this chapter.

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

### NEW SECTION

WAC 275-38-027 THE SUPERINTENDENT AS CUSTODIAN. (1) Under RCW 71A.20.050, the superintendent of a residential

habilitation center (RHC), as the designee of the secretary, shall manage the RHC and shall be responsible for the custody of a resident of the RHC. When a resident does not have a legal representative, as defined under RCW 71A.10.020(5), the superintendent, as custodian, shall have the authority to:

(a) Provide consent on the resident's behalf for medical, educational, therapeutic, and dietetic procedures; and

(b) Consent to other matters as required of an individual's legal representative as referenced under subsection (4) of this section.

(2) The custodian shall not have more authority than a guardian or limited guardian and shall not consent to procedures as described under RCW 11.92.040(3).

(3) Before giving consent for a resident, the custodian shall ensure that the resident shall:

(a) Be informed of the condition requiring consent;

(b) Participate in the decision making regarding the resident's care and treatment; and

(c) Have the opportunity to refuse the procedure.

(4) The custodian shall only give consent as referenced under subsection (1) of this section when:

(a) There is not a person authorized to provide consent as defined under RCW 7.70.065(1); and

(b) The superintendent or the superintendent's designee is unable to locate a person with authority to provide informed consent under RCW 7.70.065(1) after reasonable efforts have been made to locate the person and to secure the necessary consent. The superintendent or the superintendent's designee shall document efforts to locate the person with authority in the resident record.

### AMENDATORY SECTION (Amending Order 1853, filed 8/3/82)

WAC 275-38-045 MINIMUM STAFF REQUIREMENTS. ((HMR)) Each ((level of HMR must)) ICF/MR shall provide staff adequate in numbers and qualifications to meet the need of the residents.

((2)) Specifically, the HMR must provide at least the following:

(a) Level A:

(i) Facility-based physician staff to provide for twenty-four hour medical supervision to include examination, diagnosis, planning, implementation, and review of appropriate medical regimen for each resident;

(ii) One full-time registered nurse as director of nursing services with sufficient additional licensed nurses to provide twenty-four hour nursing supervision;

(iii) Facility-based qualified therapist staff in accordance with WAC 275-38-025;

(iv) Sufficient resident living staff to meet the needs of the residents in care level A;

(v) Sufficient qualified mental retardation professional staff to meet the needs of the residents.

(b) Level B:

(i) Facility-based physician staff sufficient to provide for medical supervision to include examination, diagnosis, planning, implementation, and review of an appropriate medical regimen for each resident;

(ii) At least one registered nurse responsible as the director of nursing services and in addition sufficient licensed nurses to provide nursing supervision of the facility for at least eight hours per day;

(iii) Facility-based qualified therapist staff in accordance with WAC 275-38-025;

(iv) Sufficient resident living staff to meet the needs of the residents in care level B;

(v) Sufficient qualified mental retardation professional staff to meet the needs of the residents.

(c) Level C:

(i) A physician as a consultant medical director to the facility;

(ii) One full-time registered nurse as director of nursing services with additional licensed nurses to provide twenty-four hour nursing supervision of the facility;

(iii) Sufficient resident living staff to meet the needs of the residents in care level C;

(iv) Sufficient qualified mental retardation professional staff to meet the needs of the residents;

(v) Consultant qualified therapist staff in accordance with WAC 275-38-025;

(d) Level D:

(i) A physician as a consultant medical director to the facility;

(ii) A licensed nurse responsible as the director of nursing services with additional licensed nurses to provide nursing supervision of the facility for at least eight hours per day;



(iii) Sufficient resident living staff to meet the needs of the residents in care level D;

(iv) Sufficient qualified mental retardation professional staff to meet the needs of the residents;

(v) Consultant qualified therapist staff in accordance with WAC 275-38-025.

(c) Level E:

(i) A physician as a consultant medical director to the facility;

(ii) A registered nurse as a consultant to the facility, responsible for the health care needs of the residents;

(iii) Sufficient resident living staff must be provided to assure at least one staff is on duty in the facility when residents are present;

(iv) Sufficient qualified mental retardation professional staff to meet the needs of the residents;

(v) Qualified consultant therapists in accordance with WAC 275-38-025.)

#### AMENDATORY SECTION (Amending Order 1853, filed 8/3/82)

WAC 275-38-050 PLACEMENT OF ((HMR)) CLIENT. (1) Placement into an ((HMR)) ICF/MR facility is the responsibility of the division of developmental disabilities and shall be accomplished in accordance with the applicable federal and state regulations.

(2) The client's ((classification and)) eligibility for ((HMR)) ICF/MR services shall be determined by department representatives ((of the department)) before payment can be approved((:)), provided((, That)) a facility may not admit a client requiring services the facility is not able to provide.

#### AMENDATORY SECTION (Amending Order X [1853], filed X [8/3/82])

WAC 275-38-055 TRANSFER OF ((HMR)) CLIENT—RELOCATION. (1) The department is responsible for assuring ((individual)) the client's health care and habilitative training needs are identified and met, as provided by state and federal regulations. The department is ((therefore)) responsible for assuring ((that)) each client is placed in a facility certified as capable of meeting the needs of the client. The division's regional services section shall be responsible for authorizing changes in residential services.

(2) ((Each)) A client admitted to a facility may be transferred or discharged only for medical reasons, ((or)) for ((his or her)) the client's welfare, or for the welfare of other residents of the facility. This determination shall be made by the department based on an assessment of the resident, consultation with the service provider, the parent or guardian, and a review of the relevant records.

(3) If the department services ((being)) provided to a resident are not commensurate with the resident's needs, the department is responsible for initiating and facilitating the resident's relocation. The department shall consider a resident in a state facility eligible for community residential services when such services appropriately meet the individual's needs.

A circumstance where the department ((would)) may enforce immediate movement of a resident from an ((HMR)) ICF/MR facility is the revocation or suspension of the ((HMR)) ICF/MR certification ((and/or)) or license.

(4) ((Upon the determination by the department that a facility will no longer operate or be allowed to operate an ICF/MR, because of any violation of the facility's contract or these regulations or state or federal law, the department will provide notice to the resident and the guardian, next-of-kin, or responsible party that thirty days following the mailing date of the letter, the resident will be required to relocate: PROVIDED, That nothing in this section shall require a pretransfer notice be given when the secretary or his or her designee determines an immediate threat to health and/or safety exists or moves may be accomplished sooner at the request of the resident or with the resident's consent)) The department shall notify, in writing, the resident and resident's guardian, next of kin, or responsible party of the facility's certification or contract status when the:

(a) Department or health care financing administration (HCFA) determines a facility no longer meets certification requirements as an ICF/MR; or

(b) Department determines the facility does not meet contract requirements; or

(c) Facility voluntarily terminates the facility's contract or participation in the ICF/MR program.

(5) When the department determines a resident's relocation is necessary, the department shall give the resident and resident's guardian,

next of kin, or responsible party twenty-eight days notice, in writing, of the department's intent to relocate the resident as required under WAC 275-38-060.

(6) When the department determines there is a serious and immediate threat to the resident's health or safety, the department shall not be required to give the resident and resident's guardian, next of kin, or responsible party twenty-eight days notice of the resident's relocation.

(7) Decertification, termination, or nonrenewal of contract actions require a stop payment of Title XIX funds. Such actions do not affect the facility's right to operate as a nursing home or boarding home, but does disqualify the facility from operating as an ((HMR)) ICF/MR facility and receiving federal funds. ((When termination of federal funds is contemplated, residents must be informed:

(6) When relocation is required, a designated representative of the department will conduct a review and assessment for the classification. Thirty days prior to any implementation of a change in the level of care, resulting in the change of the services required and provided, or because of the transfer, the department shall notify, in writing, the resident and guardian, next-of-kin, or responsible party pursuant to WAC 275-38-060.))

((7)) (8) Grounds for the request by a facility to have a resident relocated or discharged are limited to the following:

(a) Medical reasons;

(b) Resident's welfare;

(c) The welfare of the other residents; or

(d) Nonpayment of services provided to the resident during ((his or her)) the resident's stay at the facility.

The facility shall follow the following procedure for resident relocation or discharge:

(i) The facility shall send a request in writing to the department, for relocation or discharge of a resident. ((This)) The facility's request shall include the grounds for the request and substantiation of concurrence by the interdisciplinary team in the development of an appropriate individual habilitation plan((:));

(ii) The department shall approve or deny the request for relocation or discharge based on an on-site visit with the resident and a review of ((his or her)) the resident's records, within fifteen working days following the receipt of the request((:));

(iii) The facility administrator shall be informed of the department's approval or denial of the request((:));

(iv) If the facility's request is approved, the department shall notify, in writing, the resident ((or)) and the resident's guardian, or next-of-kin, or responsible party, of the decision ((pursuant to)) as described under WAC 275-38-060((:)); and

(v) The resident and the department ((with)) shall be allowed thirty days from the date ((that)) the resident is notified of relocation or discharge by the department in order to facilitate relocation.

(e) The resident has a right to request relocation and to select the ((HMR he or she)) ICF/MR the resident desires for placement. If this selection is available and appropriate to the habilitation and health care needs of the resident, the department shall make all reasonable attempts to accomplish relocation ((shall be made by the department)). If the relocation or ICF/MR selection is not appropriate or available, the resident may make another selection.

(i) The resident or the resident's guardian ((must)) shall request such a move in writing.

(ii) ((Arrangements for relocation will be the responsibility of the division of developmental disabilities)) The division of developmental disabilities shall be responsible for arranging the resident's relocation.

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

#### AMENDATORY SECTION (Amending Order 1853, filed 8/3/82)

WAC 275-38-060 ((HMR)) RESIDENT RIGHTS—RELOCATION DETERMINATION OF ELIGIBILITY. (1) Except in the cases specified in WAC 275-38-060(3), the resident ((t)), and the resident's ((or)) guardian, next-of-kin, or responsible party of the resident ((if the resident has been adjudicated to be incompetent or under age eighteen must)) shall be informed in writing ((thirty)) twenty-eight days ((prior to)) before any relocation or ((reclassification)) re-determination of eligibility for ICF/MR services to ensure orderly transfer or discharge. Such resident's notice ((must)) shall include:

(a) The grounds for the proposed ((change)) eligibility change and/or transfer;

(b) A statement that the resident or any other individual designated by the resident has a right to a conference with a division of developmental disabilities representative within ~~((thirty))~~ twenty-eight days of receipt of the notice;

(c) The right to request a fair hearing within ~~((thirty))~~ twenty-eight days of the notice to contest the department's decision;

(d) The method by which a fair hearing may be obtained;

(e) The right to be represented at the fair hearing by an authorized representative;

(f) The existence and locations of ~~((any))~~ available legal services in the community ~~((that are available))~~.

(2) The department shall send a fair hearing request form ((shall be sent)) with the notice of relocation and/or ((reclassification)) redetermination of eligibility for ICF/MR services.

(a) If the resident requests a fair hearing within the ~~((thirty))~~ twenty-eight day time period, the department shall not ~~((change the level of care))~~ redetermine eligibility or transfer the resident pending fair hearing decision or appeal rights, unless such action is warranted by the health or safety needs of the resident.

(b) If the secretary or ~~((his or her))~~ the secretary's designee finds ((a change in the level of care)) the redetermination of eligibility is not appropriate, ~~((no))~~ further action shall not be taken to ~~((change the level of care))~~ redetermine eligibility or transfer the resident, unless there is a change in the situation or circumstances at which time the request may be resubmitted.

(c) If the secretary or ~~((his or her))~~ the secretary's designee affirms the determination to change the resident's ((level of care)) eligibility for services and/or transfer, and no judicial review is filed within ((thirty)) twenty-eight days of the receipt of notice of determination, the department shall proceed with the planned action.

(d) If the secretary or ~~((his or her))~~ secretary's designee affirms the determination to change the resident's ((level of care and/or)) eligibility for ICF/MR services or transfer and a request for judicial review has been filed, any proposed ((change)) redetermination of eligibility ((and/or)) or transfer shall be delayed pending the outcome of the process, unless such action is warranted by the health or safety needs of the resident.

(3) Advance notice is not required:

(a) If the resident or the resident's guardian requests a transfer in writing and waives the right to a period notice~~((:))~~; or

(b) In the event of an immediate threat to the resident's life or health, or life or health of others.

(4) Advance notice and planning ~~((does))~~ shall not include a right to a fair hearing for a resident when the department judges the facility where the resident resides is ~~((no longer))~~ not able to provide Title XIX services due to:

(a) Termination of the facility's contract~~((:))~~;

(b) Decertification of the facility~~((:))~~;

(c) Nonrenewal of the facility's contract~~((:))~~;

(d) Revocation of the facility's license~~((:))~~; or

(e) Emergency license suspension.

**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 1853, filed 8/3/82)

WAC 275-38-065 TRANSFER OR DISCHARGE PLAN-  
NING. The division of developmental disabilities (DDD) shall prepare a suitable written discharge ((and/or)) or transfer plan ((must be prepared by the division of developmental disabilities)) for each resident to be transferred or discharged. ((Transfers shall be dependent on the best interests of the resident. The)) DDD's plan shall include the location of available settings ((at the appropriate level of care)) providing the appropriate services consistent with the needs of the resident. The plan shall include:

(1) Coordination of communication between the staffs of the old and new facilities;

(2) Pretransfer visit, when the resident's condition permits, to the new facility, familiarizing the resident with the new surroundings, and other residents;

(3) Coordination of active participation by the resident's guardian or family in the transfer preparation;

(4) Coordination with ~~((staff members))~~ staffs of the old and new facilities to discuss expectations and provide consultation on request; and

(5) Posttransfer follow-up by the division of developmental disabilities to monitor the effects of the change.

#### AMENDATORY SECTION (Amending Order 1853, filed 8/3/82)

WAC 275-38-075 DISCHARGE OR LEAVE OF AN ~~((HMR))~~ ICF/MR RESIDENT. (1) A certified ~~((HMR))~~ ICF/MR facility having an ~~((HMR))~~ ICF/MR contract with the department shall contact the regional services office, division of developmental disabilities giving immediate notification of unauthorized leave, disappearance, serious accident, or other traumatic incident effecting a resident or the resident's health or welfare.

(2) The department shall require discharge and readmission ((is required)) for ((all)) residents ((who are)) admitted as hospital inpatients.

#### NEW SECTION

WAC 275-38-090 SUPERINTENDENT'S LIMITED AUTHORITY TO HOLD. (1) When a superintendent, acting on behalf of the secretary, receives information that a resident intends to voluntarily discharge himself of herself from the programs and services of the residential habilitation center (RHC), the superintendent shall determine if such a departure would be harmful to the resident.

(2) If, in the superintendent's judgment, the resident's departure is harmful to the resident, the superintendent may hold the resident until the danger passes, not to exceed forty-eight hours. The superintendent may refer the resident to a mental health professional as described under RCW 71.05.150.

(3) When the superintendent detains an RHC resident as required under this section, the superintendent or the superintendent's designee shall give notification of such hold to the resident and the legal representative of the resident as provided under RCW 71A.10.070. If the legal representative is not available, the superintendent shall also notify one or more persons in the following order of priority:

(a) A parent of a person with a developmental disability eighteen years of age or older;

(b) Other kin of the person with a developmental disability with a preference to persons with closest kinship;

(c) The Washington protection and advocacy agency for the rights of a person with a developmental disability, appointed in compliance with 42 USC section 6042; or

(d) A nondepartment employee or a person contracting with the department under this title who, in the opinion of the superintendent, is concerned with the person's welfare.

(4) This section shall not prohibit the superintendent of an RHC from notifying:

(a) A mental health professional;

(b) Local law enforcement;

(c) Adult protective services;

(d) Child protective services; or

(e) Other agencies as appropriate.

(5) At the end of the forty-eight-hour hold, the superintendent shall not continue to detain a resident.

(6) If the provisions of the section are invoked a second time within six months, the superintendent or superintendent's designee shall make a referral to a mental health professional within eight hours. In this situation, the resident may only be held until the mental health professional:

(a) Investigates and evaluates the specific facts surrounding the situation; and

(b) Determines the further detention of the resident in accord with RCW 71.05.150.

(7) This section shall not prohibit the superintendent of an RHC or designee from allowing a resident to leave the center for prescribed periods under such conditions as may be appropriate for the resident's habilitation or care.

(8) When a resident has voluntarily left the programs and services of the RHC, under the provision of this section, the superintendent shall initiate discharge proceeding.

#### REPEALER

The following sections of the Washington Administrative Code are repealed:

275-38-007 IMR FACILITIES.

275-38-040 CLASSIFICATION OF IMR RESIDENTS.



Chapter 275-41 WAC  
**WORK PROGRAMS FOR RESIDENTS OF RESIDENTIAL HA-  
 BILITATION CENTERS IN THE DIVISION OF DEVELOP-  
 MENTAL DISABILITIES**

NEW SECTION

WAC 275-41-005 **PURPOSE.** The regulations provide guidelines for the operation of work programs at residential habilitation centers or for programs contracted on behalf of residents of residential habilitation centers within the division of developmental disabilities as required under RCW 43.20A.445.

NEW SECTION

WAC 275-41-010 **DEFINITION.** (1) "Compensate" means the resident's receipt of money for work done at a work program.

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

(3) "Division" means the developmental disabilities division of the department of social and health services.

(4) "Prevailing wage" means the amount paid to a nondisabled worker in a nearby industry or surrounding community for essentially the same type, quality, and quantity of work or work requiring comparable skills.

(5) "Residential habilitation center (RHC)" means a residential habilitation center operated by the developmental disabilities division.

(6) "Work program" means a directed vocational activity or series of related activities provided on a systematic, organized basis for developing and maintaining individual resident work skills, and providing remuneration to resident employees. Work programs must result in:

- (a) Benefit to the economy of the facility; or
- (b) A contribution to the facility's maintenance; or
- (c) Produce articles or services for sale.

NEW SECTION

WAC 275-41-015 **ESTABLISHMENT OF NEW WORK PROGRAMS.** The requirements of RCW 43.20A.445 shall be followed before the department establishes new residential habilitation center work programs.

NEW SECTION

WAC 275-41-020 **PROTECTION OF RESIDENTS.** (1) When a resident participates in a work program, the resident shall be employed in work and subjected to work conditions where reasonable precautions are taken to ensure the resident's health and safety.

(2) Resident work programs shall be consistent with the resident's individual habilitation plan objectives.

NEW SECTION

WAC 275-41-025 **COMPENSATION FOR PERSONS PARTICIPATING IN WORK PROGRAMS.** (1) The department shall compensate a person participating in a work program at the prevailing minimum wage except when an appropriate certificate has been obtained by the RHC or contract program in accordance with current regulations and guidelines issued under the Fair Labor Standards Act (29 CFR Ch. V, 525 and 529) as amended.

(2) The department shall not be required to compensate a person participating in the shared domiciliary activities of maintaining the person's own immediate household or residence.

**WSR 91-11-001**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**COMMUNITY DEVELOPMENT**  
 [Order 91-05—Filed May 2, 1991, 9:49 a.m.]

Date of Adoption: April 30, 1991.

Purpose: To repeal chapter 212-54 WAC, Day care centers and day treatment centers, standards for fire protection; and chapter 212-55 WAC, Mini-day care

centers, standards for fire protection, and adopt chapter 212-56A WAC.

Citation of Existing Rules Affected by this Order: Repealing chapters 212-54 and 212-55 WAC.

Statutory Authority for Adoption: Chapters 48.48 and 43.63A RCW.

Pursuant to notice filed as WSR 91-06-020 on February 26, 1991.

Changes Other than Editing from Proposed to Adopted Version: WAC 212-56A-020 Right of appeal, changed to reflect office policy, details the informal appeals process used by Fire Protection Services and refers to chapter 34.05 RCW for further appeal. The first level of evaluation is to the deputy state fire marshal who issued the order. The second level of evaluation is to the chief deputy state fire marshal. If the aggrieved persons is not satisfied with the determination of the chief deputy state fire marshal, he or she may appeal to the state fire marshal. The purpose of this change was to expedite a solution to any grievances; WAC 215-56A-055 and 212-56A-115, changed per input received, additional fire prevention rules and regulations were added and were generated by input received from providers and state agencies. These additions include removal of all daily waste emanating from the building, electrical motors must be kept dust free, provide a flashlight for use as an emergency power source, provide approved numbers or addresses on all new and existing homes and centers, use only fireplaces, woodstoves and similar devices and their connections that are approved by the local building official, provide approved barriers to prevent children from coming into contact with open flames and/or hot surfaces and providing electrical shock protection for outlets.

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

May 1, 1991  
 Chuck Clarke  
 Director

Chapter 212-56A WAC  
**CHILD DAY CARE CENTERS AND FAMILY  
 CHILD DAY CARE HOMES—STANDARDS FOR  
 FIRE PROTECTION**

**PART A**  
**CHILD DAY CARE CENTERS AND FAMILY  
 CHILD DAY CARE HOMES**

NEW SECTION

WAC 212-56A-001 **PURPOSE.** The purpose of this regulation is to implement minimum requirements for fire and life safety for child day care centers and family child day care homes, requiring state fire marshal approval under chapter 74.15 RCW.

NEW SECTION

WAC 212-56A-005 **DEFINITIONS.** The following definitions shall apply when used in this regulation. When terms are not defined, they shall have their ordinary accepted meanings within the context with which they are used.

(1) "Approved" as to fire protection systems, assemblies, and devices means approved by the state fire marshal as the result of tests conducted by him; or by reason of accepted principles or tests by national authorities, technical or scientific organizations.

(2) "Building official" is the designated authority charged with the administration and enforcement of the Uniform Building Code, or his duly authorized representative.

(3) "Child" means a person eighteen years of age and under.

(4) "Exit" is a continuous and unobstructed means of egress to a public way and shall include intervening aisles, doors, doorways, corridors, exterior exit balconies, ramps, stairways, smokeproof enclosures, horizontal exits, exit passageways, exit courts, and yards.

(5) "Family abode" means a single dwelling unit and accessory buildings occupied for living purposes by a family which provides permanent provisions for living, sleeping, eating, cooking, and sanitation.

(6) "Family child day care home" is a child day care facility, licensed by the state, located in the family abode of the person or persons under whose direct care and supervision the child is placed, for the care of twelve or fewer children, including children who reside at the home.

(7) "Fire official" means the person or agency appointed by the governing body of each city, town, or county for the administration and enforcement of the Uniform Fire Code.

(8) "Heat detector" means an approved device which detects abnormally high temperatures or rate of temperature rise.

(9) "Infant" means a child under the age of one year.

(10) "Licensing agency" means the Washington state department of social and health services.

(11) "Child day care," for the purposes of these regulations, means the care of children during any period of a twenty-four-hour day.

(12) "Child day care center" means an agency which provides care for any number of children outside the abode of the licensee or for thirteen or more children in the abode of the licensee.

(13) "Smoke detector" is an approved device that senses visible or invisible particles of combustion. The detector shall bear a label or other identification issued by an approved testing agency having a service for inspection of materials and workmanship at the factory during fabrication and assembly.

(14) "State building code" means the state building code as adopted by the state building code council.

(15) "State fire marshal" means the director of fire protection services division or his/her authorized representative.

#### NEW SECTION

WAC 212-56A-010 COMPLIANCE REQUIRED. All child day care centers and family child day care homes, licensed previous to final adoption of

this section, may have their use continued without compliance with this regulation, provided that such continued use is not dangerous to life, as determined by the state fire marshal.

#### NEW SECTION

WAC 212-56A-015 INSPECTIONS AND APPROVAL. (1) Facilities with six or fewer children. The office of state fire marshal will not inspect facilities with six or fewer children.

(2) Family child day care homes and facilities with seven to twelve children. Family child day care homes and facilities with seven to twelve children will be inspected prior to initial licensure. No other inspections will be scheduled except for compliance to the initial inspection, complaints, or on request of the licensing agency.

(3) Facilities with more than twelve children. Upon receipt of an application for a new license, or at least ninety days prior to the expiration date of a current license for a facility which has not been previously inspected by the state fire marshal, the licensing agency shall submit a written request for inspection to the state fire marshal for facilities with over twelve children. The state fire marshal or his/her designated representative shall inspect the facility. If the facility fails to meet the requirements contained in this regulation, a written report shall be made to the applicant or licensee, indicating the violations noted, corrective action required, and a reasonable time schedule for correcting the violations noted. Upon expiration of the time specified for correction of the violations, the state fire marshal shall ensure that a reinspection is made to determine whether violations have been corrected.

(4) Upon completion of the inspection if facility is found to be in compliance with this regulation, notification of approval shall be forwarded to the licensing agency, and a copy of the inspection report shall be forwarded to the applicant or licensee.

(5) The state fire marshal may designate another person or agency to conduct the inspection.

#### NEW SECTION

WAC 212-56A-020 RIGHT OF APPEAL. Any person who may be aggrieved by the application of these rules may seek a review within thirty days of such action under the following procedure:

(1) The first level of evaluation is to the deputy state fire marshal who issued the order. This evaluation may be verbal or in writing. However, the results of the communications and the determination must be in writing, with copies provided to the aggrieved person and the fire protection services division. If the aggrieved person is aggrieved by the results of the evaluation, a reevaluation may be addressed to the chief deputy state fire marshal. If, within five days of receipt of the evaluation findings, no written request is addressed to the chief deputy state fire marshal, the order shall remain in force.

(2) The second level of evaluation is to the chief deputy state fire marshal of the technical services unit. If, within five days of receipt of the written response of the

evaluation by the chief deputy state fire marshal, no further appeal is addressed to the state fire marshal, the order shall remain in force.

(3) If the aggrieved person is not satisfied with the determination of the chief deputy state fire marshal, he or she may appeal to the state fire marshal within five days of receipt of the written response of the evaluation by the chief deputy state fire marshal.

(4) Should the above informal appeals process leave the aggrieved person aggrieved, he or she may further appeal per chapter 34.05 RCW.

**PART B  
FAMILY CHILD DAY CARE HOMES—  
STANDARDS FOR FIRE PROTECTION**

**NEW SECTION**

**WAC 212-56A-030 OCCUPANCY RESTRICTIONS.** (1) Any family abode used for child day care purposes for fewer than thirteen children shall be considered a Group R Division 3 occupancy per the State Building Code. For occupancy separation see Table No. 5-B, State Building Code.

(2) Stairs, exits, and smokeproof enclosures shall be as specified in Chapter 33, State Building Code.

Exception: Only one exit door per floor from a family child day care home need be of the pivoted or side hinged swinging type. Approved sliding doors may be used for other exits.

(3) For family child day care homes with more than six children, each floor level used for family child day care purposes shall be served by two separate exits. Outside exit doors shall be operable from the inside without the use of keys or any special knowledge or effort.

(4) Basements located more than four feet below grade level shall not be used for family child day care homes unless one of the following conditions exists:

(a) Exit stairways from the basement open directly to the exterior of the building without entering the first floor; or

(b) One of the two required exits discharges directly to the exterior from the basement level, and a self-closing door is installed at the top or bottom of the interior stair leading to the floor above; or

(c) One of the two required exits is an operable window or door, approved for emergency escape or rescue, that opens directly to a public street, public alley, yard, or exit court; or

(d) A residential sprinkler system is provided throughout the entire building in accordance with National Fire Protection Association Standard 13D and two exits are provided.

(5) Floors located more than four feet above grade level shall not be occupied by children in family child day care homes.

Exception #1: Use of toilet facilities while under supervision of a staff person.

Exception #2: Family child day care homes may be allowed on the second story if one of the following conditions exists:

(a) Two exit stairways from the second story open directly to the exterior of the building without entering the first floor; or

(b) One of the two required exits discharges directly to the exterior from the second story level, and a self-closing door is installed at the top or bottom of the interior stair leading to the floor below; or

(c) A residential sprinkler system is provided throughout the entire building in accordance with National Fire Protection Association Standard 13D and two exits.

(6) Distance to exits shall not exceed those per Section 3303(d), State Building Code.

(7) Sleeping or napping rooms shall have doors leading to two separate exit ways, or a door leading directly to the exterior of the building.

(8) Basements in dwelling units and every sleeping or napping room shall have at least one operable window or door approved for emergency escape or rescue which shall open directly into a public street, public alley, yard, or exit court. The units shall be operable from the inside to provide a full clear opening without the use of separate tools.

All escape or rescue windows shall have a minimum net clear openable area of 5.7 square feet. The minimum net clear openable height dimension shall be twenty-four inches. The minimum net clear openable width dimension shall be twenty inches. When windows are provided as a means of escape or rescue they shall have a finished sill height not more than forty-four inches above the floor.

Bars, grilles, grates, or similar devices may be installed on an emergency escape or rescue windows or doors, provided:

(a) Such devices are equipped with approved release mechanisms which are openable from the inside without the use of a key or special knowledge or effort; and

(b) The building is equipped with smoke detectors installed in accordance with Section 1210, State Building Code.

(9) The swing and opening force of exit doors shall be in accordance with Section 3304(b), State Building Code. The door latch shall release when subjected to a fifteen-pound force, and the door shall be set in motion when subjected to a thirty-pound force. The door shall swing to full open position when subjected to fifteen-pound force. Forces shall be applied to the latch side.

(10) Exit doors shall be openable from the inside without the use of keys or any special knowledge or effort.

(11) Obstructions shall not be placed in the required width of an exit except in corridors, handrails and doors, when fully opened, shall not reduce the required width by more than seven inches. Doors in any position shall not reduce the required width by more than one-half. Other nonstructural projections such as trim and similar decorative features may project into the required width one and one-half inches on each side.

(12) No space which is accessible only by ladder, folding stairs or trap doors, shall be used for family child day care purposes.

(13) Every bathroom door lock shall be designed to permit the opening of the locked door from the outside in an emergency, and the opening device shall be readily accessible to the staff.

(14) Every closet door latch shall be such that children can open the door from inside the closet.

(15) Exits shall be provided and maintained as per the State Building Code and this regulation.

#### NEW SECTION

**WAC 212-56A-035 HAZARDOUS AREAS.** Rooms or spaces containing a commercial-type kitchen, boiler, maintenance shop, janitor closet, laundry, wood-working shop, flammable or combustible storage, painting operation, or parking garage shall be separated from the family child day care home or means of egress by an occupancy separation wall per Section 503, the State Building Code.

Exception: An occupancy separation wall shall not be required where the food preparation kitchen contains only a domestic cooking range and the preparation of food does not result in the production of smoke or grease laden vapors. Cooking must be limited to the warming of food.

#### NEW SECTION

**WAC 212-56A-040 SINGLE STATION SMOKE DETECTORS.** (1) In family child day care homes detectors shall be located in all sleeping and napping areas.

(2) In family child day care homes with more than one story, and in family child day care homes with basements, a detector shall be installed on each story and in the basement in addition to sleeping and napping rooms.

(3) In family child day care homes where a story or basement is split into two or more levels, the smoke detector shall be installed in the upper level, except that when the lower level contains a sleeping or napping area, a detector shall be located on each level in addition to sleeping and napping rooms.

(4) When sleeping rooms are on an upper level, the detector shall be placed at the ceiling of the upper level in close proximity to the stairway in addition to sleeping and napping rooms.

(5) In family child day care homes where the ceiling height of a room open to the hallway serving the sleeping or napping rooms exceeds that of the hallway by twenty-four inches or more, smoke detectors shall be installed in the hallway and the adjacent room.

(6) Detectors shall sound an alarm audible in all areas of the building.

(7) In new construction, required smoke detectors shall receive their primary power from the building wiring when such wiring is served from a commercial source. Wiring shall be permanent and without a disconnecting switch other than those required for overcurrent protection.

(8) Smoke detectors may be battery operated when installed in existing buildings, or in buildings without commercial power.

(9) Where battery operated smoke detectors are installed, at least one extra battery of the type and size

specified for the battery operated smoke detector shall be maintained upon the premises.

(10) Single station smoke detectors shall be tested at monthly intervals or in a manner specified by the manufacturer. Records of such testing shall be maintained upon the premises.

#### NEW SECTION

**WAC 212-56A-045 ALTERNATE MEANS OF SOUNDING A FIRE ALARM.** In addition to single station smoke detectors, family child day care homes shall provide an alternate means for sounding a fire alarm. A police type whistle or similar device is adequate for meeting this requirement: PROVIDED, That whatever method is selected shall be limited to an evacuation emergency only.

#### NEW SECTION

**WAC 212-56A-050 FIRE EXTINGUISHER.** (1) At least one approved 2A, 10B:C rated fire extinguisher shall be provided on each occupied floor level. Such extinguishers shall be located in the normal path of egress. The maximum travel distance to an extinguisher shall not exceed seventy-five feet.

(2) Portable fire extinguishers shall be installed and maintained as per Section 10.301(a) and 10.303, the State Building Code.

(3) Fire extinguishers shall be operationally ready for use at all times.

(4) Fire extinguishers shall be mounted in the bracket provided for this purpose so that the top of the extinguisher is not more than five feet above the floor.

(5) Fire extinguishers shall receive annual maintenance certification by a firm specializing in such work and licensed to do business in the state of Washington. Maintenance means a thorough check of the extinguisher to include examination of (a) mechanical parts, (b) extinguishing agent, and (c) expelling means.

#### NEW SECTION

**WAC 212-56A-055 FIRE PREVENTION.** (1) Furnace rooms shall be maintained free of lint, grease and rubbish accumulations and suitably isolated, enclosed, or protected.

(2) Flammable or combustible materials shall be stored away from exits and in areas which are not accessible to children. Combustible rubbish shall not be allowed to accumulate and shall be removed from the building or stored in closed, metal containers.

(3) Open-flame devices capable of igniting clothing shall not be left on, unattended, or used in a manner which could result in an accidental ignition of children's clothing. Candles shall not be used.

(4) All electrical circuits, devices, and appliances shall be properly maintained. Circuits shall not be overloaded. Extension cords and multiplug adapters shall not be used in lieu of permanent wiring and proper receptacles.

(5) The use of portable space heaters of any kind is prohibited.

(6) A poster, obtained from the department of community development, fire protection services division, life

safety unit, shall be posted where visible to parents when dropping off and picking up children. The purpose of this poster is to involve parents in the fire and life safety of their children when at the facility.

(7) All waste generated shall be removed from the building daily, and disposed of in a safe manner outside the building. All containers used for the disposal of waste material shall be of noncombustible or other approved materials with tops.

(8) Electrical motors shall be kept dust free.

(9) A flashlight shall be available for use as an emergency power source.

(10) Approved numbers or addresses shall be placed on all new and existing homes in such a position as to be plainly visible and legible from the street or road fronting the property. Said numbers shall contrast with their background.

(11) Fireplaces, woodstoves, similar devices, and their connections shall be approved by the local building official. Such devices shall be cleaned, maintained, and inspected on at least an annual basis by a person or firm specializing in such work and licensed to do business in the state of Washington.

(12) Where open flames and/or hot surfaces are accessible, approved barriers shall be erected to prevent children from coming in contact with the open flames and/or hot surfaces.

(13) Electrical outlets shall be protected to prevent accidental shock hazards to children.

#### NEW SECTION

**WAC 212-56A-060 SPRINKLER SYSTEM MAINTENANCE.** Sprinkler systems, if installed, shall be tested on an annual basis by a person or agency qualified by licensure. The results of the system test shall be documented on forms provided by the state fire marshal and submitted to the state fire marshal prior to the licensing date.

#### NEW SECTION

**WAC 212-56A-065 FIRE EVACUATION PLAN.** Each facility shall develop a written fire evacuation plan. The plan shall include the following:

- (1) Action to take by the person discovering a fire.
- (2) Method of sounding an alarm on the premises.
- (3) Action to take for evacuation of the building and assuring accountability of the children.
- (4) Action to take pending arrival of the fire department.
- (5) An evacuation floor plan, identifying exit doors and windows.

#### NEW SECTION

**WAC 212-56A-070 FIRE EVACUATION DRILL.** A fire evacuation drill shall be conducted at least once each month. A written record shall be maintained on the premises indicating the date, time, and other required entries on the form. Such forms are available from the state fire marshal and the department of social and health services.

#### NEW SECTION

**WAC 212-56A-075 STAFF TRAINING.** The licensee and each member of the staff, employee, or assistant shall be familiar with all elements of the fire evacuation plan and must be capable of accomplishing the following:

- (1) Operation of fire extinguishers installed on the premises.
- (2) Testing smoke detectors (single station types).
- (3) Conducting frequent inspections of the home to identify fire hazards, and taking remedial action to correct any hazards noted during the inspection. Inspection forms are available from the state fire marshal. Such inspections should be conducted on a monthly basis and records kept on the premises for review by the licensure and/or deputy state fire marshal.

### PART C CHILD DAY CARE CENTERS—STANDARDS FOR FIRE PROTECTION

#### NEW SECTION

**WAC 212-56A-080 OCCUPANCY RESTRICTIONS.** (1) Child day care centers shall not be located above or below the first story.

- Exception:
- (a) Rooms on floors which have exits to the exterior of the building no more than four feet of vertical travel from the floor level to the level of the exterior finished surface of the ground, paving, or sidewalk.
  - (b) In buildings equipped with an automatic sprinkler system throughout, rooms used for child day care purposes may be located on the second story, provided there are at least two exits directly into separate exiting systems as defined in Section 3319(a), the State Building Code.
  - (c) Child day care centers may be located above the second story provided:
    - (i) They shall be in buildings equipped with an automatic sprinkler system throughout; and
    - (ii) They shall be in buildings of Type I or Type II fire-resistive construction; and
    - (iii) Child day care centers above the fourth floor shall not have more than twelve children per floor; and
    - (iv) The entire story on which the child day care facility is located is equipped with an approved fire alarm and smoke detection system as set forth in the State Building Code. Actuation of the system shall sound an alarm audible throughout the entire story; and
    - (v) The child day care facility is divided into not less than two areas of approximately the same size, separated from each other by not less than one-hour fire-resistive construction. Openings between the two areas shall be protected by automatic-closing fire assemblies, having a fire-protection rating of not less than twenty minutes, which will close automatically upon activation of the fire alarm or detection systems; and
    - (vi) Each area is provided with air-moving equipment independent of that serving the other; and
    - (vii) Each area has not less than two exits, one of which is permitted to be through the adjoining area; and
    - (viii) The exits from the child day care facility shall be into separate exiting systems as defined in Section 3319, the State Building Code.

(3) Child day care facilities shall be considered a Group E Division 3 Occupancy. For occupancy separation see Table No. 5-B, the State Building Code.

(4) Each floor level used for a child day care center shall be served by at least two separate exits. Distance to exits shall not exceed those per Section 3303(d), the State Building Code.

(5) The swing and opening force of exit doors shall be as per Section 3304(b), the State Building Code. The door latch shall release when subjected to a fifteen-pound force, and the door shall be set in motion when subjected to a thirty-pound force. The door shall swing to full open position when subjected to fifteen-pound force. Forces shall be applied to the latch side.

(6) Exit doors from rooms having an occupant load of fifty or more and from corridors shall be equipped with panic hardware. Other exit doors shall be openable from the inside without the use of keys or any special knowledge or effort.

(7) Basements shall not be used for child day care centers unless:

(a) Exit stairways from the basement open directly to the exterior of the building without entering the first floor; or

(b) One of the two required exits discharges directly to the exterior from the basement level, and a self-closing door is installed at the top or bottom of the interior stair leading to the floor above; or

(c) One operable window or door, approved for emergency escape or rescue, opens directly to a public street, public alley, yard, or exit court; or

(d) An approved sprinkler system, not otherwise required, is provided throughout the entire building.

(8) Obstructions shall not be placed in the required width of an exit.

Exception: Corridors, handrails and doors, when fully opened, shall not reduce the required width by more than seven inches. Doors in any position shall not reduce the required width by more than one-half. Other nonstructural projections such as trim and similar decorative features may project into the required width one and one-half inches on each side.

(9) No space shall be used which is accessible only by ladder, folding stairs, or trap doors.

(10) Every closet door latch shall be such that children can open the door from inside the closet.

(11) Every bathroom door lock shall be designed to permit the opening of the locked door from the outside in an emergency, and the opening device shall be readily accessible to the staff.

(12) Emergency lighting shall be provided in child day care centers in the following areas:

(a) In all interior stairs and corridors.

(b) In all normally occupied spaces, except for administrative areas, mechanical rooms, and storage areas.

(c) In flexible and open plan buildings or areas.

(d) In all portions of buildings that are interior or windowless.

(13) Exits shall be provided and maintained as per the State Building Code, and this regulation. Fire doors, exit lights, corridor lighting, door latches, and exit hardware

shall be maintained operationally ready for use at all times.

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

#### NEW SECTION

WAC 212-56A-085 HAZARDOUS AREAS. Rooms or spaces containing a commercial-type kitchen, boiler, maintenance shop, janitor closet, laundry, wood-working shop, flammable or combustible storage, parking garage, or painting operation shall be separated from the child day care center or means of egress by an occupancy separation wall per Section 503, the State Building Code.

Exception: An occupancy separation wall shall not be required where the food preparation kitchen contains only a domestic cooking range and the preparation of food does not result in the production of smoke or grease laden vapors. Cooking must be limited to the warming of food.

#### NEW SECTION

WAC 212-56A-090 SLEEPING AND NAPPING ROOMS. (1) Basements and every sleeping or napping room below the fourth story shall have at least one operable window or door approved for emergency escape or rescue which shall open directly into a public street, public alley, yard, or exit court. The units shall be operable from the inside to provide a full clear opening without the use of separate tools.

(2) All escape or rescue windows shall have a minimum net clear openable area of 5.7 square feet. The minimum net clear openable height dimension shall be twenty-four inches. The minimum net clear openable width dimension shall be twenty inches. When windows are provided as a means of escape or rescue they shall have a finished sill height not more than forty-four inches above the floor.

(3) Bars, grilles, grates, or similar devices may be installed on an emergency escape or rescue windows or doors, provided:

(a) Such devices are equipped with approved release mechanisms which are openable from the inside without the use of a key or special knowledge or effort; and

(b) The building is equipped with smoke detectors installed in accordance with Section 1210, State Building Code.

#### NEW SECTION

WAC 212-56A-095 SINGLE STATION SMOKE DETECTORS. (1) Child day care centers not required to have an electrically supervised fire alarm system, shall be provided with at least one approved single station smoke detector installed and maintained as per Section 1210, the State Building Code. Additional detectors are required in the corridor or passageway providing access to sleeping or napping rooms and shall be required at other locations as determined by the state fire marshal.

(2) Detectors shall be located in all sleeping and napping areas.

(3) When the child day care center has more than one story, and in child day care centers with basements, a detector shall be installed on each story and in the basement in addition to sleeping and napping areas.

(4) Where a story or basement is split into two or more levels, the smoke detector shall be installed in the upper level in addition to sleeping and napping areas.

Exception: When the lower level contains a sleeping or napping area, a detector shall be located on each level.

(5) When sleeping rooms are on an upper level, the detector shall be placed at the ceiling of the upper level in close proximity to the stairway in addition to sleeping and napping areas.

(6) Where the ceiling height of a room open to the hallway serving the sleeping or napping rooms exceeds that of the hallway by twenty-four inches or more, smoke detectors shall be installed in the hallway and the adjacent room.

(7) Detectors shall sound an alarm audible in all areas of the building.

(8) In new construction, required smoke detectors shall receive their primary power from the building wiring when such wiring is served from a commercial source. Wiring shall be permanent and without a disconnecting switch other than those required for overcurrent protection.

(9) Smoke detectors may be battery operated when installed in existing buildings, or in buildings without commercial power.

(10) Where battery operated smoke detectors are installed, at least one extra battery of the type and size specified for the battery operated smoke detector shall be maintained upon the premises.

(11) Single station smoke detectors shall be tested at monthly intervals or in a manner specified by the manufacturer. Records of such testing shall be maintained upon the premises.

#### NEW SECTION

WAC 212-56A-100 ALTERNATE METHOD FOR ALARM. Child day care centers not otherwise required to have an electrically supervised fire alarm system shall provide, in addition to single station smoke detectors, an alternate means for sounding a fire alarm. A police type whistle or similar device is adequate for meeting this requirement: PROVIDED, That whatever method is selected shall be limited to an evacuation emergency only.

#### NEW SECTION

WAC 212-56A-105 FIRE ALARM SYSTEM. (1) An approved electrically supervised fire alarm system shall be installed in each child day care center having an occupant load of fifty or more, or where the child day care center is located within a building of another occupancy, or where the day care center, or any portion thereof, is located above or below the grade level.

(2) Smoke detectors shall be installed in corridors or passageways providing access to rooms used for sleeping or napping purposes. Heat detectors may be required by the state fire marshal in hazardous areas which enter

upon the means of egress. Smoke detectors and heat detectors shall be electrically interconnected to the fire alarm system.

(3) Sprinkler systems shall be electrically interconnected with the fire alarm system.

(4) The fire alarm system shall include an alarm mounted on the exterior of the building.

(5) The fire alarm system control panel shall be equipped with an approved secondary power supply.

(6) Fire alarm systems shall be tested at monthly intervals. Automatic fire detectors shall be inspected annually. The inspection shall be conducted by a person or agency qualified by experience, training, or licensure. The results of the system test or inspections shall be maintained on the premises, preferably at the system control panel, or other location approved by the state fire marshal.

#### NEW SECTION

WAC 212-56A-110 FIRE EXTINGUISHER. (1) At least one approved 2A, 10B:C rated fire extinguisher shall be provided on each occupied floor level.

(2) Such extinguishers shall be located in the normal path of egress.

(3) The maximum travel distance to an extinguisher shall not exceed seventy-five feet.

(4) Portable fire extinguishers shall be installed and maintained as per Section 10.301(a) and 10.303, State Building Code.

(5) Fire extinguishers shall be operationally ready for use at all times.

(6) Fire extinguishers shall be mounted in the bracket provided for this purpose so that the top of the extinguisher is not more than five feet above the floor.

(7) Fire extinguishers shall receive annual maintenance certification by a firm specializing in such work and licensed to do business in the state of Washington. Maintenance means a thorough check of the extinguisher to include examination of (a) mechanical parts, (b) extinguishing agent, and (c) expelling means.

#### NEW SECTION

WAC 212-56A-115 FIRE PREVENTION. (1) Furnace rooms shall be maintained free of lint, grease, and rubbish accumulations; and suitably isolated, enclosed, or protected.

(2) Flammable or combustible materials shall be stored away from exits and in areas which are not accessible to children. Combustible rubbish shall not be allowed to accumulate and shall be removed from the building or stored in closed, metal containers.

(3) Open-flame devices capable of igniting clothing shall not be left on, unattended, or used in a manner which could result in an accidental ignition of children's clothing. Candles shall not be used.

(4) All electrical circuits, devices, and appliances shall be properly maintained. Circuits shall not be overloaded. Extension cords and multiplug adapters shall not be used in lieu of permanent wiring and proper receptacles.

(5) The use of portable space heaters of any kind is prohibited.

(6) A poster, obtained from the department of community development, fire protection services division, life safety unit, shall be posted where visible to parents when dropping off and picking up children. The purpose of this poster is to involve parents in the fire and life safety of their children when at the facility.

(7) All waste generated shall be removed from the building daily, and disposed of in a safe manner outside the building. All containers used for the disposal of waste material shall be of noncombustible or other approved materials with tops.

(8) Electrical motors shall be kept dust free.

(9) A flashlight shall be available for use as an emergency power source.

(10) Approved numbers or addresses shall be placed on all new and existing homes in such a position as to be plainly visible and legible from the street or road fronting the property. Said numbers shall contrast with their background.

(11) Fireplaces, woodstoves, similar devices, and their connections shall be approved by the local building official. Such devices shall be cleaned, maintained, and inspected on at least an annual basis by a person or firm specializing in such work and licensed to do business in the state of Washington.

(12) Where open flames and/or hot surfaces are accessible, approved barriers shall be erected to prevent children from coming in contact with the open flames and/or hot surfaces.

(13) Electrical outlets shall be protected to prevent accidental shock hazards to children.

NEW SECTION

WAC 212-56A-120 **SPRINKLER SYSTEM MAINTENANCE.** Sprinkler systems, if installed, shall be tested on an annual basis by a person or agency qualified by licensure. The results of the system test shall be documented on forms provided by the state fire marshal and submitted to the state fire marshal prior to the licensing date.

NEW SECTION

WAC 212-56A-125 **FIRE EVACUATION PLAN.** Each facility shall develop a written fire evacuation plan. The plan shall include the following:

- (1) Action to take by the person discovering a fire.
- (2) Method of sounding an alarm on the premises.
- (3) Action to take for evacuation of the building and assuring accountability of the children.
- (4) Action to take pending arrival of the fire department.
- (5) An evacuation floor plan, identifying exit doors and windows.

NEW SECTION

WAC 212-56A-130 **FIRE EVACUATION DRILL.** A fire evacuation drill shall be conducted at least once each month. A written record shall be maintained on the premises indicating the date, time, and other required entries on the form. Such forms are

available from the state fire marshal and the department of social and health services.

NEW SECTION

WAC 212-56A-135 **STAFF TRAINING.** The licensee and each member of the staff, employee, or assistant shall be familiar with all elements of the fire evacuation plan and must be capable of accomplishing the following:

(1) Operation of fire extinguishers installed on the premises.

(2) Resetting the fire alarm system (if installed).

Note: The fire alarm system should not be reset without the permission of the fire department.

(3) Testing smoke detectors (single station types).

(4) Conducting frequent inspections of the facility to identify fire hazards, and taking remedial action to correct any hazards noted during the inspection. Inspection forms are available from the state fire marshal. Such inspections should be conducted on a monthly basis and records kept on the premises for review by the licensure and/or deputy state fire marshal.

**PART D**

**CHILD DAY CARE CENTERS AND FAMILY CHILD DAY CARE HOMES**

NEW SECTION

WAC 212-56A-140 **ALTERNATE METHODS.** The state fire marshal may modify any of the provisions of this regulation upon application in writing by the owner or licensee or his duly authorized representative, where there are practical difficulties in carrying out the strict letter of this regulation. The particulars of such modification may be granted or allowed: PROVIDED, That it does not create a condition that is dangerous to life. The decision of the state fire marshal shall be entered upon the record, and a signed copy shall be furnished the owner or licensee.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

- WAC 212-54-001 PURPOSE.
- WAC 212-54-005 DEFINITIONS.
- WAC 212-54-010 COMPLIANCE REQUIRED.
- WAC 212-54-015 INSPECTIONS AND APPROVAL.
- WAC 212-54-020 RIGHT OF APPEAL.
- WAC 212-54-025 CONTACT WITH LOCAL BUILDING AND FIRE OFFICIALS.
- WAC 212-54-030 OCCUPANCY RESTRICTIONS.
- WAC 212-54-035 HAZARDOUS AREAS.
- WAC 212-54-040 EXITS.
- WAC 212-54-045 SLEEPING AND NAPPING ROOMS.
- WAC 212-54-050 SINGLE STATION SMOKE DETECTORS.



WAC 212-54-055	ALTERNATE METHOD FOR ALARM.
WAC 212-54-060	FIRE ALARM SYSTEM.
WAC 212-54-065	FIRE EXTINGUISHER.
WAC 212-54-070	FIRE PREVENTION.
WAC 212-54-075	MAINTENANCE.
WAC 212-54-080	FIRE EVACUATION PLAN.
WAC 212-54-085	FIRE EVACUATION DRILL.
WAC 212-54-090	STAFF TRAINING.
WAC 212-54-095	ALTERNATE METHODS.
WAC 212-54-100	SEVERABILITY.

**REPEALER**

The following chapter of the Washington Administrative Code is repealed:

WAC 212-55-001	PURPOSE.
WAC 212-55-005	DEFINITIONS.
WAC 212-55-010	COMPLIANCE REQUIRED.
WAC 212-55-015	INSPECTIONS AND APPROVAL.
WAC 212-55-020	RIGHT OF APPEAL.
WAC 212-55-025	CONTACT WITH LOCAL BUILDING AND FIRE OFFICIALS.
WAC 212-55-030	OCCUPANCY RESTRICTIONS.
WAC 212-55-035	HAZARDOUS AREAS.
WAC 212-55-040	EXITS.
WAC 212-55-045	SLEEPING AND NAPPING ROOMS.
WAC 212-55-050	AUTOMATIC SMOKE DETECTION.
WAC 212-55-055	ALARM IN CASE OF FIRE.
WAC 212-55-060	FIRE EXTINGUISHERS.
WAC 212-55-065	FIRE PREVENTION.
WAC 212-55-070	MAINTENANCE.
WAC 212-55-075	FIRE EVACUATION PLAN.
WAC 212-55-080	FIRE EVACUATION DRILL.
WAC 212-55-085	STAFF TRAINING.
WAC 212-55-090	ALTERNATE METHODS.
WAC 212-55-095	SEVERABILITY.

**WSR 91-11-002****PROPOSED RULES****DEPARTMENT OF REVENUE**

[Filed May 2, 1991, 10:49 a.m.]

**Original Notice.**

Title of Rule: Amending WAC 458-20-126 Sales of motor vehicle fuel and special fuels.

Purpose: Provide excise tax reporting information of persons selling motor vehicle fuels, special fuels (diesel), and nonpollutant fuel (propane).

Statutory Authority for Adoption: RCW 82.32.300.

Statute Being Implemented: Title 82 RCW.

Summary: The rule is being amended to provide tax reporting information to persons selling propane. The rule also will provide an example of a certificate which a seller may use for documentation of sales of diesel to interstate commerce carriers.

Name of Agency Personnel Responsible for Drafting and Implementation: Les Jaster, 711 Capitol Way, #400, Olympia, (206) 586-7150; and Enforcement: Ed Faker, 711 Capitol Way, #400, Olympia, (206) 753-5579.

Name of Proponent: Department of Revenue, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This rule provides tax reporting information to persons selling motor vehicle fuels, special fuels, and nonpollutant fuels. Retail sales tax does not apply if the taxes of chapters 82.36 and 82.38 RCW apply to the sale of the fuel. In addition, fuel purchased by interstate commerce carriers for use outside Washington is not taxable under RCW 82.08.0255. This rule now adds a certificate by which a seller may document these sales. Department of licensing has considered persons hauling their own products as coming under RCW 82.08.0255. This rule now accepts this interpretation. This is a change in tax position.

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(s): No economic impact. This rule has no identifiable administrative impact.

Hearing Location: Evergreen Plaza Building, 2nd Floor Conference Room, 711 Capitol Way South, Olympia, WA, on June 26, 1991, at 10:00 a.m.

Submit Written Comments to: Les Jaster, Rules Coordinator, Department of Revenue, Interpretation and Appeals, General Administration Building, Mailstop AX-02, FAX 586-7603, Olympia, Washington 98504, by June 26, 1991.

Date of Intended Adoption: July 11, 1991.

May 2, 1991

Edward L. Faker  
Assistant Director

**AMENDATORY SECTION** (Amending Order ET 83-6, filed 8/23/83)

WAC 458-20-126 SALES OF MOTOR VEHICLE FUEL ((AND)), SPECIAL FUELS, AND NONPOLLUTANT FUEL. ((SALES OF)) (1) MOTOR VEHICLE FUEL AND SPECIAL FUELS. ((As used herein the term "vehicle fuel" means)) "Motor vehicle fuel" as ((defined in chapter 82.36 RCW and)) used in this section means gasoline or any other inflammable gas or liquid the chief use of which is as fuel for the propulsion of motor vehicles. (See RCW 82.36.010). "Special fuels" as ((defined in chapter 82.38 RCW)) used in this section means all combustible gases and liquids suitable for the generation of power for propulsion of motor vehicles, except that it does not include motor vehicle fuel as defined above. (See RCW 82.38.020). Diesel fuel is an example of a special fuel.

(a) The retail sales tax does not apply to the following:

(i) Sales of motor vehicle fuel on which the tax of chapter 82.36 RCW is paid((, nor to)).

(ii) Sales of special fuel((s)) when sold for use as fuel in propelling motor vehicles upon the public highways in this state and on which the special fuel tax ((or) of chapter 82.38 RCW is paid. Payment of the annual fee in lieu ((thereof in the case of certain nonpollutant fuels)) of the special fuel tax on natural gas and propane, RCW 82.38.075.

constitutes payment of the special fuel tax imposed by chapter 82.38 RCW (~~is paid~~).

~~((However, except for the further sales and use tax exemptions explained in this rule,))~~ (b) The retail sales tax or use tax applies to sales and uses of motor vehicle fuel or special fuel (~~upon which~~) when the taxes of chapter 82.36 or 82.38 RCW have not been paid or (~~such taxes~~) have been refunded.

(c) By reason of special exemptions contained in RCW 82.08.0255 the retail sales tax does not apply to sales of special fuel delivered in this state which is (~~subsequently~~) later transported and used outside this state by persons engaged in interstate commerce. This exemption also applies to persons hauling their own goods in interstate commerce.

EXEMPTION CERTIFICATE. Persons selling special fuel to interstate carriers which comes within the foregoing exemption may obtain an exemption certificate from the purchaser in substantially the following form in order to document the entitlement to the exemption.

Certificate of Special Fuel Sales to Interstate Carriers

The undersigned hereby certifies that all the special fuel purchased from the listed dealer will be purchased for transportation and use outside of Washington by them as an interstate carrier and is entitled to the exemption of RCW 82.08.0255 or will be used on highways in Washington and the special fuel tax of chapter 82.38 RCW will be paid.

Dealer: \_\_\_\_\_  
Carrier: \_\_\_\_\_  
Authorized Carrier Signature: \_\_\_\_\_  
Title or office: \_\_\_\_\_  
Date: \_\_\_\_\_

The above certificate must be renewed at intervals not to exceed four years.

~~((Also,))~~ (d) Neither the retail sales tax nor use tax applies to sales or uses of motor vehicle fuel or special fuel purchased by private, non-profit transportation providers certified under chapter 81.66 RCW, who are entitled to fuel tax refund or exemption under chapter 82.36 or 82.38 RCW.

(e) Persons selling special fuels on which the tax of chapter 82.38 RCW is not collected, except special fuel sold for use outside this state by persons engaged in interstate commerce, or fuel sold to exempt certified transportation providers, are required to collect the retail sales tax on retail sales thereof. ~~((Purchasers of nonpollutant fuel (including liquid and gaseous propane) who are registered with the department and who take deliveries into bulk storage facilities should get information from an office of the department regarding special provisions for such deliveries.))~~

It is the intent of the law that all vehicle fuels, except special fuel purchased in this state for use outside this state by interstate commerce carriers, or fuels sold to exempt certified transportation providers will be subject to either the vehicle fuel taxes (chapter 82.36 or 82.38 RCW) or else the sales or use taxes of the Revenue Act (chapter 82.08 or 82.12 RCW). The fuel taxes (~~are applicable~~) apply to sales of fuel for on-highway consumption. The sales or use tax (~~is applicable~~) applies to fuel sold for consumption off the highways (e.g., boat fuel, or fuel for farm machinery, construction equipment, etc.).

(f) When persons purchase motor vehicle fuel or special fuel upon which either the fuel taxes of chapter 82.36 or 82.38 RCW have been paid, but the fuel is consumed off the highways, such persons are entitled to a refund of these taxes under the procedures of ~~((RCW 82.38-150))~~ chapter 82.36 or 82.38 RCW. However, persons receiving refund of vehicle fuel taxes because of their off-highway consumption of the fuel in this state are subject to payment of the use tax of chapter 82.12 RCW on the value of the fuel. The director of the department of licensing administers the fuel tax refund provisions and will deduct from the amount of any such refunds the amount of use tax due.

(2) NONPOLLUTANT FUEL. RCW 82.38.075 provides for payment of an annual fee by users of nonpollutant fuel (natural gas and liquefied petroleum gas, commonly called propane) in lieu of motor vehicle fuel tax which would otherwise be due. This fee is paid at the time of original and annual renewals of vehicle license registrations. Sales or use tax applies to sales of nonpollutant fuel and any other motor fuel only if the taxes of chapter 82.36 or 82.38 RCW are not paid. The "in lieu of" tax is merely an alternative method of paying tax due under chapter 82.38 RCW. Thus, when it is paid by a user, the user has no liability for sales or use tax on purchases of nonpollutant fuel for use in the motor vehicle.

(a) Fuel dealers should not collect sales or use tax on any nonpollutant fuel sold to Washington licensed vehicle owners for "on-highway" use when the vehicle displays a currently valid decal or other identifying device issued by the department of licensing.

(b) Nonpollutant fuels purchased for "off-highway" use, however, are not subject to the taxes of chapter 82.36 or 82.38 RCW and therefore the sales tax applies to dealer sales of fuel for "off-highway" use. If the nonpollutant fuel is pumped into the vehicle fuel tank, then the special fuel tax applies. However, this tax should have already been paid by Washington state licensed vehicle owners directly under the "in lieu of" provisions of RCW 82.38.075.

(c) The department recognizes that certain licensed special fuel users may find it more practical to accept deliveries of nonpollutant fuels into a bulk storage facility rather than into the fuel tanks of motor vehicles. Persons selling nonpollutant fuels to such bulk purchasers may obtain from the purchaser an exemption certificate in order to document entitlement to the exemption. The certificate will certify the amount of fuel which will be consumed by the buyer in propelling motor vehicles upon the highways of this state. This procedure is limited, however, to persons duly registered with the department. The registration number given on the certificate ordinarily will be sufficient evidence that the purchaser is properly registered. The certificate shall be in substantially the following form:

CERTIFICATE FOR PURCHASE OF NONPOLLUTANT SPECIAL FUELS

Seller: \_\_\_\_\_  
Buyer: \_\_\_\_\_  
Buyer's DOR reporting No.: \_\_\_\_\_  
Buyer's Special Fuel User's License No.: \_\_\_\_\_

The undersigned hereby certifies that on this date he purchased (gallons/cubic feet) of nonpollutant fuel from the above named seller, and that delivery of the products so purchased was not made into the fuel tanks of a motor vehicle. The undersigned further certifies that of the purchase herein described:

1. (gallons/cubic feet) will be used to propel motor vehicles upon the highways of the state of Washington and that the "in lieu of" special fuel taxes of chapter 82.38 RCW have been paid.

2. (gallons/cubic feet) will be used in some other manner and that the retail sales tax is applicable to the purchaser of this quantity.

DATE \_\_\_\_\_  
Name \_\_\_\_\_  
Office or Title \_\_\_\_\_

(d) Where it is not possible for a special fuel user licensee to determine at the time of purchase the exact proportion of the products purchased which will be consumed in propelling motor vehicles upon the highways of this state, the amount of such off-highway use special fuel may be estimated. In the event such an estimate is used, the purchaser must make an adjustment on a following excise tax return and pay use tax upon any portion of the fuel used for off-highway purposes upon which the retail sales tax was not paid.

(e) Certificates should be retained by the seller, as a part of his permanent records, and will be acceptable evidence of sales tax exemption upon sales of nonpollutant special fuel delivered in the manner described. When nonpollutant fuel is delivered by the seller into the bulk storage facilities of a special fuel user licensee or is otherwise sold to such buyers under conditions whereby it is not delivered into the fuel tanks of motor vehicles, it will be presumed that the entire amount of the products so sold will be subject to the retail sales tax unless the seller has obtained the certificate.

(f) Owners of out-of-state licensed vehicles who purchase propane and other nonpollutant fuel normally will not have paid the motor vehicle fuel tax or the special fuel tax. Thus, where the taxes of chapters 82.36 and 82.38 RCW have not been paid they owe sales tax on their purchases of this fuel for both on-highway or off-highway use.

(g) Accordingly, the following guidelines will prevail:  
(i) All sales of nonpollutant fuel not placed in vehicle fuel tanks by the seller are subject to sales tax which the seller must collect and remit unless a certificate as described above is obtained from the purchaser.

(ii) All sales of motor vehicle fuel, special fuel, or nonpollutant fuel of any kind for "on-highway" use are subject to the fuel taxes of chapter 82.36 or 82.38 RCW.

(iii) The tax due on nonpollutant fuel for "on-highway" use (including propane) under chapter 82.38 RCW will already have been paid by Washington licensed vehicle owners so the seller need not collect additional state tax of any kind.

(iv) Non-Washington licensed vehicle owners who have not paid tax under either chapter 82.36 or 82.38 RCW must pay sales tax on all purchases of nonpollutant fuel (including propane) whether for on-highway or off-highway use.

**WSR 91-11-003**  
**PROPOSED RULES**  
**DEPARTMENT OF REVENUE**

[Filed May 2, 1991, 10:52 a.m.]

**Original Notice.**

Title of Rule: Amending WAC 458-20-151 Dentists, dental laboratories, and physicians.

Purpose: This rule provides excise tax reporting information to dentists, dental laboratories, and physicians.

Statutory Authority for Adoption: RCW 82.32.300.

Statute Being Implemented: Title 82 RCW.

Summary: This rule incorporates a tax reporting change by indicating that dentists and physicians are not required to pay retail sales or use tax on purchases of prescription drugs. The rule clarifies that the charge by a physician to a patient for drugs used in providing a medical service is taxable under the service B&O classification.

Reasons Supporting Proposal: *Deaconess v. Department of Revenue*, 58 Wn. App. 783 (1990).

Name of Agency Personnel Responsible for Drafting and Implementation: Les Jaster, 711 Capitol Way, #400, Olympia, (206) 586-7150; and Enforcement: Ed Faker, 711 Capitol Way, #400, Olympia, (206) 753-5579.

Name of Proponent: Department of Revenue, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This rule provides tax reporting information to dentists, dental laboratories and physicians. The amendments will clarify the items on which these businesses are required to pay retail sales or use tax at time of purchase. The rule explains that physicians are taxable under the service classification, including charges to the patient for drugs used by the physician.

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(s): No economic impact. This rule change has no identifiable administrative impact.

Hearing Location: Evergreen Plaza Building, 2nd Floor Conference Room, 711 Capitol Way South, Olympia, WA, on June 26, 1991, at 10:00 a.m.

Submit Written Comments to: Les Jaster, Rules Coordinator, Department of Revenue, Interpretation and

Appeals, General Administration Building, Mailstop AX-02, FAX 586-7603, Olympia, Washington 98504, by June 26, 1991.

Date of Intended Adoption: July 11, 1991.

May 2, 1991

Edward L. Faker  
Assistant Director

AMENDATORY SECTION (Amending Order ET 83-15, filed 3/15/83)

WAC 458-20-151 DENTISTS, DENTAL LABORATORIES AND PHYSICIANS. (1) BUSINESS AND OCCUPATION TAX. Dentists, dental laboratories, and physicians are subject to the business and occupation tax as follows:

(a) SERVICE AND OTHER BUSINESS ACTIVITIES. These persons are taxable under the service and other business activities classification ((upon)) on the gross income from charges for ((the rendition of)) performing professional services.

(i) This includes any separate charge to the patient for drugs, medicines, and other substances used by a dentist, or physician or administered to a patient as part of the dental or medical services to the patient.

(ii) Dental laboratories provide professional services. The product which results from those services is merely evidence of those services. Dental laboratories are taxable under the service and other business activities classification on income from providing their services.

(b) RETAILING. A physician or a medical clinic may occasionally make sales of drugs as a convenience to a customer with the sale not being part of the medical services to the patient. These sales are taxable under the retailing classification. The retailing classification applies only when the physician or medical staff do not administer the drug or other medicine to the patient. Adequate records must be kept by the business to distinguish drugs which are administered as part of a medical service from those which are sold outright.

(2) RETAIL SALES TAX. Dentists, dental laboratories, and physicians primarily ((render)) perform professional services and are not required to collect the retail sales tax from clients and others paying for such services.

(a) Sales by supply houses to such persons of materials, supplies, and equipment which are used incidentally in ((the rendering of such)) performing professional services are retail sales ((upon which)) and the retail sales tax must be collected. Such sales include, among others, sales of dental chairs, instruments, x-ray machines, office equipment, stationery; and sales of supplies, such as dressings, bandages, nonprescription drugs and similar articles. Certain specific items may be purchased without the payment of retail sales tax as discussed below.

(b) Dentists and dental laboratories are required to pay retail sales tax to their suppliers for purchases of orthotic devices or components of such devices which they use or prescribe to their patients as part of the services provided to the patient. Orthotic devices may be purchased exempt of retail sales tax only when prescribed by physicians, osteopaths, and chiropractors for an individual. For example, dentists specializing in the prevention and correction of irregularities in the position of the teeth are required to pay retail sales tax to their suppliers for braces, collars, wires, screws, bands, splints, night guards, etc. See RCW 82.08.0283.

(c) Orthotic devices which are prescribed by physicians, osteopaths, and chiropractors for an individual are not subject to retail sales tax. Orthotic devices are fitted surgical apparatus designed to activate or supplement a weakened or atrophied limb or function. They include braces, collars, casts, splints, and other specially fitted apparatus, as well as parts thereof. Orthotic devices do not include durable medical equipment such as wheelchairs, crutches, walkers, and canes nor consumable supplies such as elastic stockings, arch pads, belts, supports, bandages, and the like, whether prescribed or not.

((However:)) (d) The sales tax does not apply to sales of ostomic items, insulin, medically prescribed oxygen, and prosthetic devices. ((See WAC 458-20-18801 for definition of prosthetic device:))

Sales of drugs, medicines, and other substances prescribed by dentists and physicians are deductible by the seller from gross retail sales where the written prescription bearing the signature of the issuing medical practitioner and the name of the patient for whom prescribed is retained, and such sales are separately accounted for. See WAC 458-20-18801-)) Prosthetic devices are artificial substitutes which replace missing parts of the human body such as a limb, bone, joint, eye,

tooth, or other organ or part thereof, and materials which become ingredients or components of prostheses. These materials include plastic, wood, hinges, screws, denture acrylic, porcelain, gold, silver, including any alloys of gold or silver. The following is a list of prosthetic devices or components of prosthetic devices that may be purchased or sold by dentists and/or dental laboratories without retail sales tax applying:

(i) Alloy and mercury - used together to form an amalgam to fill existing teeth;

(ii) Casting alloy;

(iii) Cement - to cement crowns or teeth to bridges or dentures;

(iv) Cavity liner;

(v) Composites - filling material used in the place of alloy;

(vi) Filling material;

(vii) Temporary crowns;

(viii) Acrylics - dentures, crown, and bridge replacement of teeth;

(ix) Reline material - to reline dentures;

(x) Pins - used for retention;

(xi) Endo post - used in restoring teeth without any surface on tooth to support restoration;

(e) The retail sales tax does not apply to sales of prescription drugs to dentists, physicians, or other medical practitioners when sold for the diagnosis, cure, mitigation, treatment, or prevention of disease or other ailment in humans. See WAC 458-20-18801.

(3) USE TAX. Use tax is due when retail sales tax has not been paid on the purchases of supplies and equipment used by a dentist, dental laboratory, or physician in the providing of professional services. This includes orthotic devices used or prescribed by dentists, or dental laboratories when retail sales tax was not paid to the supplier. Refer to subsection (2) of this section (Retail sales tax) for a further discussion of taxable items.

(a) The use tax does not apply to the purchase or use of ostomic items, insulin, medically prescribed oxygen, ((not to)) prosthetic devices or ingredients/components of prostheses.

(b) The use tax also does not apply to purchases or sales of prescription drugs when purchased for the diagnosis, cure, mitigation, treatment, or prevention of disease or other ailment in humans. See WAC 458-20-18801.

## WSR 91-11-004

### PROPOSED RULES

#### DEPARTMENT OF REVENUE

[Filed May 2, 1991, 10:57 a.m.]

#### Original Notice.

Title of Rule: Amending WAC 458-20-110 Freight and delivery charges.

Purpose: This rule explains the conditions or circumstances under which delivery and transportation charges are not part of the gross proceeds of sales.

Statutory Authority for Adoption: RCW 82.32.300.

Statute Being Implemented: Title 82 RCW.

Summary: This rule, prior to this amendment, required the taxpayer to refer to WAC 458-20-111 to determine if transportation charges were part of the gross proceeds of sales. Rule 110 is expanded to include principles of Rule 111 and to provide examples.

Name of Agency Personnel Responsible for Drafting and Implementation: Les Jaster, 711 Capitol Way, #400, Olympia, (206) 586-7150; and Enforcement: Ed Faker, 711 Capitol Way, #400, Olympia, (206) 753-5579.

Name of Proponent: Department of Revenue, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Freight and delivery charges are generally part of

the gross proceeds of sales when passed on to the purchaser by the seller and subject to the B&O tax and retail sales tax. These charges are deductible only when the seller has no obligation to pay the carrier. In the past the seller needed to look at WAC 458-20-111 as well as this rule. The changes are considered to be a clarification.

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(s): No economic impact, this rule has no identifiable administrative costs to businesses. Negligible impact, this rule requires no action on the part of any small business.

Hearing Location: Evergreen Plaza Building, 2nd Floor Conference Room, 711 Capitol Way South, Olympia, WA, on June 26, 1991, at 10:00 a.m.

Submit Written Comments to: Les Jaster, Rules Coordinator, Department of Revenue, Interpretation and Appeals, General Administration Building, Mailstop AX-02, FAX 586-7603, Olympia, Washington 98504, by June 26, 1991.

Date of Intended Adoption: July 11, 1991.

May 2, 1991

Edward L. Faker

Assistant Director

#### AMENDATORY SECTION (Amending Order ET 70-3, filed 5/29/70, effective 7/1/70)

#### WAC 458-20-110 FREIGHT AND DELIVERY CHARGES.

(1) INTRODUCTION. This rule explains that freight and delivery costs charged to the buyer are generally part of the selling price. Chapter 82.04 RCW in defining "gross proceeds of sales" and "gross income of the business" states that delivery costs may not be deducted from the measure of the B&O tax.

(2) Amounts received by a seller from a purchaser for freight and delivery costs incurred by the seller prior to completion of sale constitute recovery of costs of doing business and must be included in the selling price or gross proceeds of sales reported by the seller regardless of whether charges for such costs are billed separately ((and regardless of)) or whether the seller is also the carrier. The sale is not complete until the buyer has actual or constructive possession of the goods and takes dominion or control of the goods.

(a) "Constructive possession" occurs when the person with control does not have physical possession.

(b) It is presumed that the person who is shown as the shipper on the bill of lading has control over the goods while the goods are in the hands of the carrier. It also will be presumed that the sale is not complete at the time of delivery to the carrier if the seller has personal liability to pay or has paid the carrier.

(3) Freight and delivery costs incurred by a lessor, regardless of whether billed separately to a lessee or not, are costs of doing business to the lessor in every case and must be included in the selling price or gross proceeds of sales reported by the lessor.

((Reimbursements received by a seller for the actual amount of freight and delivery costs advanced for a purchaser after completion of sale are deductible from the selling price or gross proceeds of sales. (See WAC 458-20-111.)

Where the seller is the carrier and separate delivery charges, in addition to the selling price, are made to a purchaser after completion of sale, such charges may be deducted by the seller from the selling price. In such case the delivery charges are taxable to the seller under the appropriate classification of the public utility tax. (See WAC 458-20-180.)

Note:)) (4) Delivery costs incurred after the buyer has taken delivery of the goods are not part of the selling price when the seller is not liable to pay or has not paid the carrier. It must be clearly shown that the buyer alone is responsible to pay the carrier for the delivery costs to be excluded from the taxable value of the selling price. See WAC 458-20-112 for the deduction of out-of-state freight and delivery charges from "value of products." Also see WAC 458-20-111 for a further discussion of "advances and reimbursements."

((Revised June 1, 1970:)) (5) Examples. The following examples are intended to provide additional clarification.

(a) XYZ Corporation in Seattle orders a repair part for its machine from ABC Distributors located in Spokane. XYZ Corporation requests that the part be shipped by next day air and agrees to pay the additional shipping costs. The seller bills the buyer the exact amount of shipping costs. ABC Distributors is subject to the business and occupation tax and also is required to collect and report the retail sales tax on the amounts billed as shipping charges. The seller was liable to pay the air carrier and the buyer had not taken delivery at the time the part was given to the carrier.

(b) Jane Doe orders a life vest from Marine Sales in Seattle and she requests that the vest be shipped by United States mail to her home in Bellingham. The seller places the correct postage on the package using a postage meter and charges the buyer the exact amount of postage. The reimbursement of the postage is taxable to the seller. The seller had liability for payment of the postage to the postal service and was required to effect delivery to the buyer.

(c) L&M Machinery of Spokane ordered a large piece of equipment from ACE Equipment in Renton. L&M specified that the equipment was to be shipped by prepaid freight and free on board (FOB) the seller's dock. L&M requested that the seller use M&T Trucking as the carrier. The transportation charge billed to the buyer is taxable to the seller. The FOB point or other shipping terms are not controlling. The seller was required to deliver the equipment to the buyer. Delivery was not completed until the equipment arrived in Spokane.

(d) ABC Construction in Seattle ordered replacement parts for a saw from XYZ Parts, Inc., an unregistered business located in Chicago. ABC Construction requested that the parts be shipped freight collect from Chicago and that ABC be shown as the shipper/consignor and also as the consignee on the bill of lading. The seller had no liability to pay the carrier. ABC Construction is subject to use tax on the purchase price of the parts. ABC Construction may exclude the cost of the transportation from the value on which use tax is due.

(e) Jones Computer Supply, a distributor located in Seattle, sells computer products primarily by mail order. It is the practice of Jones Computer Supply to make a three-dollar handling charge for each order. No separate charge is made for the transportation. The handling charge is part of the measure of the selling price of the product and fully subject to the wholesaling or retailing and retail sales tax.

the tax treatment consistent for all public utility business.

Name of Agency Personnel Responsible for Drafting and Implementation: Les Jaster, 711 Capitol Way, #400, Olympia, (206) 586-7150; and Enforcement: Ed Faker, 711 Capitol Way, #400, Olympia, (206) 753-5579.

Name of Proponent: Department of Revenue, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This rule explains how finance charges, carrying charges, interest, and penalties are taxed. There has been confusion by taxpayers engaged in public utility activities as to how this income is taxable. This rule indicates a change by clearly stating this income is taxable under the service B&O tax classification. The rule also clarifies that interest from sales of real estate is taxable if the sale is not a casual or isolated sale. Several examples have been included.

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(s): No economic impact, this rule adds no identifiable administrative costs to businesses. No change over existing regulations, the amendment simply clarifies existing department policy.

Hearing Location: Evergreen Plaza Building, 2nd Floor Conference Room, 711 Capitol Way South, Olympia, WA, on June 26, 1991, at 10:00 a.m.

Submit Written Comments to: Les Jaster, Rules Coordinator, Department of Revenue, Interpretation and Appeals, General Administration Building, Mailstop AX-02, FAX 586-7603, Olympia, Washington 98504, by June 26, 1991.

Date of Intended Adoption: July 11, 1991.

May 2, 1991

Edward L. Faker  
Assistant Director

**WSR 91-11-005**  
**PROPOSED RULES**  
**DEPARTMENT OF REVENUE**  
[Filed May 2, 1991, 11:00 a.m.]

Original Notice.

Title of Rule: Amending WAC 458-20-109 Finance charges, carrying charges, interest, penalties.

Purpose: This rule explains how finance charges, carrying charges, interest, and penalties are taxed.

Statutory Authority for Adoption: RCW 82.32.300.

Statute Being Implemented: Title 82 RCW.

Summary: This rule revision represents a change in how interest and penalties are taxable by persons engaged in a public utility business. Interest and penalties will be taxed under the B&O tax rather than public utility tax.

Reasons Supporting Proposal: This was previously stated in WAC 458-20-151 for sewerage collection businesses, a public utility activity. This revision will make

AMENDATORY SECTION (Amending Order ET 70-3, filed 5/29/70, effective 7/1/70)

WAC 458-20-109 FINANCE CHARGES, CARRYING CHARGES, INTEREST, PENALTIES. (1) INTRODUCTION. This section explains the B & O and public utility taxation of finance charges, carrying charges, interest and/or penalties received by taxpayers in the regular course of business. This section also explains when these amounts are not part of the selling price for retail sales tax purposes.

(2) BUSINESS AND OCCUPATION TAX. Persons who receive finance charges, carrying charges, service charges, penalties and interest are taxable ((with respect thereto)) under the service and other business activities classification on the receipt of amounts from these sources.

(a) Amounts received from these sources include but are not limited to:

(i) Interest received by persons engaged in public utility activities;  
and

(ii) Interest received by persons regularly engaged in the business of selling real estate.

(b) Persons engaged in financial business activities should refer to WAC 458-20-146.

(c) Amounts categorized as "interest" in a lease payment are generally taxable in the retailing classification as part of the total lease payment and part of the selling price for retail sales tax purposes. See WAC 458-20-211.

(d) Interest or finance charges received from an installment sale are taxable under the service classification.

(3) RETAIL SALES TAX. Retail sales tax applies as follows.

(a) Finance charges, carrying charges, service charges, penalties and/or interest from ~~((credit extended on sales of tangible personal property under conditional sale contracts or other contracts providing for deferred payments of the purchase price))~~ installment sales are not considered a part of the selling price of such property and are not subject to the retail sales tax, ~~((if (+)))~~ when:

(i) The amount of such finance charges, carrying charges, service charges, penalty, or interest is in addition to the usual or established cash selling price~~(:);~~; and ~~((+))~~

(ii) The amount is segregated on the taxpayers' accounts~~(:);~~; and ~~((+))~~

(iii) The amount is billed separately to customers. ~~((Amounts added to the base price, or agreed selling price on account of failure of the buyer to make any payment at the time specified in the agreement between the parties—amounts generally designated as "penalties"—are not a part of the selling price and are not subject to the retail sales tax.~~

As to contracts providing for the renting or leasing of tangible personal property;))

(b) Amounts designated as finance charges, carrying charges, service charges or interest in a lease of tangible personal property must be included in the measure of retail sales tax regardless of the fact that such charges may be billed separately to customers. However, a penalty or interest charge for failure of the customer to make a timely lease payment is taxable under the service and other business activities classification and not subject to retail sales tax.

(4) EXAMPLES. The following examples are intended to provide additional clarification.

(a) ABC Electric Company, who sells electricity to consumers, receives \$9,000.00 in late charges in the month of November. These fees are taxable under the service and other classification of the business and occupation tax. The public utility tax would not apply to this income.

(b) John Doe sold several pieces of real estate on contract. He receives monthly interest and principle payments. The interest is received in exchange for the seller's deferring receipt of payment for the real estate. The interest is taxable under the service and other activity business and occupation tax. Because no deduction is permitted under RCW 82.04.4292, service business and occupation tax is due on the interest whether the sale of the real estate is secured by a mortgage, deed of trust or real estate contract when the seller is not in the financial business. Persons in a financial business should refer to WAC 458-20-146.

(c) XYZ Furniture Company sells furniture and allows its customers to pay for the furniture over a twelve-month period. The seller charges interest at twelve percent per annum for allowing the customer to defer immediate payment. The interest charged the customer is taxable under the service and other business activities classification.

(d) Jane Doe is leasing a car from ABC Leasing, Inc. The lease contract provides that if the customer is more than fifteen days late in making the lease payment, a five percent penalty will be charged. Jane Doe was more than fifteen days late in making her March payment and was required to pay the five percent penalty. The penalty amount received by ABC Leasing is taxable under the service and other activity business and occupation tax. Retail sales tax does not apply to this amount.

((Revised June 1, 1970.))

WSR 91-11-006  
 PERMANENT RULES  
 WILDLIFE COMMISSION  
 [Order 491—Filed May 2, 1991, 11:21 a.m.]

Date of Adoption: March 8, 1991.

Purpose: To amend WAC 232-12-004 Classification of wild birds.

Citation of Existing Rules Affected by this Order: Amending WAC 232-12-004.

Statutory Authority for Adoption: RCW 77.12.020 and 77.12.040.

Pursuant to notice filed as WSR 91-03-131 on January 23, 1991.

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

April 21, 1991  
 John C. McGlenn  
 Chair

AMENDATORY SECTION (Amending Order 174, filed 10/22/81)

WAC 232-12-004 CLASSIFICATION OF WILD BIRDS. (1) Game birds include ~~((the family Anatidae or waterfowl commonly known as geese, brant, swan, surface-feeding ducks, diving ducks and mergansers; the Rallidae commonly known as rails, gallinules and coots; Common, Wilson's or jacksnipe; the Columbidae commonly known as doves and pigeons. Wild turkeys of the species Meleagris gallopavo, whitetailed ptarmigan, sage grouse (sage hen), sharp-tailed grouse, blue grouse, spruce grouse (franklin grouse) and ruffed grouse, of the family Tetraonidae, ring-necked, Chinese, Mongolian, Mutant and all other pheasant of the genus Phasianus; and Reeves pheasant of the species Syrmaticus reevesi; gray or Hungarian partridge[.][.], Perdix perdix[.] chukar partridge, and all other partridges of the genus Alectoris; Chilean tinamou of the genus Nothoprocta; bobwhite quail and all other quail of the genus Colinus; California quail and all other quail of the genus Lophortyx; mountain quail and all other quail of the genus Oreortyx; scaled quail and other quail of the genus Callipepla:))~~ :

<u>Common Name</u>	<u>Scientific Name</u>
migratory waterfowl	Anatidae
turkey	Meleagris gallopavo
blue grouse	Dendragapus obscurus
spruce grouse	Dendragapus canadensis
ruffed grouse	Bonasa umbellus
"Forest grouse" means blue, spruce, or ruffed grouse	
sharp-tailed grouse	Tympanuchus phasianellus
sage grouse	Centrocercus urophasianus
white-tailed ptarmigan	Lagopus leucurus
California quail	Callipepla californicus
mountain quail	Oreortyx pictus
bobwhite quail	Colinus virginianus
scaled quail	Callipepla squamata
chukar	Alectoris chukar
ring-necked pheasant	Phasianus colchicus
Gray (Hungarian) partridge	Perdix perdix

<u>Common Name</u>	<u>Scientific Name</u>
<u>"Upland bird" means quail, chukar, pheasant, or partridge</u>	
<u>coot</u>	<u>Fulica americana</u>
<u>common snipe</u>	<u>Capella gallinago</u>
<u>band-tailed pigeon</u>	<u>Columba fasciata</u>
<u>mourning dove</u>	<u>Zenaidura macroura</u>

(2) Predatory birds include ((~~magpie, crow, English sparrow and starling~~));

<u>Common Name</u>	<u>Scientific Name</u>
<u>magpie</u>	<u>Pica pica</u>
<u>crow</u>	<u>Corvus brachyrhynchos</u>
<u>starling</u>	<u>Sturnus vulgaris</u>
<u>House (English) sparrow</u>	<u>Passer domesticus</u>

**WSR 91-11-007**  
**PERMANENT RULES**  
**WILDLIFE COMMISSION**  
 [Order 492—Filed May 2, 1991, 11:22 a.m.]

Date of Adoption: March 8, 1991.  
 Purpose: To amend WAC 232-12-007 Classification of wild animals.

Citation of Existing Rules Affected by this Order: Amending WAC 232-12-007.

Statutory Authority for Adoption: RCW 77.12.020 and 77.12.040.

Pursuant to notice filed as WSR 91-03-133 on January 23, 1991.

Changes Other than Editing from Proposed to Adopted Version: The adopted version of WAC 232-12-007 Classification of wild animals, differs from the proposed version filed with the code reviser in the following specifics: The Wildlife Commission deleted the "coyote" from the list of game animals. The Wildlife Commission added "bull frog" to the list of game animals.

Effective Date of Rule: Thirty-one days after filing.  
 April 21, 1991  
 John C. McGlenn  
 Chair

AMENDATORY SECTION (Amending Order 192, filed 9/9/82)

WAC 232-12-007 CLASSIFICATION OF WILD ANIMALS. ((Certain wild animals are classified as:))

(1) Game animals include ((~~deer of the genus Odocoileus, commonly known as whitetail, blacktail, and mule deer; elk, Cervus elaphus including Roosevelt and Rocky Mountain races; moose, Alces alces; antelope, Antilocapra americana; mountain sheep, Ovis canadensis; mountain goat, Oreamnos americanus; black bear, Ursus americanus; cougar, Felis concolor; bobcat, Lynx rufus; raccoon, Procyon lotor; cottontail rabbit, Sylvilagus floridanus, and nuttallii; snowshoe hare, Lepus~~

~~americanus; black-tailed jackrabbit, Lepus californicus; white-tailed jackrabbit, Lepus townsendii; bullfrog, Rana catesbeiana; beaver, Castor canadensis; muskrat, Ondatra zibethicus; mink, Mustela vison, except legally acquired; captive-bred mink; otter (river), Lutra canadensis; marten, Martes americana; Canada lynx, Lynx canadensis; badger, Taxidea taxus; weasel, Mustela erminea and frenata; and fox, Vulpes fulva, except legally acquired; captive-bred silver fox~~);

<u>Common Name</u>	<u>Scientific Name</u>
<u>eastern cottontail</u>	<u>Sylvilagus floridanus</u>
<u>mountain cottontail</u>	<u>Sylvilagus nuttallii</u>
<u>black-tailed jackrabbit</u>	<u>Lepus californicus</u>
<u>white-tailed jackrabbit</u>	<u>Lepus townsendii</u>
<u>snowshoe hare</u>	<u>Lepus americanus</u>
<u>fox</u>	<u>Vulpes vulpes</u>
<u>black bear</u>	<u>Ursus americanus</u>
<u>raccoon</u>	<u>Procyon lotor</u>
<u>cougar</u>	<u>Felis concolor</u>
<u>lynx</u>	<u>Lynx canadensis</u>
<u>bobcat</u>	<u>Lynx rufus</u>

<u>Roosevelt and Rocky Mountain elk</u>	<u>Cervus elaphus</u>
<u>mule deer and black-tailed deer</u>	<u>Odocoileus hemionus</u>
<u>white-tailed deer</u>	<u>Odocoileus virginianus</u>
<u>moose</u>	<u>Alces alces</u>
<u>pronghorn</u>	<u>Antilocapra americana</u>
<u>mountain goat</u>	<u>Oreamnos americanus</u>
<u>mountain sheep</u>	<u>Ovis canadensis</u>
<u>bull frog</u>	<u>Rana catesbeiana</u>

(2) Furbearing animals are game animals and include ((~~beaver, Castor canadensis, muskrat, Ondatra zibethicus; mink, Mustela vison, except legally acquired; captive-bred mink; otter (river), Lutra canadensis; marten, Martes americana; Canada lynx, Lynx canadensis; bobcat, Lynx rufus; badger, Taxidea taxus; raccoon; Procyon lotor;[,] weasel, Mustela [Mustella] erminea and frenata; and fox, Vulpes fulva, except legally acquired; captive-bred silver fox~~));

<u>Common Name</u>	<u>Scientific Name</u>
<u>beaver</u>	<u>Castor canadensis</u>
<u>muskrat</u>	<u>Ondatra zibethicus</u>
<u>fox</u>	<u>Vulpes vulpes</u>
<u>raccoon</u>	<u>Procyon lotor</u>
<u>marten</u>	<u>Martes americana</u>
<u>short-tailed weasel or ermine</u>	<u>Mustela erminea</u>
<u>long-tailed weasel</u>	<u>Mustela frenata</u>
<u>mink</u>	<u>Mustela vison</u>
<u>badger</u>	<u>Taxidea taxus</u>
<u>river otter</u>	<u>Lutra canadensis</u>
<u>lynx</u>	<u>Lynx canadensis</u>
<u>bobcat</u>	<u>Lynx rufus</u>



**WSR 91-11-008**  
**PERMANENT RULES**  
**WILDLIFE COMMISSION**  
 [Order 493—Filed May 2, 1991, 11:25 a.m.]

Date of Adoption: March 8, 1991.

Purpose: To establish 1991-92, 1992-93 and 1993-94 Elk hunting seasons and regulations.

Statutory Authority for Adoption: RCW 77.12.040 and 77.04.055.

Pursuant to notice filed as WSR 91-03-135 on January 23, 1991.

Changes Other than Editing from Proposed to Adopted Version: The adopted version of WAC 232-28-227 1991-92, 1992-93, 1993-94 Elk hunting seasons and regulations differ from the proposed version filing with the code reviser in the following specifics: Blue Mountain archery, muzzleloader, and early modern firearm tag holders may apply for bull permits in the Blue Mountains; delete elk tag requirement to hunt all wild animals during elk seasons; GMU 472 deleted as a permit only unit; early archery elk season in GMUs 328, 329, and 334 changed to Oct. 5-14, 1992 and Oct. 4-14, 1993; early archery elk season in GMUs 300, 306, 308, and 316 extended to Sept. 28-Oct. 11, 1991, and Oct. 1-14 in 1992 and 1993; add GMUs 121, 124, 127, and 178 to late archery elk seasons Nov. 27-Dec. 15, 1991, Nov. 25-Dec. 15, 1992, and Nov. 24-Dec. 15, 1993; extend closing date to Dec. 15 for all GMUs except Colockum and Yakima areas; extend late archery elk season in GMUs 328, 334, 336, 346, and 352 and Bow Areas 806 and 807 to Dec. 8 in 1992 and 1993; add GMUs 130, 133, and 136 to late muzzleloader elk hunt Nov. 27-Dec. 15, 1991, Nov. 25-Dec. 15, 1992, and Nov. 24-Dec. 15, 1993; extend closing date to Dec. 15 for all late muzzleloader GMUs except Colockum and Yakima areas; change dates for late muzzleloader elk hunt in GMU 505 to Nov. 19-24, 1991, Nov. 17-22, 1992, and Nov. 16-21, 1993; add GMU 124 west of SR 395 and GMUs 127, 130, 133, and 136 to either sex hunts Nov. 2-10, 1991, Oct. 31-Nov. 8, 1992, and Oct. 30-Nov. 7, 1993 for Blue Mountain modern firearm hunters; delete GMU 501 from either sex hunts open to modern firearm hunters Nov. 6-17, 1991, Nov. 4-15, 1992, and Nov. 3-14, 1993; Elk Area 004 was changed to GMUs 300, 306, 308, 316, and that part of GMU 302 in Chelan County and Elk Areas 031 and 032; the elk tag requirement was deleted; and "Seasons for 1992 and 1993 are adopting the intent that the Wildlife Commission will annually review any specific issues for biological or recreational concerns."

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

April 21, 1991  
 John C. McGlenn  
 Chair

### NEW SECTION

WAC 232-28-227 1991-92, 1992-93, 1993-94  
 ELK HUNTING SEASONS AND REGULATIONS

### ELK SEASONS

**Bag Limit:** One (1) elk per hunter during the annual (July 1-March 31) hunting season.

**Hunting Method:** Elk hunters must select one of the hunting methods (modern firearm, archery, muzzleloader).

**Tag Required:** Elk hunters must choose one of the four elk hunting areas (Blue Mountains, Yakima, Colockum or Western Washington) to hunt in and buy the appropriate tag for that area. (Archery elk hunters may hunt in any tag area in late seasons.)

**Bull Elk Seasons:** Open only to the taking of male elk with visible antlers (bull calves are illegal).

**Definition:** Visible Antler is defined as a horn-like growth projecting above the hairline.

**Spike Bull Restriction GMUs:** Bull elk taken in these GMUs must have at least one antler that is a spike above the ears (does not branch above the ears). An animal with branch antlers on both sides is illegal but an animal with a spike on one side is legal in spike only units.

Spike Only GMUs: 145-185.

**Branched Antler Restriction GMUs:** Bull elk taken in these GMUs must meet minimum antler point requirements. Minimum antler point requirements are antler points on one side only. Antler points include eye guards but all antler points must be at least one inch long. Antler restrictions apply to all hunters during any open season.

**3 Point GMUs:** 418, 460, 466, 472, 478, 490, 506, 524, 530, 556, 558, 572, 601, 602, 607, 621, 636, 638, 639, 681; and GMUs 157 and 485 by permit only.

**Special Permits:** Modern firearm late season elk tag holders along with muzzleloader tag holders may apply to be drawn in special elk permit seasons. Blue Mountain archery, muzzleloader, and early modern firearm tag holders may apply for bull permits in the Blue Mountains. Hunters drawn for a special permit may hunt only with a weapon in compliance with their tag. Hunters drawn for bull permits in the Blue Mountains may hunt bulls during the following season for their user group. Modern Firearm - during early Blue Mountain season. Archery - during early Blue Mountain archery season. Muzzleloader - during any Blue Mountain muzzleloader season.

### Modern Firearm Elk Information

Modern firearm elk hunters have early and late hunts in all elk areas. Those who choose the early tag have the first opportunity to hunt bulls, but only those who choose the late tag are able to apply for special elk permits except as outlined above for the Blue Mountains bull permits.

**Tag Required:** Elk hunter must have a current, valid, unaltered, unnotched modern firearm elk tag as listed below on his/her person.



Hunting Method: May use rifle, bow and arrow, or muzzleloader, but only during modern firearm seasons.

Modern Firearm Elk Seasons

Legal Elk: Male elk with visible antlers are legal throughout the state except in GMUs 145-185 only spike bull restrictions apply and in branched-antler areas branched antler restrictions apply.

Blue Mountains - Open Area: 100 series GMUs; GMU 157 limited to permit hunters only. GMUs 145-185 are spike bull only, except by permit.

- BE - Blue Mountain Early Tag
- BL - Blue Mountain Late Tag
- BA - Blue Mountain Archery Tag
- BM - Blue Mountain Muzzleloader Tag

Colockum - Open Area: GMUs 300, 301, 302, 304, 306, 308, 314, 316, 328, 329, 330 (permit only in GMU 330), and the portion of GMU 334 north of I-90 (modern firearm restrictions in GMU 334).

- CE - Colockum Early Tag
- CL - Colockum Late Tag
- CA - Colockum Archery Tag
- CM - Colockum Muzzleloader Tag

Yakima - Open Area: GMUs 335, 336, 340, 342, 346, 352, 356, 360, 364, 366, 368, 370, and that portion of GMU 334 South of I-90 (modern firearm restrictions in GMU 334).

- YE - Yakima Early Tag
- YL - Yakima Late Tag
- YA - Yakima Archery Tag
- YM - Yakima Muzzleloader Tag

Western Washington - Open Area: All 400, 500, and 600 GMUs except closed in GMU 522. Permit only in GMUs 485, 524, 554, 556, and 602.

- WE - Western Washington Early Tag
- WL - Western Washington Late Tag
- WA - Western Washington Archery Tag
- WM - Western Washington Muzzleloader Tag

	Year		
	1991	1992	1993
<u>Blue Mountains</u>			
BE - Blue Mountains Early Elk Tag	Oct. 30-Nov. 10	Oct. 28-Nov. 8	Oct. 27-Nov. 7
BL - Blue Mountains Late Elk Tag	Nov. 2-10	Oct. 31-Nov. 8	Oct. 30-Nov. 7
<u>Colockum</u>			
CE - Colockum Early Elk Tag	Oct. 23-29	Oct. 28-Nov. 3	Oct. 27-Nov. 2
CL - Colockum Late Elk Tag	Oct. 26-29	Oct. 31-Nov. 3	Oct. 30-Nov. 2
<u>Yakima</u>			
YE - Yakima Early Elk Tag	Nov. 5-13	Nov. 5-13	Nov. 5-13
YL - Yakima Late Elk Tag	Nov. 8-13	Nov. 8-13	Nov. 8-13
<u>Western Washington</u>			
WE - Western Washington Early Elk Tag	Nov. 6-17	Nov. 4-15	Nov. 3-14
WL - Western Washington Late Elk Tag	Nov. 9-17	Nov. 7-15	Nov. 6-14

Archery Elk Seasons

Tag Required: Elk hunter must have a current, valid, unaltered, unnotched archery elk tag on his/her person.

Hunting Method: Bow and arrow only.

Special Notes: Archery tag holders can only hunt during archery seasons. Only Blue Mountain archers may apply for Blue Mountains bull archery permits. If drawn, archers must hunt with archery equipment and only during the permit archery season.

Early Archery Elk Seasons

Tag Required: Elk hunter must have a current, valid, unaltered, unnotched archery elk tag on his/her person for the area hunted: Blue Mountain (BA), Colockum (CA), Yakima (YA), or Western Washington (WA).

GMUs	Elk Tag	Dates			Legal Elk
		1991	1992	1993	
100-118 121-142	BA	Sept. 28-Oct. 11	Oct. 1-14	Oct 1-14	Either sex
145-154, 160-169, 175-185	BA	Sept. 28-Oct. 11	Oct. 1-14	Oct. 1-14	Antlerless or spike only
300, 306, 308, 316	CA	Sept. 28-Oct. 11	Oct. 1-14	Oct. 1-14	Either sex
328-329, 334*	CA	Oct. 5-11	Oct. 5-14	Oct. 4-14	Either Sex
334**, 335, 336-340, 352-356, 364, 370	YA	Sept. 28-Oct. 11	Oct. 1-14	Oct. 1-14	Either sex

GMUs	Elk Tag	Dates			Legal Elk
		1991	1992	1993	
405-466 478, 490, 504, 505, 510, 512, 514, 516, 520, 530, 550, 554, 558, 560, 568, 572, 574, 576, 580, 586, 588-601, 607, 615, 618, 638-663, 667, 669, 678, 681	WA	Sept. 28-Oct. 11	Oct. 1-14	Oct. 1-14	Either sex except antlerless or 3 pt. min. in GMUs 418, 460, 466, 478, 490, 530, 558, 572, 601, 607, 638, 639 and 681.
484		Sept. 28-Oct. 4	Oct. 1-7	Oct. 1-7	Either sex
472, 621		Sept. 28-Oct. 11	Oct. 1-14	Oct. 1-14	3-Pt. min.
<b>Bow Area</b> 802		Sept. 28-Oct. 11	Oct. 1-14	Oct. 1-14	Either sex

\* That part of GMU 334 north of Interstate 90.

\*\* That part of GMU 334 south of Interstate 90.

Late Archery Elk Seasons

Tag Required: Elk hunter must have a current, valid, unaltered, unnotched archery elk tag on his/her person for any area.

GMUs	Dates			Legal Elk
	1991	1992	1993	
118, 121, 124, 127, 178	Nov. 27-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	Either sex
166	Nov. 27-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	Antlerless only
328*, 334, 336, 346, 352	Nov. 27-Dec. 8	Nov. 25-Dec. 8	Nov. 24-Dec. 8	Either sex
405, 433, 454, 484, 505, 520, 564, 588, 603, 612, 615, 648, 672	Nov. 27-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	Either sex
506, 530, 638, 681**	Nov. 27-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	Antlerless or 3-pt. min.
636	Nov. 27-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	3 Pt. min.
<b>Bow Areas</b> 802	Nov. 27-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	Either sex
806, 807	Nov. 27-Dec. 8	Nov. 25-Dec. 8	Nov. 23-Dec. 8	Either sex
808	Feb. 1-7, 1992	Feb. 1-7, 1993	Feb. 1-7, 1994	Either sex
831	Nov. 27-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	Antlerless or 3-pt. min.

\* Portion of GMU 328 in the Caribou and Reeser elk areas will overlap with modern firearm permit hunt.

\*\* Except closed between U.S. Highway 101 and the Columbia River from Astoria-Megler toll bridge to the Wallicut River.

Muzzleloader Elk Seasons

Tag Required: Elk hunter must have a current, valid, unaltered, unnotched muzzleloader elk tag as listed below on his/her person.

Hunting Method: Muzzleloader only.

Special Notes: Hunters selecting the muzzleloader elk tag may apply for special hunt permit seasons, if eligible.

Muzzleloader Early Elk Seasons

Tag Required: Elk hunter must have a current, valid, unaltered, unnotched muzzleloader elk tag as designated below on his/her person.

GMUs	Elk Tag	Dates			Legal Elk
		1991	1992	1993	
172	BM	Oct. 5-11	Oct. 8-14	Oct. 8-14	Spike bull only
302	CM, YM	Oct. 5-11	Oct. 8-14	Oct. 8-14	Bull only
314*	CM	Oct. 5-11	Oct. 8-14	Oct. 8-14	Bull only
368	YM	Oct. 5-11	Oct. 8-14	Oct. 8-14	Bull only
603, 612	WM	Oct. 5-11	Oct. 8-14	Oct. 8-14	Bull only
460, 506, 636	WM	Oct. 5-11	Oct. 8-14	Oct. 8-14	3-Pt. min.
484, 501, 564, 684	WM	Oct. 5-11	Oct. 8-14	Oct. 8-14	Either sex
Muzzleloader Area 910	YM	Oct. 5-11	Oct. 8-14	Oct. 8-14	Either sex

\* Closed in that portion of GMU 314 north of the Colockum Pass Road (Road 10) and Naneum Ridge Road (Road 9) and east and south of the Ingersol Road (Road 1).

Muzzleloader Late Elk Seasons

Tag Required: Elk hunter must have a current, valid, unaltered, unnotched muzzleloader elk tag as designated below on his/her person.

GMUs	Elk Tag	Dates			Legal Elk
		1991	1992	1993	
130, 133, 136	BM	Nov. 27-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	Either sex
184	BM	Nov. 27-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	Antlerless only
484	WM	Nov. 27-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	Either sex
501, 568, 574, 576, 580, 586	WM	Nov. 27-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	Either sex
505	WM	Nov. 19-24	Nov. 17-22	Nov. 16-21	Either sex
504, 550	WM	Nov. 27-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	Bull only
601	WM	Nov. 27-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	3-Pt. bull min.
684	WM	Nov. 27-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	Either sex
Elk Area 003	CM	Dec. 7-22	Dec. 5-20	Dec. 4-19	Antlerless only
Muzzleloader Areas 908	WM	Jan 1-31, 1992	Jan 1-31, 1993	Jan 1-31, 1994	Either sex
910	YM	Nov. 17-Dec. 8	Nov. 17-Dec. 6	Nov. 17-Dec. 5	Antlerless only
944	YM	Nov. 17-20	Nov. 17-20	Nov. 17-20	Either sex

Special Elk Hunts Open to Specified Tag Holders

Tag Required: Proper elk tags are listed with each GMU below.

Hunting Method: Hunters must use method listed on their tag, except in Firearm Restriction Areas, where some types of weapons are banned from use. See elk tag required, dates, and legal elk in table below.

Antlerless or Either Sex Elk Hunts

GMUs	Elk Tag	Dates			Legal Elk
		1991	1992	1993	
100, 103, 105, 108, 121, 124 west of SR 395, 127, 130, 133, 136	BE, BL	Nov. 2-10	Oct. 31-Nov. 8	Oct. 30-Nov. 7	Either sex
178	BE, BL	Nov. 9-10	Nov. 7-8	Nov. 6-7	Antlerless or spike bull only
200-284	Any Elk Tag	Oct. 24-Nov. 15	Oct. 24-Nov. 15	Oct. 24-Nov. 15	Either sex
370	CM, YE, YL, YM	Nov. 1-30	Nov. 1-30	Nov. 1-30	Either sex
564*	WA, WM, WE, WL	Nov. 6-17	Nov. 4-15	Nov. 3-14	Either sex
501, 568, 574, 576, 586, 588	WE, WL	Nov. 6-17	Nov. 4-15	Nov. 3-14	Either sex
GMUs 300, 306, 308, 316, that part of GMU 302 in Chelan County and Elk Areas 031 and 032	CE, CL, CM	Dec. 7-22	Dec. 5-20	Dec. 4-19	Antlerless only

\* Archery or Muzzleloader Equipment Only. Modern Firearm elk tag holders may hunt but must use primitive weapons.

Report Cards

Each successful hunter must fill out and return a Game Harvest Report Card to the Department of Wildlife within 10 days after taking an elk.

**WSR 91-11-009**  
**PERMANENT RULES**  
**WILDLIFE COMMISSION**  
 [Order 494—Filed May 2, 1991, 11:27 a.m.]

Date of Adoption: March 8, 1991.  
 Purpose: To establish 1991-92, 1992-93, and 1993-94 Deer and bear hunting seasons and regulations.  
 Statutory Authority for Adoption: RCW 77.12.040 and 77.04.055.  
 Pursuant to notice filed as WSR 91-03-138 on January 23, 1991.  
 Changes Other than Editing from Proposed to Adopted Version: The adopted version of WAC 232-28-226, 1991-92, 1992-93, 1993-94 Deer and bear hunting seasons and regulations differs from the proposed version

filed with the code reviser in the following specifics: The bag limit for deer hunters was modified by adding the following phrase "except special permit hunters may be allowed two deer"; the three point restriction was added to whitetail deer in GMUs 127-185; the modern firearm deer season in GMUs 200-242 was changed to end Nov. 6, 1992 and Nov. 5, 1993; the modern firearm deer season in GMUs 328-334 was changed to Oct. 12-22, 1991, Oct. 17-27, 1992, and Oct. 16-26, 1993; the modern firearm deer season in GMUs 335-370 was changed to Oct. 12-31, 1991, Oct. 17-Nov. 4, 1992, and Oct. 16-Nov. 4, 1993; the language requiring elk or cougar tags to hunt in deer seasons was dropped; the late archery deer season in GMUs 103, 209, 215, 233, 242, 272, 300, 304, 316, 346, 352, and 364 was changed to end Dec. 8 for 1992 and 1993; and GMUs 584 and 588 changed to end Dec. 15 for 1991, 1992, and 1993; the late archery deer hunts in GMUs 118, 121, 124, 127, 166, and 178 extended to Dec. 15 in 1991, 1992, and 1993; the late archery deer season in Bow Areas 806 and 807 changed to end Dec. 8 for 1992 and 1993; legal deer in GMUs 127, 166 and 178 changed to antlerless and three point minimum for both whitetail and mule deer; late archery deer hunts in western Washington GMUs extended to Dec. 15, antlerless are legal deer in GMUs 433, 558, 636, and 681; GMU 433 deleted from late archery deer season and added to extended archery deer

season; late archery deer season in Bow Area 802 extended to Dec. 15 each year; change dates of early muzzleloader deer hunt in GMU 506 to Oct. 5-11, 1991, Oct. 8-14, 1992, and Oct. 8-14, 1993; GMU 501 (Lincoln) added to late muzzleloader deer hunts Nov. 27-Dec. 15, 1991, Nov. 25-Dec. 15, 1992, and Nov. 24-Dec. 15, 1993; late muzzleloader season in GMU 113 and 181 changed to end Dec. 8 in 1991, 1992, and 1993; late muzzleloader hunt in GMU 181 modified to allow antlerless or three point minimum; closing date of all late muzzleloader hunts in western Washington extended to Dec. 15, 1991, 1992, and 1993; the late muzzleloader hunt in GMU 550 changed to either sex; in Firearm Restricted Deer Hunts Open to All Deer Hunters, extended the closing date in GMU 564 and 625 to Dec. 15, shotgun is no longer legal in GMU 410 hunt, in GMU 625 the hunts are Sept. 11-Dec. 15, 1991, Sept. 16-Dec. 15, 1992, and Sept. 15-Dec. 15, 1993; the pursuit bear season August 1-31, 1991, 1992, and 1993 was modified to include that portion of GMU 113 outside of the Grizzly Bear Recovery Zone; the open bear season in eastern Washington was restricted to Oct. 12-25, 1991, Oct. 17-25, 1992, Oct. 16-25, 1993; in Columbia and Walla Walla counties outside Umatilla National Forest, use of hounds and bait to hunt black bear prohibited within the Grizzly Bear Recovery Zone, restriction on use of bait in Walla Walla and Columbia counties was dropped; Western Washington general bear seasons extended in 1992 to close Nov. 1. In GMUs 669, 678, and 681 the seasons open Sept. 11, 1991, Sept. 16, 1992, and Sept. 16, 1993; delete GMU 113 from hound hunting closures except for Grizzly Bear Recovery Zone; tag requirement and quality tag sections were deleted; and "Seasons adopted for 1992 and 1993 are adopted with the intent that the Wildlife Commission will annually review any specific issues for biological and recreational concerns."

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

April 21, 1991  
John C. McGlenn  
Chair

NEW SECTION

WAC 232-28-226 1991-92, 1992-93, 1993-94  
**DEER AND BEAR HUNTING SEASONS AND REGULATIONS**  
DEER

**Bag Limit:** One (1) deer per hunter during an annual (July 1-March 31) hunting season except special permit hunters may be allowed two (2) deer.

**Hunting Method:** Hunters must select one of the hunting methods (modern firearm, archery, muzzleloader).

**Buck Deer Seasons:** Open only to the taking of male deer with visible antlers (buck fawns illegal).

**Definition:** Visible antler is a horn-like growth projecting above the hairline.

**Branched Antler Restriction GMUs:** APPLIES TO ALL HUNTERS DURING ANY OPEN SEASON! Buck deer taken in these GMUs must meet minimum antler point requirements. Minimum antler point requirements are antler points on one side only. Antler points include eye guards but all antler points must be at least one inch long. The following GMUs have 2 or 3 point minimum requirements on buck deer taken.

**2 Point GMUs:** 433, 478, 558, 574, 576, 584, 586, 588, 636, 681, and GMU 485 (by permit only).

**3 Point GMUs:** 103, 127, 130, 133, 136, 139, 142, 145, 148, 151, 154, 160, 161, 163, 166, 169, 172, 175, 178, 181, 184, 185, 203, 231, 306, and 450.

Modern Firearm Deer Seasons

**Tag Required:** Deer hunter must have a current, valid, unaltered, unnotched modern firearm deer tag on his/her person.

**Hunting Method:** Modern firearm deer tag hunters may use rifle, handgun, shotgun, bow or muzzleloader, but only during modern firearm seasons.

High Buck Hunt

**Tag Required:** Deer hunter must have a current, valid, unaltered, unnotched modern firearm deer tag on his/her person.

GMUs	Dates			Legal Deer
	1991	1992	1993	
203, 301, 302, 450	Sept. 15-25	Sept. 15-25	Sept. 15-25	3-Pt. min.
Deer Areas 010, 040, 060	Sept. 15-25	Sept. 15-25	Sept. 15-25	3-Pt. min.

General Modern Firearm Deer Seasons

Tag Required: Deer hunter must have a current, valid, unaltered, unnotched modern firearm deer tag on his/her person.

GMUs	Dates			Legal Deer
	1991	1992	1993	
<b>Northeastern</b>				
100	Oct. 12-27	Oct. 17-Nov. 1	Oct. 16-31	Buck only
103	Oct. 12-27	Oct. 17-Nov. 1	Oct. 16-31	3 Pt. min.
105-124	Oct. 12-Nov. 24	Oct. 17-Nov. 22	Oct. 16-Nov. 21	Buck only
<b>Southeastern</b>				
127-185	Oct. 12-20	Oct. 17-25	Oct. 16-24	3-Pt. min.
Except closed in 157				
<b>Okanogan</b>				
200-242	Oct. 12-Nov. 1	Oct. 17-Nov. 6	Oct. 16-Nov. 5	Buck only except 3 pt. min. in GMU 203 and 231.
<b>Columbia Basin</b>				
248-278, 284	Oct. 12-20	Oct. 17-25	Oct. 16-24	Buck only
281	Oct. 12-20	Oct. 17-25	Oct. 16-24	Either sex
<b>Chelan</b>				
300-316	Oct. 12-Nov. 8	Oct. 17-Nov. 13	Oct. 16-Nov. 12	Buck only except 3 pt. min. in GMU 306
<b>Colockum and Central</b>				
328-334	Oct. 12-22	Oct. 17-27	Oct. 16-26	Buck only
335-370	Oct. 12-31	Oct. 17-Nov. 4	Oct. 16-Nov. 4	Buck only
<b>Western</b>				
405-572, 580, 600-684 Closed in GMU 522. Permit only in GMU 485.	Oct. 12-27	Oct. 17-Nov. 1	Oct. 16-31	Buck only except either sex in GMUs 410, 480, and 564; and 2 pt. min. in GMUs 433, 478, 558, 636, and 681; and 3 pt. min. in GMU 450.
574, 576 584, 586, 588	Oct. 12-Nov. 10	Oct. 17-Nov. 15	Oct. 16-Nov. 14	2-Pt. min.

Late Buck Season

Tag Required: Deer hunter must have a current, valid, unaltered, unnotched modern firearm deer tag on his/her person.

GMUs	Dates			Legal Deer
	1991	1992	1993	
All 400, 500, & 600 Except closed in: GMUs 480, 485, 522, 574, 576, 580, 584, 586, 588.	Nov. 21-24	Nov. 19-22	Nov. 18-21	Buck only except 2 pt. min. in GMUs 433, 478, 558, 636, and 681 and 3 pt. min. in GMU 450 and either sex in GMU 410 and 564.

Archery Deer Seasons

Tag Required: Deer hunter must have a current valid, unaltered, unnotched archery deer tag on his/her person.

Special Notes: Archery tag holders can only hunt with archery equipment during archery seasons.

Early Archery

GMUs	Dates			Legal Deer
	1991	1992	1993	
100-118, 121-154, 160-169, 175-200, 206, 215-239, 248-300, 306, 308, 316-340, 352-356, 364, 370, 405-442, 454-478, 490, 504, 505, 510, 512, 514, 516, 520, 524, 530, 550, 554-560, 568-588, 601, 602, 607, 615, 618, 621, 627-633, 638, 639, 642-663, 667-669, 678, 681	Sept. 11-Oct. 8	Sept. 16-Oct. 13	Sept. 15-Oct. 12	Either sex except 3 pt. or antlerless in GMUs 103, 127-185, 231, and 306, and 2 pt. or antlerless in GMUs 433, 478, 558, 574, 576, 584, 586, 588, and 681.
203, 301, 450	Sept. 15-Oct. 8	Sept. 15-Oct. 13	Sept. 15-Oct. 12	3 Pt. min. or antlerless
302	Sept. 15-24	Sept. 15-29	Sept. 15-28	3 Pt. min. or antlerless
119, 172, 242, 304, 360, 448, 484, 564, 603, 612, 624, 636, 666, 672, 684	Sept. 11-24	Sept. 16-29	Sept. 15-28	Either sex except 2 pt. or antlerless in GMU 636.
501, 506	Sept. 11-Oct. 1	Sept. 16-Oct. 6	Sept. 15-Oct. 5	Either sex
480	Sept. 27-Oct. 8	Sept. 25-Oct. 6	Oct. 1-12	Either sex
<b>Bow Area</b> 802	Sept. 11-Oct. 8	Sept. 16-Oct. 13	Sept. 15-Oct. 12	Either sex

Late Archery

GMUs	Dates			Legal Deer
	1991	1992	1993	
103	Nov. 13-Dec. 8	Nov. 11-Dec. 8	Nov. 10-Dec. 8	Whitetail only antlerless or 3-pt. min.
118, 121, 124	Nov. 27-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	Whitetail only; either sex
127, 166, 178	Nov. 27-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	Antlerless or 3 pt. min.
209, 215, 233, 242, 272, 300, 304, 316, 346, 352, 364	Nov. 27-Dec. 8	Nov. 25-Dec. 8	Nov. 24-Dec. 8	Either sex
584, 588	Nov. 27-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	Antlerless or 2-pt. min.
418, 426, 440, 448, 450, 460, 466, 480, 510, 512, 514, 516, 520, 524, 530, 556, 558, 560, 572, 601, 607, 612, 615, 618, 636, 638, 639, 648, 666, 669, 678, 681	Nov. 27-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	Either sex except antlerless or 2 pt. min. in GMUs 433, 558, 636, and 681.

Bow Areas	Dates			Legal Deer
	1991	1992	1993	
802	Nov. 27-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	Either sex
806, 807	Nov. 27-Dec. 8	Nov. 25-Dec. 8	Nov. 24-Dec. 8	Either sex
820	Dec. 21-Jan. 5, 1992	Dec. 26-Jan. 10, 1993	Dec. 25-Jan. 9, 1994	Either sex

Extended Late Archery

GMUs	Dates			Legal Deer
	1991	1992	1993	
405, 410, 433, 442, 454, 484, 505, 506, 564, 568, 603, 624, 627*, 642, 660, 663, 667, 672	Nov. 27-Dec. 31	Nov. 25-Dec. 31	Nov. 24-Dec. 31	Either sex except antlerless or 2 pt. min. in GMU 433.

\* Submarine Base Bangor within GMU 627 is antlerless only.

Muzzleloader Deer Seasons

Tag Required: Deer hunter must have a current, valid, unaltered, unnotched muzzleloader deer tag on his/her person.

Hunting Method: Muzzleloader only.

Special Notes: Muzzleloader tag holders can only hunt during muzzleloader seasons and must hunt with muzzleloader equipment. Muzzleloader deer tag holders may apply for all either sex, antlerless only, and branched antler deer special hunting permits.



High Buck Hunt

GMUs	Dates			Legal Deer
	1991	1992	1993	
203, 301, 302, 450	Sept. 15-25	Sept. 15-25	Sept. 15-25	3-Pt. min.
Deer Areas 010, 040, 060	Sept. 15-25	Sept. 15-25	Sept. 15-25	3-Pt. min.

Early Muzzleloader

GMUs	Dates			Legal Deer
	1991	1992	1993	
119, 209, 242, 302, 304, 360, 368, 564, 666	Sept. 25-Oct. 8	Sept. 30-Oct. 13	Sept. 29-Oct. 12	Either sex
506	Oct. 5-11	Oct. 8-14	Oct. 8-14	Buck only
484, 603, 612, 624, 672	Sept. 25-Oct. 8	Sept. 30-Oct. 13	Sept. 29-Oct. 12	Buck only

Late Muzzleloader

GMUs	Dates			Legal Deer
	1991	1992	1993	
113	Nov. 27-Dec. 8	Nov. 25-Dec. 8	Nov. 24-Dec. 8	Whitetail only either sex
181	Nov. 27-Dec. 8	Nov. 25-Dec. 8	Nov. 24-Dec. 8	Antlerless or 3 pt. min.
304	Nov. 9-17	Nov. 14-22	Nov. 13-21	Buck only
410	Nov. 27-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	Either sex
478	Nov. 27-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	Antlerless or 2-pt. min.
501, 504, 550	Nov. 27-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	Either sex
580	Nov. 27-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	Buck only
576, 586	Nov. 27-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	2-Pt. min.
602, 633 651, 684	Nov. 27-Dec. 15	Nov. 25-Dec. 15	Nov. 24-Dec. 15	Either sex
Muzzleloader Area 925	Dec. 1-31	Dec. 1-31	Dec. 1-31	Antlerless only

Firearm Restricted Deer Hunts Open To All Deer Hunters

Tag Required: Deer hunter must have a current, valid, unaltered, unnotched modern firearm, archery or muzzleloader deer tag on his/her person.

Hunting Method: Must use weapon in compliance with tag. Firearm restrictions apply in some GMUs.

GMUs	Weapon Permitted	Dates			Legal Deer
		1991	1992	1993	
410	Archery, Muzzleloader	Oct. 12-27	Oct. 17-Nov. 1	Oct. 16-31	Either sex

GMUs	Weapon Permitted	Dates			Legal Deer
		1991	1992	1993	
480	Archery, Shotgun, Muzzleloader	Oct. 12-27	Oct. 17-Nov. 1	Oct. 16-31	Either sex
564	Archery, Shotgun, Muzzleloader	Nov. 21-Dec. 15	Nov. 19-Dec. 15	Nov. 18-Dec. 15	Either sex
625	Archery, Shotgun	Sept. 11-Dec. 15	Sept. 16-Dec. 15	Sept. 15-Dec. 15	Either sex

**BLACK BEAR**

**Bag Limit:** Fall General – One (1) black bear.

**Tag Sale Deadline:** Bear tags must be purchased by midnight of the day, preceding modern firearm deer season opener. Actual dates are: Oct. 11, 1991; Oct. 16, 1992; Oct. 15, 1993.

**PURSUIT ONLY SEASON**

It is lawful to pursue or tree black bears during established pursuit-only seasons, provided any bear pursued or treed is NOT killed or injured.

Aug. 1-31, 1991, 1992, and 1993, in GMUs 100-112, GMU 113 outside of Grizzly Bear Recovery Zone\*, 118-124 and GMUs 200 and 206.

**OPEN SEASON**

(Bear may be killed.)

Eastern Washington\*\*

Sept. 1-Oct. 25, 1991, 1992, and 1993, except restrictive season below in Walla Walla and Columbia counties outside of Umatilla National Forest and CLOSED to hunting with hounds Sept. 1-5 in GMUs 203, 218, 224, 231, 239, and 242.

Oct. 12-25, 1991; Oct. 17-25, 1992; Oct. 16-25, 1993; in Columbia and Walla Walla counties outside Umatilla National Forest.

\*\*Use of hounds and bait to hunt black bear prohibited in that part of GMU 113 within the Grizzly Bear Recovery Zone\*.

\*Grizzly Bear Recovery Zone (Pend Oreille County): Beginning at the junction of the Canadian-Washington boarder and State Route 31 by Boundary Lake; then east along the Canadian border to the Idaho border; then south along the Idaho-Washington border to the ridge top between Bath Creek and Lamb Creek at Section 1, Township 35 North, Range 45 East; then west along said ridge top to USFS Road 310; then west along USFS Road 310 to the peak of Gleason Mountain; then west along USFS Trail 162 to Hungry Mountain; then south and west along the ridge top between Fourth of July Creek and Middle Creek to the mouth of LeClerc Creek; then north along the ridge top between the Pend Oreille River and the West Branch LeClerc Creek (Dry Canyon Ridge) to Sullivan Lake Road; then north and east along Sullivan Lake Road to Sullivan Lake; then north along the east shoreline of Sullivan Lake to

Sullivan Lake Road; then north and west along Sullivan Lake Road to the city limits of Metaline Falls; then north along the city limits of Metaline Falls to State Route 31; then north along State Route 31 to the point of beginning. (See Washington Atlas & Gazetteer or Colville National Forest map.)

**Western Washington\***

Aug. 1-Oct. 27, 1991; Aug. 1-Nov. 1, 1992; Aug. 1-Oct. 31, 1993, EXCEPT Sept. 1-Oct. 27, 1991; Sept. 1-Nov. 1, 1992; Sept. 1-Oct. 31, 1993; in GMUs 669, 678, and 681 and Sept. 11-Oct. 27, 1991; Sept. 16-Nov. 1, 1992; and Sept. 15-Oct. 31, 1993, in Bow Area 802.

CLOSED in GMUs 485 and 522.

\*GMU 460 hunting limited by written authorization.

**HOUND HUNTING CLOSURES**

Use of hounds is prohibited in GMU 684, and Bow Area 802.

**TOOTH SUBMITTAL**

Bear: Each hunter who takes a bear must submit the small premolar tooth behind the canine tooth of upper and lower jaw for age determination. Tooth envelopes are available from Department of Wildlife regional offices.

**REPORT CARDS**

Each successful hunter must fill out and return a Game Harvest Report Card to the Department of Wildlife within ten days after taking a deer or bear.

**WSR 91-11-010**

**PERMANENT RULES**

**HEALTH CARE AUTHORITY**

[Filed May 3, 1991, 9:21 a.m.]

Date of Adoption: March 13, 1991.

Purpose: To clarify how SEBB medical and dental coverage continues under the consolidated Omnibus Reconciliation Act (COBRA).

Citation of Existing Rules Affected by this Order: Repealing WAC 182-12-127 and 182-12-210; and amending [new section] WAC 182-12-215.

Statutory Authority for Adoption: RCW 41.05.010 and 41.05.025.

Pursuant to notice filed as WSR 91-04-086 on February 6, 1991.

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

April 23, 1991  
Kristen West  
Rules Coordinator

### NEW SECTION

WAC 182-12-215 CONTINUED SEBB MEDICAL/DENTAL COVERAGE UNDER COBRA. Enrollees and eligible dependents who become ineligible for SEBB medical/dental coverage and who qualify for continued coverage under the Consolidated Omnibus Budget Reconciliation Act (COBRA), including any amendments hereinafter enacted, may continue their SEBB plan coverage by self-payment of plan premiums in accordance with COBRA statutes and regulations. Parents of an enrollee who qualify as dependents under the Internal Revenue Code and who were covered as dependents under SEBB medical/dental plans prior to July 1, 1990, shall be deemed "dependents" for purposes of COBRA coverage.

### REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 182-12-127 EXTENSION OF RETIREE DEPENDENTS' ELIGIBILITY.

WAC 182-12-210 EXTENDED SELF-PAY MEDICAL AND DENTAL COVERAGE.

**WSR 91-11-011**  
ATTORNEY GENERAL OPINION  
Cite as: AGO 1991 No. 18  
[April 29, 1991]

LAW ENFORCEMENT OFFICERS—CRIMINAL JUSTICE TRAINING COMMISSION—LEOFF PLAN II

RCW 41.26.470(2) provides that a disabled member who has recovered from an incapacitating disability, shall be restored to duty. The Criminal Justice Training Commission may not require law enforcement officers to obtain basic training pursuant to WAC 139-05-200 (2)(c)(iii), as a condition of reemployment, when these officers have had a break or interruption in service due solely to disability under RCW 41.26.470.

Requested by:

Mr. James C. Scott  
Executive Director  
Washington State Criminal Justice  
Training Commission  
Campus of St. Martin's College  
Mail Stop: PW-11  
Olympia, Washington 98504

**WSR 91-11-012**  
NOTICE OF PUBLIC MEETINGS  
CONVENTION AND TRADE  
CENTER

[Memorandum—May 1, 1991]

The Design Committee of the Washington State Convention and Trade Center will meet on Wednesday, May 8, 1991, at 12:00 noon in the 5th Floor Board Room of the Convention Center, 800 Convention Place, Seattle.

The WSCTC board of directors will also meet on Wednesday, May 8, 1991, at 2:00 p.m. in the 5th Floor Board Room of the Convention Center, 800 Convention Place, Seattle.

If you have any questions regarding these meetings, please call 447-5000.

**WSR 91-11-013**  
EMERGENCY RULES  
DEPARTMENT OF FISHERIES

[Order 91-27—Filed May 3, 1991, 4:10 p.m., effective May 4, 1991, 12:00 noon]

Date of Adoption: May 3, 1991.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order: Amending WAC 220-33-057.

Statutory Authority for Adoption: RCW 75.08.080.

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

Reasons for this Finding: Incidental take of sturgeon will occur during set line fishing for nonfood fish species in the Bonneville Pools. Reduced numbers of sturgeon in these waters mandate release of all sturgeon.

Effective Date of Rule: 12:00 noon, May 4, 1991.

May 3, 1991  
Dayna Matthews  
for Joseph R. Blum  
Director

### NEW SECTION

WAC 220-32-05700H COLUMBIA RIVER STURGEON SEASONS ABOVE BONNEVILLE. Notwithstanding the provisions of WAC 220-32-057, effective 12:01 p.m. May 4, 1991 until further notice, it is unlawful for any person, including treaty Indian fishers to take sturgeon with set line gear or to possess sturgeon taken with set line gear from those waters of the Columbia River upstream from Bonneville Dam to McNary Dam.

### REPEALER

The following section of the Washington Administrative Code is repealed effective 12:00 Noon May 4, 1991.

WAC 220-32-05700G COLUMBIA RIVER STURGEON SEASONS ABOVE BONNEVILLE. (91-19)

WSR 91-11-014 EMERGENCY RULES DEPARTMENT OF FISHERIES [Order 91-29—Filed May 3, 1991, 4:11 p.m.]

Date of Adoption: May 3, 1991. Purpose: Commercial fishing regulations. Citation of Existing Rules Affected by this Order: Repealing WAC 220-32-05500W.

Statutory Authority for Adoption: RCW 75.08.080. Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Harvestable numbers of salmon are available for a subsistence fishery. This conforms state regulations with Yakima Tribe regulations.

Effective Date of Rule: Immediately.

May 3, 1991 Dayna Matthews for Joseph R. Blum Director

NEW SECTION

WAC 220-32-05500X COLUMBIA RIVER TRIBUTARIES—SUBSISTENCE. Notwithstanding the provisions of WAC 220-32-055 and WAC 220-32-059, effective immediately until further notice, it is unlawful for any fisher to take, fish for, or possess salmon for commercial or subsistence purposes from the Yakima, Klickitat, Icicle, or Wind Rivers except treaty Indian fishers possessing treaty rights under the Yakima Treaty may fish for foodfish for subsistence purposes as provided for in this section:

(1) Yakima River - a. Horn Dam and from the southern border of the reservation to Sunnyside Dam open 12:00 noon Tuesday to 6:00 p.m. Saturday of each week from April 9 to June 29, 1991.

b. Prosser and Wapato Dams open 12:00 noon Wednesday to 6:00 p.m. Saturday of each week from April 10 to June 29, 1991.

In all open areas it shall be unlawful to place fishing platforms, or to take, molest, injure, or fish for salmon or to fish bypass pipes associated with irrigation canal fish screening structures and no fishing is allowed from boats or any other floating devices. Lawful gear is restricted to dipnet, setbag net, or rod and reel with bait or lure.

(2) Klickitat River - open 12:00 noon Wednesday to 6:00 p.m. Saturday, April 3 to May 25, 1991. in those waters from the Swinging Bridge to Fishway Number 5. It is unlawful to place fishing platforms or to take, molest, injure, or fish for salmon within 25 feet of any fish

ladder, fishway or fish bypass pipes. No fishing is allowed from boats or any other floating devices. Lawful gear is restricted to dipnet, setbag net, or rod and reel with bait or lure.

(3) Icicle River - open 9:00 p.m. Thursday to 12:00 noon Saturday, May 9 to June 29, 1991, in those waters where Icicle River borders the property of the U. S. Fish and Wildlife National Fish Hatchery at Leavenworth. It is unlawful to place fishing platforms or to take, molest, injure, or fish for salmon within 30 feet of any fish ladder, fishway or fish bypass pipes. No fishing is allowed from boats or any other floating devices. Lawful gear is restricted to dipnet, setbag net, or rod and reel with bait or lure.

(4) Wind River from the mouth to a marker 400' downstream of Shippard Falls open 12:00 noon Monday April 1, 1991 to 6:00 p.m. Saturday June 15, 1991. Lawful gear is restricted to dipnet, setbag net, or rod and reel with bait or lure.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-32-05500W COLUMBIA RIVER TRIBUTARIES—SUBSISTENCE (91-20)

WSR 91-11-015 EMERGENCY RULES DEPARTMENT OF FISHERIES [Order 91-30—Filed May 3, 1991, 4:15 p.m.]

Date of Adoption: May 3, 1991. Purpose: Commercial fishing regulations. Citation of Existing Rules Affected by this Order: Amending WAC 220-52-071.

Statutory Authority for Adoption: RCW 75.08.080. Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The current regulation governing sea cucumber seasons was put into effect in 1986 for a single four-year cycle only, and a new regulation is necessary to authorize further seasons. Limiting catch effort in early season stabilizes price and provides for the economic well being of the industry.

Effective Date of Rule: Immediately.

May 3, 1991 Dayna Matthews for Joseph R. Blum Director

NEW SECTION

WAC 220-52-07100I SEA CUCUMBERS. Notwithstanding the provisions of WAC 220-52-071, effective immediately until further notice it is unlawful to

take, fish for, or possess sea cucumbers taken from waters of Washington State except as provided for in this section:

- (1) Sea Cucumber District 1 – Open May 1 through May 14, 1991 Monday through Wednesday.
- (2) Sea Cucumber District 1 – Open May 15 through June 30, 1991 Monday through Thursday.
- (3) Sea Cucumber District 1 – Open July 1 until further notice Monday through Friday.

**WSR 91-11-016**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Order 3176—Filed May 3, 1991, 4:54 p.m., effective May 4, 1991, 12:01 a.m.]

Date of Adoption: May 3, 1991.

Purpose: To incorporate rules for the expedited Medicaid disability program.

Citation of Existing Rules Affected by this Order: Amending WAC 388-82-010 and 388-85-115.

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: These amendments are necessary to implement a new program in order to obtain Title XIX medical assistance for clients who appear to meet SSI criteria for the period of time the clients' application for disability is pending with the Social Security Administration.

Effective Date of Rule: May 4, 1991, 12:01 a.m.

May 3, 1991  
 Rosemary Carr  
 Acting Director  
 Administrative Services

**AMENDATORY SECTION (Amending Order 3140, filed 2/21/91, effective 3/24/91)**

**WAC 388-82-010 PERSONS ELIGIBLE FOR MEDICAL ASSISTANCE.** Medical assistance is available to any categorically needy person who is:

- (1) Receiving or eligible to receive a cash assistance payment. Payment categories a person may qualify for include:
  - (a) Aid to families with dependent children (AFDC);
  - (b) Supplemental Security Income (SSI);
  - (c) State supplemental payment. The ineligible spouse of an SSI beneficiary receiving a state supplement payment for the ineligible spouse is not eligible for categorically needy medical assistance; and
  - (d) A person (~~under twenty-one~~) twenty years of age and younger:

(i) Whose income is less than the one-person AFDC standard and is in:

- (A) Foster care; or
  - (B) Subsidized adoption; or
  - (C) A skilled nursing home, intermediate care facility, or intermediate care facility for mentally retarded (ICF/MR); or
  - (D) An approved inpatient psychiatric facility.
- (ii) Meeting the eligibility requirements under WAC 388-83-033.

(e) Family independence program (FIP).

(2) A pregnant woman:

(a) Who would be eligible for AFDC if her child were born and residing with her. In determining income eligibility for Medicaid, the department shall increase the number in the household as if the unborn was born before comparing the pregnant woman's income to the AFDC payment standard; or

(b) Meeting the eligibility requirements under WAC 388-83-032.

(3) In a medical facility and:

(a) Who would be eligible for cash assistance if the person was not institutionalized. This includes all categorically needy groups; or

(b) SSI categorically related and would not be eligible for cash assistance (~~if they were~~) including only aged, blind, and disabled groups if the person was not institutionalized and ((whose)) the person's gross income does not exceed the three hundred percent SSI benefit cap. ((This includes only aged, blind, and disabled groups.))

(4) Not receiving cash assistance because of special provisions as defined (~~in~~) under WAC 388-83-130;

(5) Not an inmate of a public institution;

(6) Sixty-five years of age or older, a patient in an institution for mental diseases, and eligible under subsection (3)(a) and (b) of this section; (~~or~~)

(7) An individual eligible for and accepting of hospice services as described under WAC 388-86-047 shall be:

(a) SSI categorically related with gross income less than three hundred percent of the SSI federal benefit rate; or

(b) AFDC categorically related.

(8) Blind or disabled under SSI criteria, as described under WAC 388-92-015, and the person receives continuing state-funded cash assistance.

**AMENDATORY SECTION (Amending Order 2347, filed 3/6/86)**

**WAC 388-85-115 DENIED TITLE II AND TITLE XVI APPLICANTS.** When (~~an individual~~) a person has applied for Title II or Title XVI benefits and the SSA has denied the person's application solely because of a failure to meet Title II and XVI blindness or disability criteria (~~under Title II or Title XVI~~), the SSA denial shall be binding on the department, unless the applicant:

(1) (~~The~~) SSA denial is under appeals in the reconsideration stage, the SSA's administrative (~~fair~~) hearing process, or the SSA's appeals council(~~or the federal courts~~); or

(2) (~~The applicant's~~) Medical condition has changed since the SSA denial was issued.

**WSR 91-11-017**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Filed May 3, 1991, 4:55 p.m.]

**Original Notice.**

**Title of Rule:** WAC 388-82-010 Persons eligible for medical assistance; and 388-85-115 Denied Title II and Title XVI applicants.

**Purpose:** To incorporate rules for the expedited Medicaid disability program.

**Statutory Authority for Adoption:** RCW 74.08.090.

**Statute Being Implemented:** RCW 74.08.090.

**Summary:** WAC 388-82-010, to include a group of persons eligible for categorically needy Medicaid; and WAC 388-85-115, to delete federal courts from the appeal process if a disability decision is in the reconsideration state.

**Reasons Supporting Proposal:** These amendments are necessary to implement a new program in order to obtain Title XIX medical assistance for clients who appear to meet SSI criteria for the period of time the clients' application for disability is pending with the Social Security Administration.

**Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement:** Diane Tiffany, Medical Assistance, 586-4266.

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

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

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

**Proposal Changes the Following Existing Rules:** See above.

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

**Hearing Location:** OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on June 25, 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 June 25, 1991.

**Date of Intended Adoption:** July 9, 1991.

May 3, 1991  
 Rosemary Carr  
 Acting Director  
 Administrative Services

**AMENDATORY SECTION** (Amending Order 3140, filed 2/21/91, effective 3/24/91)

WAC 388-82-010 PERSONS ELIGIBLE FOR MEDICAL ASSISTANCE. Medical assistance is available to any categorically needy person who is:

(1) Receiving or eligible to receive a cash assistance payment. Payment categories a person may qualify for include:

(a) Aid to families with dependent children (AFDC);

(b) Supplemental Security Income (SSI);

(c) State supplemental payment. The ineligible spouse of an SSI beneficiary receiving a state supplement payment for the ineligible spouse is not eligible for categorically needy medical assistance; and

(d) A person (~~under twenty-one~~) twenty years of age and younger:

(i) Whose income is less than the one-person AFDC standard and is in:

(A) Foster care; or

(B) Subsidized adoption; or

(C) A skilled nursing home, intermediate care facility, or intermediate care facility for mentally retarded (ICF/MR); or

(D) An approved inpatient psychiatric facility.

(ii) Meeting the eligibility requirements under WAC 388-83-033.

(e) Family independence program (FIP).

(2) A pregnant woman:

(a) Who would be eligible for AFDC if her child were born and residing with her. In determining income eligibility for Medicaid, the department shall increase the number in the household as if the unborn was born before comparing the pregnant woman's income to the AFDC payment standard; or

(b) Meeting the eligibility requirements under WAC 388-83-032.

(3) In a medical facility and:

(a) Who would be eligible for cash assistance if the person was not institutionalized. This includes all categorically needy groups; or

(b) SSI categorically related and would not be eligible for cash assistance (~~if they were~~) including only aged, blind, and disabled groups if the person was not institutionalized and ((whose)) the person's gross income does not exceed the three hundred percent SSI benefit cap. ((This includes only aged, blind, and disabled groups.))

(4) Not receiving cash assistance because of special provisions as defined (~~in~~) under WAC 388-83-130;

(5) Not an inmate of a public institution;

(6) Sixty-five years of age or older, a patient in an institution for mental diseases, and eligible under subsection (3)(a) and (b) of this section; (~~or~~)

(7) An individual eligible for and accepting of hospice services as described under WAC 388-86-047 shall be:

(a) SSI categorically related with gross income less than three hundred percent of the SSI federal benefit rate; or

(b) AFDC categorically related.

(8) Blind or disabled under SSI criteria, as described under WAC 388-92-015, and the person receives continuing state-funded cash assistance.

**AMENDATORY SECTION** (Amending Order 2347, filed 3/6/86)

WAC 388-85-115 DENIED TITLE II AND TITLE XVI APPLICANTS. When (~~an individual~~) a person has applied for Title II or Title XVI benefits and the SSA has denied the person's application solely because of a failure to meet Title II and XVI blindness or disability criteria (~~under Title II or Title XVI~~), the SSA denial shall be binding on the department, unless the applicant:

(1) (~~The~~) SSA denial is under appeals in the reconsideration stage, the SSA's administrative (~~fair~~) hearing process, or the SSA's appeals council( ~~or the federal courts~~); or

(2) (~~The applicant's~~) Medical condition has changed since the SSA denial was issued.

**WSR 91-11-018**  
**PERMANENT RULES**  
**STATE BOARD OF EDUCATION**

[Filed May 6, 1991, 2:15 p.m.]

**Date of Adoption:** November 30, 1990.

**Purpose:** To clarify course work to be taken to meet physical education requirement.

**Citation of Existing Rules Affected by this Order:** Amending WAC 180-51-085.

**Statutory Authority for Adoption:** RCW 28A.230.100.

Pursuant to notice filed as WSR 90-21-154 on October 24, 1990.

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

May 6, 1991

Dr. Monica Schmidt  
Executive Director

**AMENDATORY SECTION** (Amending WSR 90-17-009, filed 8/6/90, effective 9/6/90)

WAC 180-51-085 PHYSICAL EDUCATION REQUIREMENT—EXCUSE. The two credit physical education requirement shall be met by ~~((physical education courses))~~ course work in the areas of personal fitness development, leisure activities, health education/life skills management, and healthful living program design. The content of courses shall be determined locally pursuant to WAC 180-51-025. Suggested course outlines and student outcomes shall be developed by the office of the superintendent of public instruction. Students shall be excused from physical education pursuant to RCW 28A.230.050. Such excused students shall be required to substitute equivalency credits in accordance with policies of boards of directors of districts.

**WSR 91-11-019**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Order 3177—Filed May 7, 1991, 1:44 p.m., effective June 1, 1991]

Date of Adoption: May 7, 1991.

Purpose: To include aged, blind and disabled aliens admitted for temporary residence under Section 245A of the Immigration and Nationality Act for participation in the food stamp program.

Citation of Existing Rules Affected by this Order: Amending WAC 388-49-310 Citizenship and alien status.

Statutory Authority for Adoption: RCW 74.04.050.

Pursuant to notice filed as WSR 91-07-069 on March 20, 1991.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: RCW 34.05.380 (3)(a).

Effective Date of Rule: June 1, 1991.

May 7, 1991

Rosemary Carr  
Acting Director  
Administrative Services

**AMENDATORY SECTION** (Amending Order 2836, filed 8/2/89, effective 9/2/89)

WAC 388-49-310 CITIZENSHIP AND ALIEN STATUS. (1) The department shall require applicants to sign the application attesting to their citizenship or alien status as described under WAC 388-49-030(6).

(2) The department shall consider applicants failing to meet the requirements of subsection (1) of this section as

ineligible household members under WAC 388-49-190(4), 388-49-420(5), and 388-49-480(2).

(3) ~~((Except for subsection (4) of this section;))~~ The department shall ~~((require))~~ consider the following persons ~~((participating))~~ residing in the United States eligible for participation in the food stamp program ~~((to be residents of the United States and either))~~:

(a) A United States citizen; or

(b) An alien lawfully admitted for permanent residence; or

(c) An alien who:

(i) Entered the United States before January 1, 1972, or some later date as required by law; and

(ii) Has continuously maintained residency in the United States since then; and

(iii) Is not ineligible for citizenship but is considered to be lawfully admitted for permanent residence as a result of an exercise of discretion by the attorney general under section 249 of the Immigration and Nationality Act.

(d) An alien who qualified for entry after March 17, 1980, because of persecution or fear of persecution on account of race, religion, or political opinion under sections 203 (a)(7), 207, and 208 of the Immigration and Nationality Act; or

(e) An alien qualified for conditional entry before March 18, 1980, under former section 203 (a)(7) of the Immigration and Nationality Act; or

(f) An alien granted asylum through an exercise of discretion by the attorney general under section 208 of the Immigration and Nationality Act; or

(g) An alien lawfully present in the United States as a result of:

(i) An exercise of discretion by the attorney general for emergent reasons or reasons deemed strictly in the public interest under section 212 (d)(5) of the Immigration and Nationality Act; or

(ii) A grant of parole by the attorney general.

(h) An alien living within the United States for whom the attorney general withheld deportation, under section 243 of the Immigration and Nationality Act, because the attorney general judges the alien is subject to persecution because of race, religion, or political opinion; or

(i) An alien having temporary resident status as a special agricultural worker under section 210 of the Immigration and Nationality Act; or

(j) An aged, blind, or disabled alien admitted for temporary or permanent residence under section 245A of the Immigration and Nationality Act; or

(k) An alien who is not aged, blind, or disabled admitted under section 245A of the Immigration and Nationality Act when:

(i) Temporary or permanent status has been gained; and

(ii) A five-year period has expired.

~~((The department shall consider aliens legalized under section 245A of the Immigration and Nationality Act ineligible for five years after attaining temporary resident status except for aliens who:~~

~~((a) Attain permanent resident status; and~~

~~((b) Are aged, blind, or disabled as defined under section 1614 (a)(1) of the Social Security Act.~~

(5)) The household shall provide verification when:

- (a) Citizenship is questionable; or
- (b) One or more of its members are aliens.

(i) The department shall not contact the immigration and naturalization service to obtain information without the alien's written consent.

(ii) The department shall give the household failing to provide verification the option of:

- (A) Withdrawing the application; or
  - (B) Participating without the alien member.
- ((6)) (5) An applicant shall be ineligible until:

- (a) Questionable citizenship is verified; or
- (b) Lawful alien status is verified.

((7)) (6) The department shall accept a statement under a penalty of perjury signed by a United States citizen that the applicant is a United States citizen when:

(a) The applicant cannot produce acceptable citizenship verification; and

(b) The household can reasonably explain why the verification is not available.

((8)) (7) The department shall notify immigration and naturalization services when any household member is ineligible because that person is present in the United States in violation of a known deportation order of the Immigration and Nationality Act.

((9)) (8) Lawfully admitted aliens who are ineligible include:

- (a) Alien visitors(;) );
- (b) Tourists(;) );
- (c) Diplomats(;) ); and
- (d) Students with temporary status.

**WSR 91-11-020**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Order 3178—Filed May 7, 1991, 1:47 p.m., effective June 1, 1991]

Date of Adoption: May 7, 1991.

Purpose: The 30 days advance time period for adverse action notices sent to clients in response to information obtained from federal computer matches results in more and higher overpayments incurred by clients. The 30 days advance notice time period also results in more staff time being spent processing public assistance benefits for clients.

Citation of Existing Rules Affected by this Order: Amending WAC 388-33-376 Advance and adequate notice—Suspension—Termination—Reduction of benefits.

Statutory Authority for Adoption: RCW 74.08.090.

Pursuant to notice filed as WSR 91-07-068 on March 20, 1991.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: RCW 34.05.380 (3)(a).

Effective Date of Rule: June 1, 1991.

May 7, 1991  
 Rosemary Carr  
 Acting Director  
 Administrative Services

**AMENDATORY SECTION** (Amending Order 2966, filed 4/11/90, effective 5/12/90)

WAC 388-33-376 ADVANCE AND ADEQUATE NOTICE—SUSPENSION—TERMINATION—REDUCTION OF BENEFITS. In cases of planned actions to terminate, suspend, or reduce benefits to recipients of AFDC, FIP, GA, or all medical assistance programs, the department shall give advance and adequate notice, except as provided under WAC 388-33-385, as follows:

- (1) "Advance notice" means((: (a)) the department mails the notice at least ten days before the date of action((, or (b) For actions based on information from computer matches the department conducts with federal agencies, the department mails the notice at least thirty days before the date of action)).
- (2) "Adequate notice" means a written statement of the:

- (a) Action the department intends to take;
- (b) Facts relating to the decision;
- (c) Policy supporting the action; and
- (d) Recipient's right to request a fair hearing, including the circumstances under which assistance is continued if a hearing is requested.

(3) The department shall fully translate advance and adequate notice into the primary language of the limited English proficient recipient/enrollee;

(4) When advance notice of planned action is not required as provided under WAC 388-33-385, the department shall give adequate notice as provided under subsection (2) of this section; and

(5) When changes in either state or federal law require automatic grant adjustments for classes of recipients, the department shall give the recipient notice including the specific change in law.

**WSR 91-11-021**  
**NOTICE OF PUBLIC MEETINGS**  
**SOUTH PUGET SOUND**  
**COMMUNITY COLLEGE**  
 [Memorandum—May 3, 1991]

At their regular May 2, 1991, board meeting, the trustees moved the Thursday, June 6, 1991, meeting to Tuesday, June 4, 1991.



**WSR 91-11-022**  
**NOTICE OF PUBLIC MEETINGS**  
**SOUTH PUGET SOUND**  
**COMMUNITY COLLEGE**  
 [Memorandum—May 2, 1991]

**BOARD OF TRUSTEES**  
**Regular Meeting Schedule**  
 1991-92

DATE	TIME
Thursday, July 11, 1991	3:00 p.m.
Thursday, September 5, 1991	3:00 p.m.
Thursday, October 3, 1991	3:00 p.m.
Thursday, November 7, 1991	3:00 p.m.
Thursday, December 5, 1991	3:00 p.m.
Thursday, January 9, 1992	3:00 p.m.
Thursday, February 6, 1992	3:00 p.m.
Thursday, March 5, 1992	3:00 p.m.
Thursday, April 2, 1992	3:00 p.m.
Thursday, May 7, 1992	3:00 p.m.
Thursday, June 4, 1992	3:00 p.m.

**WSR 91-11-023**  
**PERMANENT RULES**  
**DEPARTMENT OF LICENSING**  
**(Board of Funeral Directors and Embalmers)**  
 [Filed May 7, 1991, 3:10 p.m.]

Date of Adoption: May 7, 1991.

Purpose: To change the annual renewal fees of crematories affiliated with funeral establishments to a basic fee of \$50.00 plus fifty cents per cremation performed during the previous 12-month period of June 1 to May 31.

Citation of Existing Rules Affected by this Order: Amending WAC 308-48-800.

Statutory Authority for Adoption: RCW 18.39.175(4).

Pursuant to notice filed as WSR 91-08-032 on March 29, 1991.

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

May 7, 1991  
 Marsha Tadano Long  
 Assistant Director

**AMENDATORY SECTION** (Amending WSR 91-01-006, filed 12/6/90, effective 1/6/91)

WAC 308-48-800 **FUNERAL DIRECTOR/EMBALMER FEES.** The following fees shall be charged by the professional licensing division of the department of licensing:

Title of fee	Fee
<b>Embalmers:</b>	
State examination or reexamination	\$150.00
Renewal	100.00
Late renewal penalty	50.00
Duplicate	15.00
Certification	25.00
<b>Embalmer apprentice:</b>	
Apprentice application	75.00
Apprentice renewal	45.00
Duplicate	15.00
Certification	25.00
<b>Funeral director:</b>	
State examination or reexamination	150.00
Renewal	100.00
Late renewal penalty	50.00
Duplicate	15.00
Certification	25.00
<b>Funeral director apprentice:</b>	
Apprentice application	75.00
Apprentice renewal	45.00
Duplicate license	15.00
Certification	25.00
<b>Funeral establishment:</b>	
Original application	350.00
Renewal	300.00
Branch registration and renewal	250.00
Preneed application	200.00
Preneed renewal:	
0-25 sales	25.00
26-99 sales	100.00
100 or more sales	150.00
Financial statement fee	50.00
Crematory endorsement registration	100.00
Crematory endorsement renewal	<del>((50.00))</del>
	<u>\$50.00 plus fifty cents per cremation performed during previous twelve-month period of June 1 to May 31.</u>

**WSR 91-11-024**  
**WITHDRAWAL OF PROPOSED RULES**  
**DEPARTMENT OF HEALTH**  
**(By the Code Reviser's Office)**  
 [Filed May 7, 1991, 3:15 p.m.]

WAC 248-106-030, proposed by the Department of Health in WSR 90-21-055, appearing in issue 90-21 of the State Register, which was distributed on November 7, 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 91-11-025**  
**WITHDRAWAL OF PROPOSED RULES**  
**UNIVERSITY OF WASHINGTON**  
 (By the Code Reviser's Office)  
 [Filed May 7, 1991, 3:16 p.m.]

WAC 478-136-030, proposed by the University of Washington in WSR 90-21-120, appearing in issue 90-21 of the State Register, which was distributed on November 7, 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 91-11-026**  
**WITHDRAWAL OF PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
 (By the Code Reviser's Office)  
 [Filed May 7, 1991, 3:17 p.m.]

WAC 388-155-285, proposed by the Department of Social and Health Services in WSR 90-21-150, appearing in issue 90-21 of the State Register, which was distributed on November 7, 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 91-11-027**  
**WITHDRAWAL OF PROPOSED RULES**  
**DEPARTMENT OF FISHERIES**  
 (By the Code Reviser's Office)  
 [Filed May 7, 1991, 3:18 p.m.]

WAC 220-44-030 and 220-44-050, proposed by the Department of Fisheries in WSR 90-21-162, appearing in issue 90-21 of the State Register, which was distributed on November 7, 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 91-11-028**  
**PROPOSED RULES**  
**SUPERINTENDENT OF**  
**PUBLIC INSTRUCTION**  
 [Filed May 7, 1991, 4:08 p.m.]

Continuance of WSR 91-07-062.

Title of Rule: Chapter 392-160 WAC, Special service program—Transitional bilingual.

Purpose: Updating procedures for releasing students annually and listing of tests for determining initial eligibility, and technical correction of provisions governing alternative instructional programs in order to clarify rules.

Statutory Authority for Adoption: Chapter 28A.180 RCW.

Statute Being Implemented: Chapter 28A.180 RCW.

Summary: See Purpose above.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting: Richard M. Wilson, Office of Superintendent of Public Instruction, Old Capitol Building, (206) 753-2298; Implementation: B. Gloria Guzman Johannessen, Office of Superintendent of Public Instruction, Old Capitol Building, 753-2583; and Enforcement: Bridget Cullerton, Office of Superintendent of Public Instruction, Old Capitol Building, (206) 586-6395.

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 Changes the Following Existing Rules: See Purpose above.

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

Hearing Location: Wanamaker Conference Room, Old Capitol Building, Superintendent of Public Instruction, Olympia, Washington 98504, on June 14, 1991, at 9:00 a.m.

Submit Written Comments to: Richard M. Wilson, Superintendent of Public Instruction, Legal Services, Olympia, Washington 98504, by June 4, 1991.

Date of Intended Adoption: June 21, 1991.

May 7, 1991  
 Judith A. Billings  
 Superintendent of  
 Public Instruction

**WSR 91-11-029**  
**PERMANENT RULES**  
**UNIVERSITY OF WASHINGTON**  
 [Filed May 8, 1991, 10:20 a.m.]

Date of Adoption: April 19, 1991.

Purpose: To amend parking and traffic regulations.

Citation of Existing Rules Affected by this Order: Repealing WAC 478-116-085 and 478-116-600; and amending WAC 478-116-020, 478-116-055, 478-116-080, 478-116-090, 478-116-110, 478-116-130, 478-116-160, 478-116-210, 478-116-230, 478-116-240, 478-116-250, 478-116-260, 478-116-300, 478-116-360, 478-116-390, 478-116-450, 478-116-520, 478-116-584, 478-116-586, 478-116-588, and 478-116-601.

Statutory Authority for Adoption: RCW 28B.20.130 and 28B.10.560.

Pursuant to notice filed as WSR 91-06-092 on March 6, 1991.

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

May 6, 1991

Melody Tereski

Administrative Procedures Officer

**AMENDATORY SECTION** (Amending Order 89-1, filed 7/13/89, effective 8/13/89)

**WAC 478-116-020 OBJECTIVES OF PARKING AND TRAFFIC REGULATIONS.** (1) The objectives of these regulations are:

- (a) To protect and control traffic and parking.
- (b) To assure access at all times for emergency vehicles and equipment.
- (c) To minimize traffic disturbance during class hours.
- (d) To facilitate the work of the university by assuring access to its vehicles and by assigning the limited parking space for the most efficient use.
- (e) To encourage travel to the university by means other than single occupancy vehicle (SOV).

(2) Permission to park or operate a vehicle or bicycle upon state lands governed by these regulations is a privilege granted by the board of regents of the University of Washington, and does not ensure regular availability of a parking space under the conditions stated in WAC 478-116-020 and 478-116-180 and elsewhere in these regulations.

**AMENDATORY SECTION** (Amending Order 89-1, filed 7/13/89, effective 8/13/89)

**WAC 478-116-055 DEFINITIONS.** (1) Bicycle. Any device defined in chapter 46.04 RCW or hereafter amended.

(2) Campus. The state lands devoted mainly to the education, housing, or research activities of the University of Washington.

(3) Impoundment. The removal of the vehicle to a storage facility either by an officer or authorized agent of the University of Washington police department.

(4) Pedestrian. Any person afoot, as defined in chapter 46.04 RCW.

(5) Skateboard. Any oblong board of whatever composition, with a pair of small wheels at each end, which device may be ridden by a person.

(6) Traffic. Pedestrians and vehicular and nonvehicular modes of transportation, as the same are defined in chapter 46.04 RCW as now or hereafter amended.

(7) Vehicular modes of transportation and/or vehicles. "Vehicles" in chapter 46.04 RCW as now or hereafter amended.

(8) Nonvehicular modes of transportation. Nonpedestrian transportation devices other than vehicles (as defined herein) and shall include(~~(, but not be limited to;)~~) bicycles (~~and skateboards~~).

(9) Key card. A plastic card which actuates the automatic gate arms controlling certain parking areas, and is issued by the parking division.

(10) Legal owner. Person(s) having a security interest in a vehicle perfected in accordance with chapter 46.12 RCW or the registered owner of a vehicle unencumbered by a security interest or the lessor of a vehicle unencumbered by a security interest.

(11) Registered owner. The person whose lawful right of possession of a vehicle has most recently been recorded with the department of licensing.

(12) Valid. The effective period of a parking permit issued by the parking division and having the vehicle(s) license plate(s) listed on the permit for which the permit is to be displayed.

(13) Register/registration. The listing of any vehicle with parking division, by the applicant to be eligible but not yet having been issued a parking permit for the university.

(14) Renewal/renew. The replacement of an expired parking permit at the end of the permit's calendar date, provided all past parking fines on all vehicle(s) listed on the permit are paid.

(15) Reissue. The replacement of a permit which has been stolen, lost, change of parking lot designation, or a change of vehicle(s).

(16) Permit. A document issued by parking division that authorizes a person to park.

(17) Assign/assignment. Area designated for a person to park.

(18) Designate/designated. Parking area assignment for person to park per WAC 478-116-130(1).

(19) Reserve. Area within a parking area designated for individuals who have been assigned "reserve."

(20) Fee. A charge for the use of the permit issued.

**AMENDATORY SECTION** (Amending Order 87-1, filed 7/28/87, effective 9/1/87)

**WAC 478-116-080 BICYCLE PARKING AND TRAFFIC REGULATIONS.** (1) The primary aim of the bicycle control program is safety, and this aim will be achieved by keeping bicycles out of buildings, away from building exits, and parking them off paths and sidewalks. All bicycle owners are encouraged to register their bicycles at the university police department.

(2) Bicycles shall be parked in racks. At no time shall a bicycle be parked in a building, near a building exit, on a path or sidewalk, in planted areas nor chained or otherwise secured to trees, lamp standards or sign posts. Except for racks adjacent to the residence halls, bicycle racks in campus areas are for parking and shall not be used for overnight storage.

(3) Bicycles may be ridden any place where vehicles are permitted. They may be ridden on sidewalks, though pedestrians always have the right of way. Bicycles shall not be ridden on paths or streets where signs indicate such is prohibited. An audible signal (~~shall~~) or warning must be ((used)) given by ((bicycle operators to warn pedestrians of oncoming bicycles)) the bicyclist whenever there is any appreciable risk of injury to a pedestrian not otherwise aware of the presence of the bicycle.

(4) Moving a bicycle into any unauthorized area is prohibited.

(5) Impounding for illegal parking.

(a) Bicycles parked in violation of WAC 478-116-080(2) will be subject to seizure and ~~((impounding))~~ impound by the university.

(b) A bicycle abandoned or parked on university land for twenty-one calendar days or longer is subject to seizure and impound by the university. A bicycle will not be considered abandoned when the owner/operator is unable to remove it and so notifies the university police department.

(c) Impounded bicycles will be stored at the university police department. Bicycles will be released at specified times and upon presentation of proof of ownership and payment of a \$5.00 fine. Owners of impounded bicycles, if identifiable, will be notified as soon as reasonably possible after impoundment and must reclaim the bicycle within fifteen calendar days. Bicycles unclaimed after sixty calendar days will be subject to sale at a public auction conducted by the university ~~((police))~~ surplus property department.

(d) The university and its officers, employees and agents shall not be liable for loss or damage of any kind resulting from such immobilization, impounding and storage.

(6) Bicycles operated on roadways shall be subject to all relevant Seattle ordinances and state statutes regulating bicycle use.

#### NEW SECTION

##### WAC 478-116-088 USE OF SKATEBOARDS.

(1) Skateboard use in pedestrian areas, including walkways, stairs, ramps, concourses, and plazas (such as "Red Square"), and on internal campus streets and loading areas on the university campus is restricted solely to transporting an individual from one campus destination to another. Any recreational, athletic, or other exhibitional use of skateboards unrelated to transportation is strictly prohibited in the pedestrian areas, unless expressly approved in advance by the committee on the use of university facilities, pursuant to chapter 478-136 WAC.

(2) Skateboard use in violation of this section shall result in the following:

(a) For the first offense, the university police department will record the name of the individual and provide a written warning against further skateboard use in violation of this section. Individuals who cannot produce satisfactory identification will be given a receipt for their skateboard, which will be impounded at the university police station until they are able to return with the receipt and identification. There will be no impound fee.

(b) For a second offense, the skateboard will be impounded for not less than forty-eight hours.

(c) For a third or subsequent offense, the skateboard will be impounded for not less than thirty days.

(d) Impounded skateboards will be held by the university police department and released only during regular business hours to individuals with satisfactory identification. Payment of a five-dollar storage fee will also be required for release, except as provided in (a) of this subsection.

(3) Skateboards impounded under this section which are unclaimed sixty calendar days after the applicable

minimum impoundment time period has elapsed will be presumed abandoned and be subject to sale at a public auction conducted by the university surplus property department.

(4) The university and its officers, agents, and employees shall not be liable for loss or damage of any kind resulting from impounding, storage, or sale of any item under this section.

(5) Impoundment or sale of any skateboard under this section shall not substitute for nor release any person from liability for damage to persons or property caused by use of a skateboard on campus.

#### AMENDATORY SECTION (Amending Order 78-3, filed 6/15/78)

WAC 478-116-090 TOURISTS AND VISITORS—EXEMPTION FROM PERMIT REQUIREMENTS. The manager of the parking division may allow tourists and visitors without permits to drive through the campus without parking, but ~~((he or she))~~ the manager may require them to wait at the entrances to the campus during times when traffic congestion is above normal, such as at the time of class changes.

#### AMENDATORY SECTION (Amending Order 89-1, filed 7/13/89, effective 8/13/89)

WAC 478-116-110 REGULATORY SIGNS AND DIRECTIONS. (1) Drivers of vehicles shall obey regulatory signs which are posted by the university consistent with the parking and traffic regulations of the University of Washington. Drivers of vehicles shall also comply with directions issued by members of the parking division in the assignment and use of parking space and in the collection of parking fees.

(2) Pedestrians and operators of vehicular modes of transportation shall comply with directions issued by university police officers in the enforcement of these regulations and in the general control and regulation of traffic. ~~((Drivers of vehicles shall also comply with directions issued by members of the parking division in the assignment and use of parking space and in the collection of parking fees.))~~

#### AMENDATORY SECTION (Amending Order 75-2, filed 6/4/75)

WAC 478-116-130 DESIGNATED AND ASSIGNED PARKING AREAS. (1) No vehicle shall be parked on the campus except in those areas set aside and designated as parking areas.

(2) No vehicle shall be parked:

(a) At any place where official signs prohibit parking.

(b) Within ~~((ten))~~ fifteen feet of a fire hydrant.

(3) No vehicle shall be parked in any parking area without a permit for that area, except as provided in WAC 478-116-160.

#### AMENDATORY SECTION (Amending Order 75-2, filed 6/4/75)

WAC 478-116-160 EXCEPTIONS TO PARKING RESTRICTIONS. ~~((WAC 478-116-060 and~~

~~478-116-130 (1) and (3) of these rules and regulations shall not apply to the drivers of state-owned vehicles which are operated by the University of Washington:))~~

(1) State-owned vehicles which are operated by the University of Washington shall not:

(a) Be required to have a valid permit as set in WAC 478-116-060;

(b) Be required to park in designated parking areas as set in WAC 478-116-130 (1) and (3).

(2) State-owned vehicles which are operated by the University of Washington shall not:

(a) Park within fifteen feet of a fire hydrant;

(b) Park in areas marked as tow, fire, prohibitive, no parking, wheelchair/disability, or reserved parking stalls or areas.

(3) Exceptions for state-owned vehicles may be granted by the university police due to repair or construction upon written request.

AMENDATORY SECTION (Amending Order 89-1, filed 7/13/89, effective 8/13/89)

WAC 478-116-210 AUTHORIZATION FOR ISSUANCE OF PERMITS. (1) The manager of the parking division is authorized to issue permits to drive or park upon the campus ((to university faculty members and other employees, officers, and agents, university students, guests, and visitors of the university for such individual's personal use pursuant to the provisions of WAC 478-116-210 through 478-116-320 and 478-116-360)).

(2) All outstanding campus parking violation penalties must be satisfactorily settled before a parking permit may be issued or reissued or renewed.

AMENDATORY SECTION (Amending Order 79-3, filed 8/2/79)

WAC 478-116-230 ((PRIORITIES)) PARKING ALLOCATION. (1) The parking space(s) available on the campus shall be allocated by the manager of the parking division ((among applicants for permits)) in such manner as will best obtain the objectives of these regulations while providing for the parking needs of all parking system patrons. In ((making such)) developing guidelines for the allocation of parking spaces, the manager of the parking division shall consult with and receive the advice of the ((transportation)) advisory committee ((appointed by the president of the university to represent the interests of the faculty, the staff personnel and the student body).

(2) Unless in his or her opinion the objectives of these regulations would otherwise be better served, the manager of the parking division shall observe the following priorities in the issuance of permits to applicants, with the first-listed priority being highest and the last-listed priority being lowest:

(a) Physically handicapped faculty members, staff personnel and students. Such faculty and staff must obtain a certificate from a physician and such students must obtain a disability parking request from Hall Health Center indicating that special parking assignment is essential in order for them to perform their assigned duties or to attend classes;

~~(b) Deans, senior executive and administrative officers, and department chairpersons and directors;~~

~~(c) Full professors, associate professors, and three or more person carpools;~~

~~(d) Assistant professors, instructors, research associates and lecturers, librarians with academic status, and two person carpools;~~

~~(e) Full-time personnel who regularly and frequently require their vehicle to facilitate their work. Procedures for such issuance will be determined by the manager of the parking division;~~

~~(f) Other full-time personnel;~~

~~(g) Teaching and research assistants, two or more person teaching and research assistants carpools;~~

~~(h) Students whose extracurricular activities require regular and frequent use of vehicles. Procedures for such issuance will be coordinated between the vice president for student affairs and the manager of the parking division;~~

~~(i) Part-time academic and part-time staff personnel;~~

~~(j) All other university students.~~

~~(3) When recommended by the appropriate vice president or dean or his or her designee, parking spaces may be redistributed among personnel within a department or administrative unit.~~

~~(4) Assignment of parking space to residence hall students will be made in accordance with priorities and procedures developed by the director of housing and food services and approved by the manager of the parking division)) on transportation.~~

AMENDATORY SECTION (Amending Order 89-1, filed 7/13/89, effective 8/13/89)

WAC 478-116-240 VISITOR PARKING. All visitors, including guests, salespersons, patients, maintenance or service personnel, contractors, consultants, and all other members of the public shall park only in available space as directed by the parking division and the established parking fee shall be paid, except as noted below:

(1) ((University of Washington licensed vehicles, and)) Public safety((/)) and emergency vehicles performing services to the University of Washington as required.

(2) Media vehicles may park in designated spaces without charge.

(3) Taxis, tow trucks, and commercial delivery vehicles may enter the campus without payment of the parking fee for pickup or delivery of passengers, supplies and equipment only.

(4) School buses and tour buses.

(5) Individuals coming to the campus for the purpose of rendering ((uncompensated)) requested services to the University of Washington will be parked in designated areas without charge. In such event, the department or administrative unit receiving the ((uncompensated)) requested service will pay the parking fee at the departmental commuter ticket rate.

(6) Persons retired from the university will be parked in designated areas ((without charge)) at a reduced rate. Retired persons reemployed may purchase annual permits at forty percent of the annual permit cost((, or may

~~purchase quarterly permits at one hundred percent of the quarterly permit cost)).~~

AMENDATORY SECTION (Amending WSR 90-13-026, filed 6/12/90, effective 7/13/90)

WAC 478-116-250 ((SPECIAL)) OTHER TYPES OF PERMITS. (1) Temporary or part-time employees, maintenance and service personnel, persons serving the university without pay, and other visitors who must frequently visit the campus on university business, ~~((shall))~~ may be issued parking permits at the regular annual or quarterly fee or at a rate based on the regular annual fee, ~~((subject to the approval of))~~ in accordance with guidelines issued by the manager of the parking division. Parking on the campus will not be provided to persons intending to make personal solicitations from or personal sales to university employees or students.

(2) Complimentary drive-through permits may be issued to parents of young children registered in university sponsored programs. Drive-through permits do not include parking privileges.

(3) The manager of the parking division will assist university departments which sponsor functions such as conferences, seminars, dinners, and similar events in arranging for parking and the collection of parking fees. Such fees will be deposited in the parking fund.

(4) Self-sustaining university departments may require parking for their events in the same manner as they do other services furnished by the university and the parking fees collected will be deposited in the parking fund.

(5) ~~((Reserved parking areas may be assigned for use by the president, vice presidents, deans, department directors, or their equivalents. Additionally, reserved parking areas may be assigned for use by physically handicapped individuals where need and condition therefor are demonstrated to the manager of the parking division. The transportation officer is authorized to make exceptions to these restrictions if it is determined that such reserved status is required in the conduct of university business.))~~ Reserved parking area ~~((permits will))~~ designators, such as reserve, wheelchair, disabled, may be issued ~~((only))~~ by the manager of the parking division ~~((and))~~ upon payment of the prescribed fee. ~~((Such parking areas will be reserved usually between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday.))~~

(6) Capital projects which use parking spaces for employee parking or construction staging may be assessed a charge based on their impact to parking revenues.

~~((7))~~ The parking manager shall designate parking areas and establish parking rate fees for the 1990 Goodwill Games. The rates shall be established with the advice of the advisory committee on transportation and shall be sufficient to ensure that the parking fund remains self-sustaining and to encourage high occupancy vehicle trips to minimize traffic congestion.))

AMENDATORY SECTION (Amending Order 87-1, filed 7/28/87, effective 9/1/87)

WAC 478-116-260 ATHLETIC EVENT PARKING. The parking fee established ~~((in WAC 478-116-600))~~ by schedule will be charged for each vehicle parked for athletic events, except:

(1) Vehicles displaying valid university parking permits;

(2) Vehicles of visiting teams, coaches and bands;

(3) Vehicles of persons presenting permits for prepaid athletic parking. The agency or office issuing the permit will reimburse the parking fund at the established fee for each vehicle parked.

AMENDATORY SECTION (Amending Order 75-2, filed 6/4/75)

WAC 478-116-300 VEHICLE AND DRIVER'S LICENSES REQUIRED. ~~((+))~~ Any applicant for a permit must possess a valid driver's license and the vehicle for which ~~((he or she))~~ the applicant seeks a permit must also be validly licensed and registered.

~~((2))~~ Persons who do not have the regular use of an automobile will not be eligible for permits, except in cases involving physical disability. Such applicants shall set forth in writing the arrangements for transporting them to and from campus.))

AMENDATORY SECTION (Amending Order 89-1, filed 7/13/89, effective 8/13/89)

WAC 478-116-360 CARPOOLS ~~((PERMITS))~~.

(1) Two or more people constitute a valid carpool.

(2) ~~((Faculty or staff personnel with/without students may be issued one transferable permit for each carpool. This permit is transferable only among the registered vehicles of the carpool and is not valid on any other vehicle.~~

~~((3))~~ The manager of the parking division is authorized to set aside carpool spaces in designated parking areas, establish guidelines for permit issuance, and to develop appropriate procedures, to encourage carpooling and insure against abuse of carpool privileges.

AMENDATORY SECTION (Amending Order 87-1, filed 7/28/87, effective 9/1/87)

WAC 478-116-390 SCHEDULE OF FEES. Fees for parking ~~((are those provided in WAC 478-116-600))~~ and the effective date thereof shall be submitted to the board of regents for approval by motion. Prior to approval by the board of regents, the university shall, after notice, hold a hearing on the proposed schedule. The hearing shall be open to the public, and shall be presided over by a presiding officer who shall prepare a memorandum for consideration by the university, summarizing the contents of the presentations made at the hearing. Approved fee schedules shall be available in the public area of the parking division office.

**AMENDATORY SECTION** (Amending Order 87-1, filed 7/28/87, effective 9/1/87)

**WAC 478-116-450 ELECTION TO FORFEIT OR CONTEST.** (1) The summons or parking violation notice issued pursuant to WAC 478-116-440 shall advise the alleged violator that he or she may elect, within fifteen calendar days of receipt of the violation notice, either to pay and forfeit the fine applicable to the violation(s) charged or to contest the matter(s) in the university parking court.

(2) If the alleged violator chooses to forfeit the fine(s) he or she may do so by mail, forwarding the appropriate amount by check or money order or bringing such amount in cash to the university parking violations division. Such forfeiture shall constitute a waiver of the right to a hearing.

(3) If the alleged violator chooses to contest, he or she may do so by contacting the parking violations division and requesting a date to appear in court. Such request may be made by telephone, mail or in person. If a person believes that a personal court appearance would represent an unreasonable hardship, he or she may request to contest a matter in writing. If such a request is approved, the person who received the violation may submit written materials to be considered by the parking court judge as testimony in lieu of a personal court appearance. The parking court judge will then issue a final decision, a copy of which will be mailed to the person who received the violation.

(4) If an alleged violator has received one or more parking violation notice(s) amounting to ~~(( \$20.00 ))~~ \$28.00 or more and has neither paid the fines nor requested a court date, the parking violations division shall send a notice of election to forfeit or contest to the alleged violator not less than seven calendar days following service of the unanswered summons or parking violations notice. This notice shall direct the individual to either (a) pay the fine in the amount specified or, (b) request an appearance before the university parking court. Such action must be taken within ~~((ten))~~ fifteen calendar days of the date the notice of election to forfeit or contest was posted. Failure to comply with either (a) or (b) within the specified time limit will result in a default judgment, and the university parking judge may impose such penalty or fines appropriate under the schedule of fines established pursuant to WAC 478-116-520.

(5) Failure of an alleged violator to appear in the university parking court on the date set or to apply for a continuance of the hearing date or to pay and forfeit fines prior to the hearing date shall, unless lawful excuse is established before the university parking court, constitute a plea of guilty to the complaint or information and such penalty or fine may be imposed by the parking judge as is appropriate under the schedule of fines established pursuant to WAC 478-116-520.

**AMENDATORY SECTION** (Amending Order 89-1, filed 7/13/89, effective 8/13/89)

**WAC 478-116-520 FINES AND PENALTIES.** (1) The fines or penalties which may be assessed for violations of these regulations are those detailed in WAC 478-116-601.

(2) Fines.

(a) Persons cited for violation of these regulations may respond either by arranging for a university parking court date or by paying and forfeiting a fine within fifteen calendar days of service of the citation in accordance with WAC 478-116-450. Forfeitures submitted by mail must be postmarked within fifteen calendar days of the date of issue of the citation in order to avoid additional penalties.

(b) An additional fine of ~~(( \$7.00 ))~~ ten dollars per offense shall be assessed for each parking citation which is not responded to within the fifteen calendar day limit provided in ~~((WAC 478-116-520 (2)))~~ (a) of this subsection.

~~((c))~~ (3) The manager of the parking division shall cause these regulations or a reasonable summary thereof to be:

~~((i))~~ (a) Published in the University of Washington Daily at least twice each calendar year.

~~((ii))~~ (b) Prominently displayed in the offices of the university parking violations division, the university police department, and the parking division.

~~((d))~~ (4) The fine schedule shall be printed on the parking violation notices served on alleged violators.

**AMENDATORY SECTION** (Amending Order 87-1, filed 7/28/87, effective 9/1/87)

**WAC 478-116-584 IMPOUNDMENT WITHOUT PRIOR NOTICE.** A vehicle may be impounded without reasonable attempt having been made to notify the owner of the possibility of this action only in the following circumstances:

~~((a))~~ (1) When in the judgment of a university police officer the vehicle is obstructing or may impede the flow of traffic, or is parked unattended in a posted fire lane~~((:));~~ or

~~((b))~~ (2) When in the judgment of a university police officer the vehicle poses an immediate threat to public safety~~((:));~~ or

~~((c))~~ (3) When a university police officer has probable cause to believe the vehicle is stolen~~((:));~~ or

~~((d))~~ (4) When a university police officer has probable cause to believe that the vehicle contains or constitutes evidence of a crime, and in ~~((his))~~ the police officer's judgment impoundment is necessary to obtain or preserve such evidence~~((:));~~ or

~~((e))~~ (5) When a driver is arrested and/or deprived of the right to leave with ~~((his/her))~~ the driver's vehicle, and the university police are responsible for the "safe-keeping" of the vehicle; or

(6) When in violation of WAC 478-116-110.

AMENDATORY SECTION (Amending Order 89-1, filed 7/13/89, effective 8/13/89)

WAC 478-116-586 IMPOUNDMENT OF ABANDONED VEHICLES. ((A vehicle not subject to impoundment under WAC 478-116-582 or 478-116-584 may be impounded after notice of such proposed impoundment has been securely attached to and conspicuously displayed on said vehicle for a period of twenty-four hours prior to such impoundment when such vehicle is abandoned as that term is defined in RCW 46.55.100 as now or hereafter amended.)) (1) A parking enforcement or law enforcement officer discovering an apparently abandoned vehicle shall attach to the vehicle a readily visible notification sticker. The sticker shall contain the following information:

- (a) The date and time the sticker was attached;
- (b) The identity of the officer;
- (c) A statement that if the vehicle is not removed within seventy-two hours from the time the sticker is attached, the vehicle will be impounded;
- (d) The address and telephone number where additional information may be obtained.

(2) If the vehicle has an annual or quarterly permit displayed, the officer or the parking violations office shall check the records to learn the identity of the owner. The officer or the parking violations department shall make a reasonable effort to contact the owner by telephone in order to give the owner the information on the notification sticker.

(3) If the vehicle is not removed within the seventy-two hours from the time the notification sticker is attached, the officer may impound the vehicle.

AMENDATORY SECTION (Amending Order 87-1, filed 7/28/87, effective 9/1/87)

WAC 478-116-588 NOTICE AND REDEMPTION OF IMPOUNDED VEHICLES. (1) Not more than twenty-four hours after impoundment of any vehicle, the University of Washington police department shall mail a notice to the registered owner of the vehicle, as may be disclosed by the vehicle license number, if such be obtainable, and to any other person who claims the right to possession of the vehicle, if such a claim is known to an officer, agent or employee of the University of Washington police department who has knowledge of the impoundment. The notice shall be mailed to the registered owner at the address provided by the Washington state department of licensing or the corresponding agency of any other state or province. If a police officer who has knowledge of the impoundment has reason to believe that an owner, or one who claims to be an owner, is residing or in custody at some different address which is known to the officer, a copy of the notice shall be mailed or personally delivered to such owner or claimant in a manner designed, as nearly as may be practicable, to give actual notice to ((him or her)) the owner. The notice shall contain the full particulars of the impoundment, redemption, and an opportunity for a hearing to contest the propriety of the impoundment as hereinafter provided.

Similar notice shall be given to each person who seeks to redeem an impounded vehicle. If a vehicle is redeemed prior to the mailing of notice, the notice need not be mailed.

(2) Vehicles impounded shall be redeemed only under the following circumstances:

(a) Only the registered owner who has a valid driver's license or person authorized by the registered owner who has a valid driver's license and who produces proof of authorization and signs a receipt therefor, may redeem an impounded vehicle.

(b) Any person so redeeming a vehicle impounded shall pay the cost of such impoundment (towing and storage), together with such fines as are outstanding against the vehicle if impoundment was made pursuant to WAC 478-116-582 prior to redemption, except as provided in ((subsection)) (c) of this ((regulation)) subsection.

(c) Any person seeking to redeem a vehicle impounded under WAC 478-116-582, 478-116-584 or 478-116-586 has a right to a hearing to contest the validity of impoundment or the amount of towing and storage charges and shall have ((his or her)) the vehicle released upon making a written request for a hearing to the university parking court, paying any outstanding fines, and executing a promissory note, naming the University of Washington as payee, in an amount to include both the costs of towing and storage and a civil penalty of fifty dollars which promissory note shall immediately become due and owing in the event such person either:

- (i) Fails to appear at the requested hearing((:)); or
- (ii) Fails to pay by 6:00 p.m. the next business day following the hearing any towing and storage charges for which such person may be found liable.

(((A))) (3) In addition to any other penalty which may be imposed as a result of actions described in subsection((s)) (2)(c)(i) or (ii) of this section, campus parking privileges shall be suspended until all such debts are paid.

(((B))) (4) The promissory note shall be automatically cancelled and discharged when a person either:

- (((i))) (a) Pays the towing and storage charges and cancels ((his or her)) the request for a hearing((:)); or
- (((ii))) (b) Pays the towing and storage charges by 6:00 p.m. the next business day after having been found liable therefore at the hearing provided for in this section.

AMENDATORY SECTION (Amending Order 87-1, filed 7/28/87, effective 9/1/87)

WAC 478-116-601 FINES AND PENALTIES. The following schedule of fines for violations of the rules listed ((in WAC 478-116-600)) below is hereby established:

OFFENSE	MAXIMUM FINE
01 Obstructing traffic . . . . .	\$ ((15.00)) <u>25.00</u>

WAC 478-116-190



OFFENSE	MAXIMUM FINE
02 Enter/exit without paying . . . . .	((+15.00)) <u>20.00</u>
WAC 478-116-110	
03 Failure to lock ignition . . . . .	5.00
WAC 478-116-200	
04 Failure to set brakes . . . . .	5.00
WAC 478-116-200	
05 Improper display of vehicle permit . . . . .	3.00
WAC 478-116-340	
06 Permit not registered to this vehicle . . . . .	5.00
WAC 478-116-060	
07 Occupying more than one stall or space . . . . .	((5.00)) <u>10.00</u>
WAC 478-116-140	
08 Parking in restricted parking area . . . . .	((+12.00)) <u>25.00</u>
WAC 478-116-110	
09 Parking in prohibited area . . . . .	((+15.00)) <u>25.00</u>
WAC 478-116-130	
10 Parking on planted areas . . . . .	((+12.00)) <u>16.00</u>
WAC 478-116-130	
11 Parking out of assigned area . . . . .	5.00
WAC 478-116-130	
12 Parking over posted time limit . . . . .	((+12.00)) <u>16.00</u>
WAC 478-116-110	
13 Parking with no valid permit displayed . . . . .	((+12.00)) <u>20.00</u>
WAC 478-116-060	
14 Parking within ((+10)) <u>15</u> feet of fire hydrant . . . . .	((+15.00)) <u>25.00</u>
WAC 478-116-130	
15 Parking at expired meter . . . . .	((+12.00)) <u>16.00</u>
WAC 478-116-350	
16 Parking outside cycle area . . . . .	5.00
WAC 478-116-070	
17 Parking in space/area not designated for parking . . . . .	12.00
WAC 478-116-130	
18 Parking while privilege suspended . . . . .	((25.00)) <u>50.00</u>
WAC ((478-116-520)) <u>478-116-540</u>	
19 Use of forged/stolen vehicle permit . . . . .	100.00
WAC 478-116-060 and 478-116-370	
20 Impound . . . . .	At cost
WAC 478-116-580	
21 Other violations of the university parking and traffic regulations . . . . .	25.00

OFFENSE	MAXIMUM FINE
22 Failure to transfer a valid permit (upon application to the parking violations division the fine may be waived for the first offense in a 12-month period.) . . . . .	3.00
WAC 478-116-340	
23 Parking in space designated for wheelchair . . . . .	50.00

**REPEALER**

The following sections of the Washington Administrative Code are repealed:

- WAC 478-116-085 USE OF NONVEHICULAR MODES OF TRANSPORTATION.
- WAC 478-116-600 FEES.

**WSR 91-11-030**  
**PERMANENT RULES**  
**DEPARTMENT OF HEALTH**  
[Order 139—Filed May 8, 1991, 2:59 p.m.]

Date of Adoption: February 11, 1991.  
 Purpose: A housekeeping action to transfer rules to Title 246 WAC.  
 Citation of Existing Rules Affected by this Order: See Recodification Section below.  
 Statutory Authority for Adoption: RCW 43.70.040.  
 Pursuant to notice filed as WSR 90-22-094 on November 7, 1990.  
 Effective Date of Rule: Thirty-one days after filing.  
 February 11, 1991  
 Pam Campbell Mead  
 for Kristine M. Gebbie  
 Secretary

**RECODIFICATION SECTION**

The following section is being recodified:  
 308-50-440 as 246-828-990

**WSR 91-11-031**  
**PERMANENT RULES**  
**DEPARTMENT OF HEALTH**  
**(Hearing Aid Council)**  
[Order 165B—Filed May 8, 1991, 3:02 p.m.]

Date of Adoption: May 2, 1991.  
 Purpose: A housekeeping action to transfer rules to Title 246 WAC.  
 Citation of Existing Rules Affected by this Order: See Recodification Section below.  
 Statutory Authority for Adoption: RCW 18.35.161.  
 Pursuant to notice filed as WSR 91-07-058 on March 19, 1991.

Effective Date of Rule: Thirty-one days after filing.  
 May 2, 1991  
 Janyce K. Mose  
 Chairman of the Council

Pursuant to notice filed as WSR 91-07-057 on March 19, 1991.  
 Effective Date of Rule: Thirty-one days after filing.  
 May 2, 1991  
 Janyce K. Mose  
 Chairman of the Council

**RECODIFICATION SECTION**

The following sections are being recodified as chapter 246-828 WAC:

Chapter 246-828 WAC  
 Hearing aid fitters and dispensers

308-50-010	as	246-828-020
308-50-020	as	246-828-030
308-50-035	as	246-828-040
308-50-040	as	246-828-050
308-50-090	as	246-828-060
308-50-100	as	246-828-070
308-50-110	as	246-828-080
308-50-120	as	246-828-090
308-50-130	as	246-828-100
308-50-140	as	246-828-110
308-50-150	as	246-828-120
308-50-160	as	246-828-130
308-50-170	as	246-828-140
308-50-180	as	246-828-150
308-50-190	as	246-828-160
308-50-200	as	246-828-170
308-50-210	as	246-828-180
308-50-220	as	246-828-190
308-50-240	as	246-828-200
308-50-250	as	246-828-210
308-50-260	as	246-828-220
308-50-270	as	246-828-230
308-50-280	as	246-828-240
308-50-290	as	246-828-250
308-50-295	as	246-828-260
308-50-310	as	246-828-270
308-50-320	as	246-828-280
308-50-330	as	246-828-290
308-50-350	as	246-828-300
308-50-380	as	246-828-310
308-50-390	as	246-828-320
308-50-400	as	246-828-330
308-50-410	as	246-828-340
308-50-420	as	246-828-350
308-50-430	as	246-828-360
308-50-500	as	246-828-370

**AMENDATORY SECTION** (Amending Order PL 469, filed 7/3/84)

WAC 308-50-295 UNFAIR OR DECEPTIVE PRACTICES, UNETHICAL CONDUCT AND UNFAIR METHODS OF COMPETITION—DEFAMATION OF COMPETITORS OR FALSE DISPARAGEMENT OF THEIR PRODUCTS. (1) It is an unfair trade practice to defame competitors by falsely imputing to them dishonorable conduct, inability to perform contracts, questionable credit standing, or by other false representations, or falsely to disparage the products of competitors in any respect, or their testing procedures, testing equipment, business methods, selling prices, values, credit terms, policies, or services, or to knowingly intervene in any way with any contractual agreement between a competitor and his/her hearing aid purchaser, or to try to influence the purchaser to cancel the contract, or to attempt to induce the purchaser to cancel the contract by offering a lower price or by any other act of intervention.

(Note: The use of "bait" or "blind" advertisements as a means of accomplishing such defamation or false disparagement is deemed to be within the prohibitions of this rule.)

(2) Under this rule, it is an unfair trade practice for an industry member:

(a) To display competitive products in his show window, shop, or in his advertising in such manner as falsely to disparage them; or

(b) To represent falsely that competitors are unreliable but that the disparager is not; or

(c) To quote prices of competitive hearing aids or devices without disclosing that they are not the present current prices, or to shown, demonstrate, or represent competitive models as being the current models when such is not the fact.

**AMENDATORY SECTION** (Amending Order PL 563, filed 11/19/85)

WAC 308-50-310 PERSONAL DISCLOSURE. A licensee who contacts a prospective purchaser away from the licensee's place of business must:

(1) When the contact is in person, present the prospective purchaser with written notice of:

(a) His or her name, the name of his or her business firm, his or her business address and telephone number;

(b) The number of his or her license.

(2) Telephone contact with prospective purchasers must disclose the name of the licensee, name and location of his or her (~~business firm~~) principal establishment and purpose of call.

(3) When the contact is through a direct mail piece or other advertising initiated by the licensee, clearly show on all promotional items the business/establishment name, the principal establishment address and telephone

**WSR 91-11-032**

**PERMANENT RULES**

**DEPARTMENT OF HEALTH  
 (Hearing Aid Council)**

[Order 166B—Filed May 8, 1991, 3:04 p.m.]

Date of Adoption: May 2, 1991.

Purpose: Amendatory rules relating to hearing aid fitter/dispensers.

Citation of Existing Rules Affected by this Order: Amending WAC 308-50-295 and 308-50-310.

Statutory Authority for Adoption: RCW 18.35.161.

number, not just the address or telephone number where he/she will be on given days.

(4) A principal establishment is one which is bonded pursuant to RCW 18.35.240.

**WSR 91-11-033**  
**PERMANENT RULES**  
**LOTTERY COMMISSION**  
 [Filed May 9, 1991, 1:01 p.m.]

Date of Adoption: May 3, 1991.

Purpose: To establish the game play rules and criteria for determining winners of Instant Game Nos. 64 (Play Days), 65 (Touchdown) and 66 (Tumbling Dice); and to enact WAC 315-04-205.

Statutory Authority for Adoption: RCW 67.70.040.

Pursuant to notice filed as WSR 91-07-070 on March 20, 1991.

Changes Other than Editing from Proposed to Adopted Version: The proposed version of WAC 315-11-660, 315-11-661, and 315-11-662 used the phrase "Your Number." In the adopted version, that phrase was changed to "Winning Number."

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

May 9, 1991  
 Roger Wilson  
 Deputy Director

**NEW SECTION**

WAC 315-11-640 DEFINITIONS FOR INSTANT GAME NUMBER 64 ("PLAY DAYS"). (1) Play symbols: The following are the "play symbols": "\$1.00"; "\$2.00"; "\$3.00"; "\$4.00"; "\$8.00"; "\$12.00"; "\$16.00"; "\$20.00"; "\$24.00"; "\$40.00"; "\$500"; "\$1,000"; and "\$50,000." One of these symbols appears in each of the sixteen play spots on the front of the ticket. The sixteen play spots are divided into four separate sets of four adjoining play spots. Each set of four adjoining play spots shall be known as a playfield and covered with latex. Each ticket shall have four playfields, one in each corner of the ticket.

(2) Play symbol captions: The small printed characters appearing below each play symbol which verify and correspond with that play symbol. The caption is a spelling out, in full or abbreviated form of the play symbol. One and only one of these captions appears under each play symbol. For Instant Game Number 64, the captions which correspond with and verify the play symbols are:

PLAY SYMBOL	CAPTION
\$ 1.00	ONE DOL
\$ 2.00	TWO DOL
\$ 3.00	THR DOL
\$ 4.00	FOR DOL
\$ 8.00	EGT DOL
\$ 12.00	TLV DOL
\$ 16.00	SXT DOL
\$ 20.00	TWY DOL
\$ 24.00	TTF DOL

PLAY SYMBOL	CAPTION
\$ 40.00	FRT DOL
\$ 500	FIVHUND
\$ 1,000	ONETHOU
\$ 50,000	FIFTHOU

(3) Validation number: The unique nine-digit random number which appears below each and every playfield on the front of the ticket and is covered by latex covering.

(4) Pack-ticket number: The eleven-digit number of the form 06400001-000 printed on the front of the ticket. The first three digits are the game identifier. The first eight digits of the pack-ticket number for Instant Game Number 64 constitute the "pack number" which starts at 06400001; the last three digits constitute the "ticket number" which starts at 000 and continues through 199 within each pack of tickets.

(5) Retailer verification codes: Codes consisting of small letters found under the latex covering of the lower right playfield on the front of the ticket which the lottery retailer uses to verify instant winners of \$25.00 or less. For Instant Game Number 64, the retailer verification code is a three-letter code, with each letter appearing in a varying three of four locations beneath the latex covering and among the play symbols of the lower right playfield on the front of the ticket. The retailer verification codes are:

VERIFICATION CODE	PRIZE
TWO	\$ 2.00 (\$1+\$1)
THR	\$ 3.00 (\$1+\$1+\$1)
FOR	\$ 4.00 (\$2+\$2; \$1+\$1+\$1+\$1)
EGT	\$ 8.00 (\$8; \$2+\$2+\$2+\$2; \$4+\$4)
TLV	\$ 12.00 (\$2+\$2+\$4+\$4; \$4+\$4+\$4)
SXT	\$ 16.00 (\$8+\$8)
TTF	\$ 24.00 (\$12+\$12)

(6) Pack: A set of two hundred fanfolded instant game tickets separated by perforations and packaged in plastic shrinkwrapping.

**NEW SECTION**

WAC 315-11-641 CRITERIA FOR INSTANT GAME NUMBER 64. (1) The price of each instant game ticket shall be \$2.00.

(2) Determination of prize winning tickets: An instant prize winner is determined in the following manner:

(a) The bearer of a ticket having the following play symbols in any three spots within a playfield beneath the latex covering on the front of the ticket shall win the following prize:

Three	\$1.00	Play Symbols - Win	\$1.00
Three	\$2.00	Play Symbols - Win	\$2.00
Three	\$4.00	Play Symbols - Win	\$4.00
Three	\$8.00	Play Symbols - Win	\$8.00
Three	\$12.00	Play Symbols - Win	\$12.00
Three	\$20.00	Play Symbols - Win	\$20.00
Three	\$500	Play Symbols - Win	\$500
Three	\$50,000	Play Symbols - Win	\$50,000

(b) Play symbols from one playfield may not be mixed, combined, or intermingled with play symbols from another playfield.

(c) The bearer of a ticket having a winning set of symbols in more than one playfield shall win the total amount of the prizes won in each playfield.

(3) No portion of the display printing nor any extraneous matter whatever shall be usable or playable as a part of the instant game.

(4) The determination of prize winners shall be subject to the general ticket validation requirements of the lottery as set forth in WAC 315-10-070, to the particular ticket validation requirements for Instant Game Number 64 set forth in WAC 315-11-642, to the confidential validation requirements established by the director, and to the requirements stated on the back of each ticket.

(5) Notwithstanding any other provisions of these rules, the director may:

(a) Vary the length of Instant Game Number 64; and/or

(b) Vary the number of tickets sold in Instant Game Number 64 in a manner that will maintain the estimated average odds of purchasing a winning ticket.

**NEW SECTION**

**WAC 315-11-642 TICKET VALIDATION REQUIREMENTS FOR INSTANT GAME NUMBER 64.**

(1) In addition to meeting all other requirements in these rules and regulations, to be a valid instant game ticket for Instant Game Number 64, all of the following validation requirements apply:

(a) Exactly one play symbol must appear in each of the sixteen play spots under the removable latex coverings on the front of the ticket.

(b) Each of the sixteen play symbols must have a caption below and each must agree with its caption.

(c) The display printing and the printed numbers, letters, and symbols on the ticket must be regular in every respect and correspond precisely with the specifications on file with the director. The numbers, letters, and symbols shall be printed as follows:

Play Symbols	Play Symbol Font
Captions	Caption Font
Pack-Ticket Number	Validation Font
Validation Number	Validation Font
Retail Verification Code	Validation Font

(d) Each of the play symbols and its caption, the validation number, pack-ticket number, and retailer verification code must be printed in black ink.

(e) Each of the play symbols must be exactly one of those described in WAC 315-11-640(1) and each of the captions must be exactly one of those described in WAC 315-11-640(2).

(2) Any ticket not passing all the validation requirements in WAC 315-10-070 and subsection (1) of this section is invalid and ineligible for any prize.

**NEW SECTION**

**WAC 315-11-650 DEFINITIONS FOR INSTANT GAME NUMBER 65 ("TOUCHDOWN").**

(1) Play symbols: The following are the "play symbols": "0"; "3"; "6"; "7"; "9"; "10"; "11"; "12"; "13"; "17";

"20"; "21"; and "24." One of these symbols appears under each of the three play spots under the latex covering in the "your score" column and under each of the three play spots under the latex covering in the "their score" column in the playfield on the front of the ticket.

(2) Play symbol captions: The small printed characters appearing below each play symbol which correspond with and verify that play symbol. The caption is a spelling out in full or in abbreviated form of the play symbol. One and only one caption appears under each play symbol. The number 1, 2, or 3 precedes each caption to indicate the location of the play symbol in Game 1, Game 2, or Game 3. For Instant Game Number 65, the play symbols and their corresponding captions are:

<u>PLAY SYMBOL</u>	<u>CAPTION</u>
0	ZRO
3	THR
6	SIX
7	SVN
9	NIN
10	TEN
11	ELV
12	TLV
13	THN
17	SVT
20	TWY
21	TTN
24	TTF

(3) Prize symbols: The following are the "prize symbols": "\$1.00"; "\$2.00"; "\$4.00"; "\$8.00"; "\$40.00"; "\$10,000." One of these prize symbols appears in the prize column of each game (row) in the playfield on the front of the ticket.

(4) Prize symbol captions: The small printed characters appearing below the prize symbol which verify and correspond with that prize symbol. The caption is a spelling out, in full or abbreviated form, of the prize symbol. One and only one caption appears under each prize symbol. The number 1, 2, or 3 precedes each caption to indicate the location of the caption in Game 1, Game 2, or Game 3. For Instant Game Number 65, the prize symbols and their corresponding captions are:

<u>PRIZE SYMBOL</u>	<u>CAPTION</u>
\$1.00	ONE
\$2.00	TWO
\$4.00	FOR
\$8.00	EGT
\$40.00	FORTY
\$10,000	TENTHO

(5) Validation number: The unique nine-digit random number on the front of the ticket. The number is covered by latex.

(6) Pack-ticket number: The eleven-digit number of the form 06500001-000 printed on the front of the ticket. The first three digits are the game identifier. The first eight digits of the pack-ticket number for Instant Game Number 65 constitute the "pack number" which starts at 06500001; the last three digits constitute the "ticket

number" which starts at 000 and continues through 399 within each pack of tickets.

(7) Retailer verification codes: Codes consisting of small letters found under the removable latex covering on the front of the ticket which the lottery retailer uses to verify instant winners of \$25.00 and less. For Instant Game Number 65, the retailer verification codes are three-letter codes, with each letter appearing in a varying three of six locations among the play symbols and prize symbols on the front of the ticket. The retailer verification codes are:

VERIFICATION CODE	PRIZE
ONE	\$ 1.00
TWO	\$ 2.00 (\$1 and \$1; \$2)
FOR	\$ 4.00 (\$1 and \$1 and \$2)
SIX	\$ 6.00 (\$2 and \$4)
EGT	\$ 8.00 (\$4 and \$2 and \$2; \$8)
SXT	\$ 16.00 (\$8 and \$4 and \$4)

(8) Pack: A set of four hundred fanfolded instant game tickets separated by perforations and packaged in a plastic bag or plastic shrinkwrapping.

**NEW SECTION**

WAC 315-11-651 CRITERIA FOR INSTANT GAME NUMBER 65. (1) The price of each instant game ticket shall be \$1.00.

(2) Determination of prize winning tickets: An instant prize winner is determined in the following manner: The bearer of a ticket having a play symbol in the "your score" column that is a larger number than the play symbol in the "their score" column in the same game (row) shall win the prize shown in the prize column for that game (row). The bearer of a ticket having winning play symbols in more than one game (row) shall win the sum of the prizes in each winning game (row). Play symbols in different games (rows) may not be combined to win a prize.

(3) No portion of the display printing nor any extraneous matter whatever shall be usable or playable as a part of the instant game.

(4) The determination of prize winners shall be subject to the general ticket validation requirements of the lottery as set forth in WAC 315-10-070, to the particular ticket validation requirements for Instant Game Number 65 set forth in WAC 315-11-652, to the confidential validation requirements established by the director, and to the requirements stated on the back of each ticket.

(5) Notwithstanding any other provisions of these rules, the director may:

(a) Vary the length of Instant Game Number 65; and/or

(b) Vary the number of tickets sold in Instant Game Number 65 in a manner that will maintain the estimated average odds of purchasing a winning ticket.

**NEW SECTION**

WAC 315-11-652 TICKET VALIDATION REQUIREMENTS FOR INSTANT GAME NUMBER 65. (1) In addition to meeting all other requirements in these rules and regulations, a valid instant game ticket

for Instant Game Number 65 shall comply with all of the following validation requirements:

(a) Exactly one play symbol must appear under each of the three rub-off spots in the "your score" column and under each of the three rub-off spots in the "their score" column on the front of the ticket.

(b) Each of the six play symbols must have a caption below and each must agree with its caption.

(c) Exactly one prize symbol for each of the three games (rows) must appear under the rub-off material covering the prize column on the front of the ticket.

(d) Each of the three prize symbols must have a caption below and each must agree with its caption.

(e) The display printing and the printed numbers, letters, and symbols on the ticket must be regular in every respect and correspond precisely with the specifications on file with the director. The numbers, letters, and symbols shall be printed as follows:

Play Symbols	Play Symbol Font
Prize Symbols	Prize Symbol Font
Captions	Caption Font
Pack-Ticket Number	Validation Font
Validation Number	Validation Font
Retailer Verification Code	Validation Font

(f) Each of the play symbols and its caption, prize symbol and its caption, the validation number, pack-ticket number, and the retailer verification code must be printed in black ink.

(g) Each of the play symbols must be exactly one of those described in WAC 315-11-650(1); each of the play symbol captions must be exactly one of those described in WAC 315-11-650(2); each of the prize symbols must be exactly one of those described in WAC 315-11-650(3); and each of the prize symbol captions must be exactly one of those described in WAC 315-11-650(4).

(2) Any ticket not passing all the validation requirements in WAC 315-10-070 and subsection (1) of this section is invalid and ineligible for any prize.

**NEW SECTION**

WAC 315-11-660 DEFINITIONS FOR INSTANT GAME NUMBER 66 ("TUMBLING DICE"). (1) Play symbols: The following are the "play symbols": "1," "2," "3," "4," "5," and "6." One of these play symbols appears in each of the five play spots under the latex covering on the front of the ticket. The latex covered area shall be known as the playfield. The five play spots shall be configured with one play symbol at the top of the playfield which shall be labeled "winning number." The other four play symbols shall appear in a horizontal row below the play symbol labeled "winning number."

(2) Play symbol captions: The small printed characters appearing below each play symbol which correspond with and verify that play symbol. The caption is a spelling out, in full or abbreviated form of the play symbol. One and only one of these captions appears under each play symbol. The three-digit ticket number shall appear before each play symbol caption. For Instant Game Number 66, the captions which correspond with and verify the play symbols are:

<u>PLAY SYMBOL</u>	<u>CAPTION</u>
1	ONE
2	TWO
3	THR
4	FOR
5	FIV
6	SIX

(3) Prize symbols: The following are the "prize symbols": "\$1.00," "\$2.00," "\$4.00," "\$6.00," "\$12.00," "\$50.00," and "\$5,000." One of these prize symbols appears above each of the four play symbols in the horizontal row. There is no prize symbol above the play symbol labeled "winning number."

(4) Prize symbol captions: The small printed characters which follow the play symbol caption and verify and correspond with that prize symbol. The prize symbol caption is a spelling out, in full or abbreviated form, of the prize symbol. For Instant Game Number 66, the prize symbol captions which correspond with and verify the prize symbols are:

<u>PRIZE SYMBOL</u>	<u>CAPTION</u>
\$1.00	ONE
\$2.00	TWO
\$4.00	FOR
\$6.00	SIX
\$12.00	TLV
\$50.00	FFTY
\$5,000	FVTH

(5) Validation number: The unique nine-digit number on the front of the ticket. The number is covered by latex.

(6) Pack-ticket number: The eleven-digit number of the form 06600001-000 printed on the front of the ticket. The first three digits are the game identifier. The first eight digits of the pack-ticket number for Instant Game Number 66 constitute the "pack number" which starts at 06600001; the last three digits constitute the "ticket number" which starts at 000 and continues through 399 within each pack of tickets.

(7) Retailer verification codes: Codes consisting of small letters found under the removable covering on the front of the ticket which the lottery retailer uses to verify instant winners of \$25.00 or less. For Instant Game Number 66, the retailer verification code is a three-letter code, with each letter appearing in a varying three of six locations beneath the removable covering and among the play symbols on the front of the ticket. The retailer verification codes are:

<u>VERIFICATION CODE</u>	<u>PRIZE</u>
ONE	\$ 1.00 (\$1)
TWO	\$ 2.00 (\$2; \$1 and \$1)
FOR	\$ 4.00 (\$2 and \$2; \$1, \$1, \$1 and \$1)
SIX	\$ 6.00 (\$4 and \$2; \$2, \$2 and \$2)
TLV	\$ 12.00 (\$12; \$6, \$4 and \$2)
EGN	\$ 18.00 (\$12 and \$6; \$12, \$4 and \$2)

(8) Pack: A set of four hundred fanfolded instant game tickets separated by perforations and packaged in a plastic bag or plastic shrinkwrapping.

NEW SECTION

WAC 315-11-661 CRITERIA FOR INSTANT GAME NUMBER 66. (1) The price of each instant game ticket shall be \$1.00.

(2) Determination of prize winning tickets: An instant prize winner is determined in the following manner:

(a) When one of the four play symbols in the horizontal row matches exactly the play symbol labeled "winning number," the matching horizontal row play symbol shall be a winning play symbol, and the bearer of the ticket shall win the prize above the winning play symbol.

(b) The bearer of a ticket which has more than one winning play symbol shall win the total amount of the prizes above each winning play symbol.

(3) No portion of the display printing nor any extraneous matter whatever shall be usable or playable as a part of the instant game.

(4) The determination of prize winners shall be subject to the general ticket validation requirements of the lottery as set forth in WAC 315-10-070, to the particular ticket validation requirements for Instant Game Number 66 set forth in WAC 315-11-662, to the confidential validation requirements established by the director, and to the requirements stated on the back of each ticket.

NEW SECTION

WAC 315-11-662 TICKET VALIDATION REQUIREMENTS FOR INSTANT GAME NUMBER 66. (1) In addition to meeting all other requirements in these rules and regulations, to be a valid instant game ticket for Instant Game Number 66, all of the following validation requirements apply:

(a) Exactly one play symbol must appear in each of the five play spots in the playfield on the front of the ticket.

(b) Each play symbol must have a play symbol caption below it and each must agree with its caption.

(c) Each of the four play symbols in the horizontal row shall have a prize symbol above it. Each of the horizontal row play symbols shall also have a prize symbol caption following its play symbol caption.

(d) The display printing and the printed numbers, letters, and symbols on the ticket must be regular in every respect and correspond precisely with the artwork on file with the director. The numbers, letters, and symbols shall be printed as follows:

Play Symbols	Play Symbol Font
Prize Symbols	Prize Symbol Font
Captions	Caption Font
Pack-Ticket Number	Validation Font
Validation Number	Validation Font
Retailer Verification Code	Validation Font

(e) Each of the play symbols and its caption, the validation number, pack-ticket number and retailer verification code must be printed in black ink.

(f) Each of the play symbols must be exactly one of those described in WAC 315-11-660(1) and each of the play symbol captions must be exactly one of those described in WAC 315-11-660(2).

(g) Each of the prize symbols must be exactly one of those described in WAC 315-11-660(3) and each of the prize symbol captions must be exactly one of those described in WAC 315-11-660(4).

(2) Any ticket not passing all the validation requirements in WAC 315-10-070 and subsection (1) of this section is invalid and ineligible for any prize.

#### NEW SECTION

WAC 315-04-205 REAPPLICATION FOLLOWING LICENSE DENIAL OR REVOCATION. The director shall not grant a license based on reapplication less than ninety days following the agency's final order of denial or revocation under WAC 315-04-200.

**WSR 91-11-034**  
**PROPOSED RULES**  
**HARDWOODS COMMISSION**  
 [Filed May 9, 1991, 3:27 p.m.]

#### Original Notice.

Title of Rule: Chapter 244-12 WAC, Washington Hardwoods Commission.

Purpose: To promote the general welfare of the state by assisting in the retention, expansion and attraction by hardwood related industries in the state of Washington.

Statutory Authority for Adoption: SSB 5626.

Statute Being Implemented: SSB 5626.

Summary: Clarification of existing statute.

Reasons Supporting Proposal: To meet the intent of the legislature to promote the hardwood industry in the state.

Name of Agency Personnel Responsible for Drafting: Terry Raettig, 3400 Capitol Way, Mailstop QE-22, Olympia, 98504, 586-4126; Implementation and Enforcement: Laurence Johnson, 3400 Capitol Way, Mailstop QE-22, Olympia, 98504, 586-4080.

Name of Proponent: Washington Hardwoods Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The rules address the purposes of the commission, election of board members, board procedures and collection of assessments. It is anticipated that these rules will contribute to the growth and prosperity of the hardwoods industry in the state of Washington.

Proposal does not change existing rules.

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

The commission has considered whether this rule is subject to the Regulatory Fairness Act and has determined that it is not for the following reasons: The rule[s] do not have a proportionate burden on small business because the assessment process is based on the volume of product. Accordingly, the impact is proportionate to the size of the business; and the rule[s] do not affect more than 20% of all industries classified by Standard Industrial Classifications 241-243, 249, 261-263.

Hearing Location: Hearing Room C, John L. O'Brien Building, Olympia, Washington 98504, on June 25, 1991, at 9:00 a.m.

Submit Written Comments to: Washington Hardwoods Commission, Mailstop QE-22, 3400 Capitol Way, #201, Olympia, WA 98504, by June 25, 1991.

Date of Intended Adoption: June 27, 1991.

May 1, 1991  
 Laurence Johnson  
 Chairman

Chapter 244-12 WAC  
 WASHINGTON HARDWOODS COMMISSION

#### NEW SECTION

WAC 244-12-010 PROMULGATION. These rules are promulgated pursuant to the statutory authority contained in chapter 15.74 RCW.

#### NEW SECTION

WAC 244-12-020 COMMISSION PURPOSE. The purpose of this commission is to promote the general welfare of the state by assisting in the retention, expansion, and attraction of hardwood-related industries in the state of Washington. This shall be accomplished in the following manner:

- (1) Create a climate for development and support of the industry.
- (2) Coordinate efforts to enhance and promote the expansion of the forest industry among state and federal agencies, industrial organizations, and institutions of higher learning.
- (3) Develop products and markets for various species and grades of hardwoods.
- (4) Study and recommend a tax program that will attract new firms and promote stability for existing firms.
- (5) Develop an enhancement and protection program that will reduce waste and respect environmental sensitivity.
- (6) Develop financial assistance programs from public and private moneys for attraction and expansion of new and existing primary, secondary, and tertiary processing facilities.
- (7) Utilize recognized experts in educational institutions, public and private foundations, and agencies of the state to facilitate research into economic development, hardwood silviculture, woodland management, development of new products, and public education.
- (8) Cooperate with the department of natural resources in the development of best management practices for hardwood resources.

#### NEW SECTION

WAC 244-12-030 DEFINITION OF TERMS. For the purpose of this order:

- (1) "Person" means any person, firm, association, or corporation.
- (2) "Affected processor" means a person who processes hardwood logs of any species into (a) lumber, and/or construction timbers regardless of size, manufactured to standard specifications suitable for end product use including cut-up stock, (b) chips suitable for pulp, paper, or other uses, (c) plywood, (d) veneer, (e) commercial firewood. An "affected processor" also means any person who processes hardwood logs of any species by remanufacture into other lengths or diameters or reloads hardwood logs for shipment to destinations outside the state of Washington.
- (3) "Hardwood industry" means the harvesting and manufacturing of hardwood materials or products in commercial quantities.
- (4) "Washington hardwoods commission," hereinafter referred to as "commission," means the commission formed under the provisions of chapter 15.74 RCW.
- (5) "Hardwood" means the wood of a deciduous, broad leaf flowering tree.
- (6) "Fiscal year" means the twelve-month period beginning with January 1 of any year and ending with the last day of December following, both dates being inclusive.
- (7) "Sell" includes offer for sale, expose for sale, have in possession for sale, exchange, barter, or trade.
- (8) "Scribner log scale" means the log volume as shown in Official Rules of Log Scaling and Grading Bureaus.

(9) "Assessment" means the amount levied in favor of the commission.

(10) "Enhancement" means to increase the value and worth of the hardwood resource and the resulting hardwood products.

(11) "Protection" means to guard against loss or damage involved in the harvest of hardwood logs and in the production of hardwood products.

**NEW SECTION**

WAC 244-12-040 **HARDWOODS COMMISSION.** (1) ADMINISTRATION. The provisions of this order shall be administered and enforced by this commission.

(2) COMMISSION MEMBERSHIP. The commission shall consist of seven members.

(3) COMMISSION MEMBERSHIP QUALIFICATIONS. The members of the commission shall be members of the hardwood industry and shall be citizens and residents of the state of Washington, over the age of twenty-one years, each of whom is or has been actively engaged in the hardwood industry either individually or as an executive officer, employee, or sales manager on a management level or managing agent of an organization within the state of Washington for a period of five years and has, during that time, derived a substantial portion of his or her income therefrom. The qualifications of members of the commission as herein set forth must continue during the terms of office. Only one member may be in the employ of any one person or organization engaged in the hardwood industry, at any one time.

(4) TERM OF OFFICE.

(a) The term of office for members of the commission shall be four years.

(b) Membership positions on the commission shall be designated numerically.

(c) The term of office for the initial commission members shall be as follows:

- Positions one, two, and three - two years; expires on June 30, 1992;
- Positions four and five - three years; expires on June 30, 1993;
- Positions six and seven - four years; expires on June 30, 1994.

(5) NOMINATION AND ELECTION OF COMMISSION MEMBERS. Each year that a vacancy will occur, the commission shall give notice of such vacancies by mail on or before April 15, to all affected processors and call for nominations. Nominations shall be made by petition signed by at least three affected processors. Deadline for the return of such petition shall be no less than fifteen days from the date of mailing.

If there is only one nominee for any one position during the specified time period, the nominee may be deemed elected.

(6) ELECTION OF COMMISSION MEMBERS.

(a) Members of the commission shall be elected by secret mail ballot within the month of May. Members of the commission shall be elected by a majority of the votes of affected processors.

(b) If a nominee does not receive a majority of the votes on the first ballot, a run-off election shall be held by mail in a similar manner between the two candidates for such position receiving the largest number of votes.

(7) VACANCIES PRIOR TO ELECTION. In the event of a vacancy on the commission, the remaining commission members shall select a qualified person to fill the unexpired term.

(8) QUORUM. Five members shall constitute a quorum for the transaction of all business and the carrying out of all duties of the commission.

(9) COMMISSION COMPENSATION. No member of the commission shall receive any salary or other compensation.

(10) POWERS AND DUTIES OF THE COMMISSION. The commission shall have the following powers and duties:

- (a) To administer, enforce, and control the provisions of this order.
- (b) To elect a chairperson and such other officers as the commission deems advisable.

(c) To employ and discharge at its discretion such personnel as the commission determines necessary and proper to carry out the purpose of the order.

(d) To establish an account at a bank or banks or financial institution or institutions, approved for the deposit of state funds, in which all money received by the commission, shall be deposited in accordance with legal requirements.

(e) To keep or cause to be kept in accordance with accepted standards of good accounting practice, accurate records of all assessments, paid outs, moneys, and other financial transactions made and done pursuant to this order.

(f) To require a bond of the treasurer in the amount the commission shall deem necessary. The premium for such bond or bonds shall be paid by the commission from assessments collected. Such bond shall not be necessary if any such commission member or employee is covered by any blanket bond covering officials or employees of the state of Washington.

(g) To prepare a budget or budgets covering anticipated income and expenses to be incurred in carrying out the provisions of the order during each fiscal year.

(h) To establish by resolution, a headquarters which shall continue as such unless and until so changed by the commission. All records, books, and minutes of commission meetings shall be kept at such headquarters.

(i) To adopt rules and regulations of a technical or administrative nature, subject to the provisions of chapter 34.05 RCW (Administrative Procedure Act).

(11) PROCEDURES FOR COMMISSION.

(a) The commission shall hold regular meetings, at least semiannually, and such meetings shall be publicized and held in accordance with chapter 42.30 RCW (Open Public Meetings Act).

(b) The commission shall hold an annual meeting, at which time an annual report will be presented. The budget shall be presented for discussion at the meeting. Notice of the annual meeting shall be given by the commission at least ten days prior to the meeting by written notice to each processor and by regular news service.

(c) The commission shall establish by resolution, the time, place, and manner of calling special meetings of the commission with reasonable notice to the members: PROVIDED, That the notice of any special meeting may be waived by a written waiver thereof by each member of the commission. Additionally, notice shall be provided to each local newspaper of general circulation and to each local radio or television station, which has on file with the governing body a written request to be notified of such special meeting or of all special meetings.

**NEW SECTION**

WAC 244-12-050 **ASSESSMENTS AND COLLECTIONS.** (1) The assessment shall be based upon the following schedule:

CATEGORY	QUARTERLY PRODUCTION (THOUSAND TONS)	QUARTERLY ASSESSMENT
1	5 to 7.5	\$150
2	7.5 to 15	\$300
3	15 to 25	\$600
4	25 to 35	\$900
5	35 to 45	\$1,200
6	45 to 62.5	\$1,500
7	62.5 to 82.5	\$2,250
8	82.5 to 125	\$3,000
9	125 to 175	\$4,500
10	175 to 250	\$6,000
11	250 to 350	\$9,000
12	350 to 450	\$12,000
13	450 to 625	\$15,000
14	625 to 875	\$22,500
15	875 to 1125	\$30,000
16	over 1125	\$35,000

(2) For purposes of determining the appropriate production category, the following equivalents will apply:

(a) One ton of logs, scaled by weight, input for a processor equals one ton of production; or

(b) One thousand board feet, Scribner scale, input for a processor equals 7.25 tons of production.

(3) Processors who produce less than five thousand tons of hardwood products in a calendar quarter will not be assessed.

(4) Assessments shall be paid to the commission according to the levy schedule in subsection (1) of this section.

**NEW SECTION**

WAC 244-12-060 **TIME-PLACE-METHOD FOR PAYMENT AND COLLECTION OF ASSESSMENTS.** Effective July 1, 1991, the following procedure is established for the reporting and paying of assessments levied pursuant to RCW 15.74.060 and WAC 244-12-020. All assessments in a quarter are due to the commission within



forty-five days after the end of the quarter. Assessments shall be determined on a quarterly basis. The first quarter shall commence on July 1, 1991.

**NEW SECTION**

**WAC 244-12-070 OBLIGATIONS OF THE COMMISSION.** Obligations incurred by the commission or employee or agent thereof pertaining to their performance or nonperformance or misperformance of any matters or things authorized, required, or permitted them by the act or this order, and any other liabilities or claims against them or any of them shall be enforced in the same manner as if the whole organization under the order were a corporation. No liability for the debts or actions of the commission, employee, or agent incurred in their official capacity under this order shall exist either against the commission, officers, employees, and/or agents in their individual capacity, nor against the state of Washington or any subdivision or instrumentality thereof nor against any other organization, administrator, or commission (or employee or agent thereof) established pursuant to this act or the assets thereof. The commission, and its agents and employees, shall not be held responsible individually in any way whatsoever to any person for errors in judgment, mistakes, or other acts, either of commission or omission, as principal, agent, person, or employee, except for their own individual acts of dishonesty or crime. No such person or employee shall be held responsible individually for any act or omission of any other commission, member of the commission, or other person. The liability of the members of the commission shall be several and not joint and no member shall be liable for the default of any other member.

**NEW SECTION**

**WAC 244-12-080 EFFECTIVE TIME.** This order shall become effective on and after July 1, 1991.

**NEW SECTION**

**WAC 244-12-090 SEPARABILITY.** If any provisions hereof are declared invalid, or the applicability thereof to any person, circumstances, or thing is held invalid, the validity of the remainder hereof or of the applicability thereof to any other person, circumstances, or thing shall not be affected thereby.

**WSR 91-11-035  
NOTICE OF PUBLIC MEETINGS  
HIGHER EDUCATION  
PERSONNEL BOARD  
[Memorandum—May 10, 1991]**

**HIGHER EDUCATION PERSONNEL BOARD MEETINGS —  
1991**

**Notice of Location Change and Additional Meeting**

Date	Former Location	New Location
Thursday August 1	Whatcom Community College 237 West Kellogg Road Bellingham, Washington	Central Washington University Ellensburg, Washington

**Additional Meeting**

Wednesday July 3	University of Washington Seattle, Washington
---------------------	---

**WSR 91-11-036  
NOTICE OF PUBLIC MEETINGS  
WASHINGTON STATE UNIVERSITY  
[Memorandum—May 6, 1991]**

Washington State University hereby gives notice of change in the time for the regular meeting of the board of regents currently set for June 28, 1991. The June

meeting of the regents will begin at 2:00 p.m. on the University of Idaho campus in Moscow, Idaho on June 27, 1991, and will continue at 9:00 a.m. on June 28, 1991, on the Pullman campus of Washington State University. On June 27, the board of regents will meet jointly with the Idaho Board of Education regarding matters of mutual concern to the University of Idaho and Washington State University.

**WSR 91-11-037  
RULES COORDINATOR  
PUBLIC DISCLOSURE COMMISSION  
[Filed May 10, 1991, 2:00 p.m.]**

In accordance with RCW 34.05.310, the rules coordinator for the Public Disclosure Commission is Karen M. Copeland, 403 Evergreen Plaza Building, Mailstop FJ-42, Olympia, Washington, 98504-3342, phone (206) 753-1111, 234-1111 scan.

Graham E. Johnson  
Executive Director

**WSR 91-11-038  
PERMANENT RULES  
PROFESSIONAL ATHLETIC COMMISSION  
[Filed May 10, 1991, 2:06 p.m.]**

Date of Adoption: April 23, 1991.

Purpose: Implement the provisions of chapter 67.08 RCW.

Citation of Existing Rules Affected by this Order: Amending WAC 36-12-060, 36-12-110, 36-12-120 (11)(c), 36-12-240(2), 36-12-250 (5)(9), and 36-12-340(1).

Statutory Authority for Adoption: Chapter 67.08 RCW.

Pursuant to notice filed as WSR 91-05-032 on February 12, 1991.

Changes Other than Editing from Proposed to Adopted Version: Clarified language.

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

May 10, 1991

Stan Naccarato  
Chairman

**Chapter 36-12 WAC  
PROFESSIONAL BOXING AND WRESTLING**

**PROFESSIONAL BOXING RULES**

**AMENDATORY SECTION** (Amending Order 84-1, filed 7/26/84)

**WAC 36-12-010 PENALTIES.** In cases of infraction of the law, the rules and regulations, orders of the ((state boxing)) professional athletic commission, or the failure to fulfill any contracts or agreements, it shall rest with the commission to impose such penalties as may be deemed expedient.

AMENDATORY SECTION (Amending Note: Filed 9/22/60)

WAC 36-12-011 (~~"CLUB,"~~) "PROMOTER," "PURSE" DEFINED. For purposes of brevity, in the following rules the word (~~"club"~~) "promoter" will be used to designate a club, corporation, organization, association or person holding license under this commission. "Purse" will designate the sum of money or other compensation by way of guarantee, percentage or otherwise, paid to boxer.

AMENDATORY SECTION (Amending Order 80-1, filed 7/16/80)

WAC 36-12-020 **BOXING WEIGHTS AND CLASSES.**

- Flyweight..... 112 pounds or under
- Bantamweight..... over 112 to 118 pounds
- Featherweight..... over 118 to 126 pounds
- Junior lightweight ..... over 126 to 130 pounds
- Lightweight ..... over 130 to 135 pounds
- Junior welterweight..... over 135 to 140 pounds
- Welterweight ..... over 140 to 147 pounds
- Middleweight..... over 147 to 160 pounds
- Light heavyweight..... over 160 to 175 pounds
- Cruiserweight... over 175 to ~~(190)~~ 195 pounds
- Heavyweight..... all over ~~(190)~~ 195 pounds

No contests shall be scheduled, and no contestants shall engage in a boxing contest where the weight difference exceeds the allowance as shown in the following schedule, without the written approval of the commission.

- 112 lbs.-118 lbs. not more than 3 lbs.
- 118 lbs.-126 lbs. not more than 5 lbs.
- 126 lbs.-130 lbs. not more than 7 lbs.
- 130 lbs.-135 lbs. not more than 7 lbs.
- 135 lbs.-140 lbs. not more than 9 lbs.
- 140 lbs.-147 lbs. not more than 9 lbs.
- 147 lbs.-160 lbs. not more than 11 lbs.
- 160 lbs.-175 lbs. not more than 12 lbs.
- 175 lbs.-~~(190)~~ 195 lbs. not more than 15 lbs.
- ~~(190)~~ 195 lbs. and over, no limit.

AMENDATORY SECTION (Amending Rule .04.030, filed 12/6/67)

WAC 36-12-030 **WEIGHING TIME.** (1) Contestants shall be weighed on the date of the scheduled match, at the time designated by the commission, in the presence of each other, a commission inspector and an official of the club promoting the match, on club scales or other scales approved by the commission or at such place or places as may be designated by consent of commission inspector. By special permission of the commission, preliminary boxers may be allowed to weigh in and be examined not later than one hour before the scheduled time of the first match on the card. The weight of

each contestant shall be recorded on a report sheet provided by the commission. (~~Should an afternoon show be scheduled, the weighing-in time shall be advanced to 10 a.m.~~)

(2) At the official weighing-in of all contestants duly accredited newspaper, radio and television representatives (~~must~~) may, upon request, be admitted.

AMENDATORY SECTION (Amending Rule .04.040, filed 12/6/67)

WAC 36-12-040 **RING AND EQUIPMENT.** (1) Ring. (~~To~~) The ring shall be not less than ~~(16)~~ seventeen feet square or more than ~~(24)~~ twenty-four feet within the ropes. The ring floor (~~to~~) shall extend beyond the ropes not less than ~~(18)~~ eighteen inches. The ring (~~posts shall not be nearer to the ring ropes than eighteen inches~~) floor shall be padded in a manner as approved by the commission. Padding must extend beyond the ring ropes and over the edge of the platform (~~with a top covering of canvas, duck or similar material tightly stretched and laced to the ring platform applied over a one inch base of celotex building board or similar material. Material that tends to gather in lumps or ridges must not be used~~). Ring canvas must be in a clean and sanitary condition.

(2) Height of ring. The ring platform shall not be more than four feet above the floor of the building, and shall be provided with suitable steps for use of contestants. Ring posts shall be of metal, not more than ~~(three)~~ four inches in diameter, extending from the floor of the building to a height of fifty-eight inches above the ring floor, and shall be properly padded.

(3) Ring ropes. Ring ropes shall be at least three in number, not less than one inch in diameter; the lower rope eighteen inches above the ring floor, the second rope thirty-five inches above the floor, the third rope fifty-two inches above the floor. (~~Ropes shall be wrapped in soft material and be of proper tension. All boxing ring ropes shall be manila rope, synthetic rope or plastic rope or other similar material and shall not be made of metal of any type. All ropes and turnbuckles shall be wrapped in soft material.~~) The lower rope shall have applied around it a padding of a thickness of not less than one-half inch and of a type and construction to be approved by the commission.

(4) Gong or bell. (~~Gong or bell must not be less than ten inches in diameter, adjusted securely on a level with the ring platform. The timekeeper shall use a metal hammer to indicate the beginning and the ending of rounds, so that the contestants can hear the sound of the bell or gong.~~) There shall be a bell or gong at the ring no higher than the level of the ring. The bell or gong shall be of a clear tone so that the contestants may easily hear it.

(5) Obstructions. The entire ring platform shall be cleared of all obstructions including buckets, stools, etc., the instant the ten second signal is given by the timekeeper, and none of these articles shall be placed on the ring floor until the gong has ended the round.

AMENDATORY SECTION (Amending Rule .04.050, filed 9/22/60)

WAC 36-12-050 GLOVES. (1) Gloves shall be examined by the ~~((inspector))~~ commission representative and the referee. If padding is found to be misplaced or lumpy, or if gloves are found to be imperfect, or ill-fitting, they shall be changed before the contest starts.

~~(2) ((No breaking, roughing or twisting of gloves shall be permitted.~~

~~(3))~~ Gloves for all main events shall be new, and furnished by club management((:

~~(4) If gloves used in other bouts have been used before they must be whole, clean and in sanitary condition.~~

~~(5) Gloves for the main event must be put on in the ring after the referee has first inspected the bandaged hands of both contestants)), and so made as to fit the hands of any contestant whose hands may be unusual in size.~~

(3) New gloves or gloves which have been used before, shall be whole, clean, in sanitary condition, and subject to inspection by the referee or commission representative as to condition. Any such gloves found to be unfit or ill-fitting, shall be immediately discarded and replaced with gloves meeting the above requirements.

(4) All clubs shall have on hand an extra set of eight-ounce and an extra set of ten-ounce gloves to be used in case gloves are broken or in any way damaged during the course of a bout.

(5) Contestants in all weight classes up to and including the welterweight class, shall wear eight-ounce gloves. In the heavier classes, ten-ounce gloves shall be worn. All gloves must be approved by the commission.

AMENDATORY SECTION (Amending Order 74-1, filed 11/19/74)

WAC 36-12-060 NUMBER OF ROUNDS. (See RCW 67.08.080.) No boxing contest or sparring exhibition held in this state whether under the provisions of statute or otherwise shall be for more than ten rounds and no one round of any such contest or exhibition shall be for a longer period than three minutes and there shall be not less than one minute intermission between each round. In the event of bouts involving state, national, or regional or world championships the commission may grant an extension of no more than two additional rounds to allow total bouts of twelve rounds(~~(, and in bouts involving national championships the commission may grant an extension of no more than five additional rounds to allow total bouts of fifteen rounds. No contestant in any boxing contest or sparring match or exhibition whether under this chapter or otherwise shall be permitted to wear gloves weighing less than six ounces. The length and duration for wrestling matches whether held under provisions of statute or otherwise shall be regulated by order of the commission)).~~ Promoters shall not schedule less than twenty-six rounds of boxing, nor more than forty rounds, except with the written approval of the commission for any one program. An emergency bout shall be provided in the event an arranged card breaks down, and if it is necessary to put on another bout.

AMENDATORY SECTION (Amending Rule .04.070, filed 9/22/60)

WAC 36-12-070 BANDAGES. (1) Bandages shall not exceed the following restrictions: One winding of surgeon's adhesive tape not over one and one-half inches wide, placed directly on the hand to protect that part of the hand near the wrist. ~~((This))~~ Said tape may cross the back of the hand twice, but shall not extend within one inch of the knuckles when hand is clenched to make a fist.

(2) Contestants shall use soft surgical bandages not over two inches wide, held in place by not more than two ((feet)) yards of surgeon's adhesive tape for each hand. One ten yard roll of bandage ((is to make)) shall complete the wrappings for each hand. Bandages shall be adjusted in the dressing room in the presence of a commission representative and both contestants ((unless otherwise directed by the inspector)). Either contestant may waive his privilege of witnessing the bandaging of his opponent's hands.

AMENDATORY SECTION (Amending Rule .04.080, filed 9/22/60)

WAC 36-12-080 ~~((WATER BUCKETS, ETC))~~ RING EQUIPMENT. ~~((There shall be provided by the club a sufficient number of water buckets for the use of all contestants. Clubs shall also provide fans, powdered resin for canvas, stools for seconds, and such other articles as are required in the conducting of contests. A bucket used by a contestant cannot be used again until it has been washed and sterilized.))~~ Promoters shall provide all necessary equipment, subject to approval by the commission, for use by the seconds and contestants at all events.

AMENDATORY SECTION (Amending Rule .04.100, filed 9/22/60)

WAC 36-12-100 OFFICIALS. (1) The officials of boxing contests shall consist of a referee, a timekeeper, ~~((an announcer,))~~ a physician, ~~((and))~~ two or three judges, and a commission inspector. At the discretion of the commission the three judge system may be used in lieu of the two judge and referee system. The referee, commission inspector, judges, physician, and timekeeper shall be assigned by the commission.

(2) No licensee shall verbally or physically abuse a referee or any other commission official.

AMENDATORY SECTION (Amending Order 80-2, filed 2/6/81)

WAC 36-12-110 REFEREE. (1) ~~((Effective July 1, 1981 the fee for referee's license will be \$15.00.))~~ The chief official of boxing contests shall be the referee, who shall have general supervision over bouts and take his place in the ring prior to each contest.

(2) The referee shall, before starting a contest, ascertain from each contestant the name of his chief second, and shall hold said chief second responsible for the conduct of his assistant seconds during the progress of the contest.

(3) The referee shall call contestants together before each bout for final instructions, at which time each contestant shall be accompanied by his chief second only. The principals after receiving instructions shall ~~((shake hands))~~ touch gloves and retire to their corners. They shall not ~~((again shake hands))~~ touch gloves again until the beginning of the last round.

(4) No persons other than the contestants and the referee may enter the ring during the progress of a round.

(5) The referee shall inspect the bandages and the gloves and make sure that no foreign substances have been applied to either the gloves or any part of a boxer's head or body to the detriment of an opponent.

(6) Referees must wear dark trousers and shirt or uniforms subject to approval of the commission.

(7) All referees must take an annual physical and eye examination similar to that given to all applicants for a boxers' ~~((and wrestlers'))~~ license(s) and they shall be examined before officiating in any contest by the ~~((club))~~ commission physician before entering the ring the same as boxers ~~((and wrestlers))~~; if such examinations indicate the referee is physically or otherwise disabled or incapacitated, such fact should be immediately reported, in writing, by the examining physician to the inspector in charge, who shall take appropriate action to replace such referee.

#### AMENDATORY SECTION (Amending Rule .04.120, filed 9/22/60)

WAC 36-12-120 POWERS OF REFEREE—PENALTIES FOR FOULS, BUTTS. (1) The referee shall have power to stop a contest at any time if he considers it too one-sided, or if either contestant is in such condition that to continue might subject him to serious injury, and in either case to render a decision.

(2) In cases where a boxer ~~((or wrestler shall))~~ receives a cut eye or any other injury which the referee may believe shall incapacitate the boxer ~~((or wrestler))~~, the referee shall call into the ring the ~~((club))~~ commission physician for examination of the boxer ~~((or wrestler))~~ before the referee shall render his decision in the matter.

(3) The referee shall stop a contest if in his judgment there is stalling or faking by either or both contestants or if there is collusion affecting the result, in which case he shall recommend to the commission that the purse or purses of the offending boxer or boxers be forfeited and paid to the commission.

(4) The referee shall penalize any contestant who fouls his opponent during a contest, by charging such contestant with the loss of points, whether such foul or fouls be intentional or unintentional. However, the referee shall use his own discretion in determining the number of points, if any, chargeable against the contestant in each instance, depending upon the severity or harmlessness of the foul and its effect upon the opponent. The referee shall indicate on the official score card the number of points taken away from a contestant in any and all rounds in which he may find it necessary to charge the contestant with such loss. The referee shall, at the conclusion of each round notify the judges of the

number of points to be deducted in accordance with his determination. Judges shall not deduct points without first receiving instruction from the referee.

(5) Persistent fouling by a contestant requiring cautioning by the referee shall be noted on the referee's score card and called to the attention of the commission for appropriate punishment.

(6) No contestant may be awarded a contest on a claim of a low-blow foul, nor may a contestant lose a decision by reason of a low-blow foul. Except where a contestant commits two fouls and after being warned each time by the referee, he commits a third foul, the referee may then within his discretion award the decision to the contestant who has been fouled.

(7) If, by reason of any other foul committed intentionally during a contest, an opponent shall be rendered incapacitated or unfit to continue, the contest shall be terminated by the referee and such incapacitated contestant shall be declared the winner if, at the termination thereof, he shall actually be ahead on points. The referee shall in such event recommend to the commission that they order the purse of the offending contestant withheld from payment, for disposition by the commission and such offender shall be subject to fine, suspension or other punishment, as may be determined by the commission upon full hearing thereof.

(8) If the incapacitated opponent referred to in the preceding paragraph shall not be ahead on points, the contest shall, nevertheless, be terminated, no decision shall be rendered by the referee and he shall order the purses of both contestants withheld from payment; a full report shall be made by the referee to the commission. A hearing shall be held by the commission and such disposition of the proceeds of the purses and such fines and penalties and other punishment may be assessed as the commission in its judgment may deem expedient. No purse ordered held for investigation can be released except by order of the commission.

(9) In the event of an unintentional foul (except as provided in subsection (10) ~~((below))~~ of this section) other than low-blow fouls, rendering an opponent incapacitated or unfit to continue (in the opinion of the referee), the contest shall be terminated, no decision shall be rendered but the referee shall order withheld from payment the purses of both contestants; the referee shall make a full report thereof, as is otherwise indicated herein, and the matter shall be heard by the commission and be disposed of as the commission may in its judgment deem expedient. Referees are hereby required to report to the commission repeated or persistent intentional or unintentional fouling by any contestant, in which connection the commission may order a hearing and subject the offending contestant to such punishment, which may include a fine or suspension, or both.

(10) If an accidental butt occurs during any bout, the referee shall immediately warn the guilty boxer and he may penalize him by a deduction in points for the round, at the same time he shall so notify the other contestant. Should any such penalty be charged against the boxer guilty of butting it shall be charged at the end of the round in which the butting occurred and the referee's score card shall be so marked at the conclusion of the

round, at which time he shall also notify the judges; the referee shall explain in writing on the back of his card the nature and circumstances surrounding the penalty.

(11) If a boxer is accidentally butted in a bout so that he cannot continue, the referee shall:

(a) Call the bout a draw if the injured boxer is behind in points, or

(b) Declare the injured boxer the winner on a technical decision if he has a lead in points. When judges are used the majority vote as disclosed by the score cards shall prevail in determining the decision as specified in this section and the previous section hereof. If all three score cards differ the contest shall be declared a technical draw.

(c) If any accidental butt occurs during the first three rounds of any contest the referee shall call the bout a ~~((draw))~~ no contest.

The provisions of ~~((subsection (11))~~(a) and (b) of this ~~((rule))~~ subsection do not apply in world championship matches.

This rule applies only to accidental butting. Intentional butting is a foul and shall be penalized as such.

(12) The referee shall use his discretion in deciding any matters that may come up during a contest and are not covered by these rules.

AMENDATORY SECTION (Amending Rule .04.130, filed 9/22/60)

WAC 36-12-130 DUTIES OF REFEREE—INJURIES, KNOCKDOWNS, FALLS. (1) In case of a knockdown the referee shall require the fallen contestant to take a count of eight. The referee may compel a hurt contestant to take an eight count whether or not he is down. In the case of a cut eye or similar laceration the referee shall consult with the ringside physician. Such consultation shall take place upon the conclusion of a round or with "time out" or in an emergency during the progress of any round. The termination of the bout shall be governed by the examining physician's decision.

(2) A contestant who goes down without being struck, and stays down, shall be disqualified and the referee may render the decision to his opponent, and the referee shall recommend to the commission that the purse of the offending boxer be forfeited and paid to the commission.

(3) Should a contestant leave the ring during the one minute period between rounds and fail to be in the ring when the gong rings the signal to resume boxing, or should a contestant fail to rise from his chair at the beginning of a round, the referee shall start counting immediately, and unless the contestant is on his feet in the ring at the end of ten seconds the referee shall declare him as counted out.

(4) Should a contestant who is "down" arise before the count of "ten" is reached, and go down again immediately without being struck, the referee shall resume the count where he left off. If in any boxing contest during the rest period between rounds the referee shall decide that either of the contestants is not able to continue, or if the chief second of either of the contestants shall inform the referee that his boxer is unable to continue, and the referee concurs therein, he shall render his decision before the gong or bell rings and then indicate on his

score card that the opponent of the incapacitated boxer is the winner of the contest on a technical knockout as of the round which has last been finished.

(5) When a boxer resumes boxing after having been knocked or fallen or slipped to the floor, the referee shall wipe any accumulated resin or other foreign material from the boxer's gloves with a damp towel or on his shirt.

AMENDATORY SECTION (Amending Rule .04.150, filed 9/22/60)

WAC 36-12-150 WHEN BOXER FALLS FROM RING DURING ROUND. (1) A contestant who has been knocked or has fallen through the ropes and over the edge of the ring platform during a contest may be helped back by anyone except his seconds or manager and the referee will allow a reasonable time for this return. When on the ring platform outside the ropes the contestant must reenter the ring immediately, ~~((when))~~ then he may either resume the contest or stay down for a count, which in the latter case shall be started by the referee as soon as the fallen contestant is back in the ring.

(2) Should the contestant stall for time outside the ropes the referee shall start the count without waiting for him to reenter the ring, and if he is not on his feet in the ring within ten seconds, the referee shall declare him "knocked out."

(3) When one boxer has fallen through the ropes the other shall retire to the farthest corner and stay there until the count is completed or his opponent is on his feet in the ring. The referee must signal for the resumption of fighting when the fighter has returned to the ring.

(4) A contestant who deliberately wrestles or throws an opponent from the ring, or who hits him when he is partly out of the ring, and prevented by the ropes from assuming a position of defense may be disqualified, and the referee shall recommend to the commission that the purse of the offending boxer or boxers be forfeited and paid to the commission.

~~((5) In case of serious injury to a contestant the referee shall be automatically under suspension until investigation by the commission establishes whether the injury was the result of negligence or incompetence on the part of the referee, or of circumstances not reasonably within his control.~~

~~((6) Any referee failing to familiarize himself with the rules and to properly enforce them is liable to permanent suspension.))~~

AMENDATORY SECTION (Amending Rule .04.160, filed 9/22/60)

WAC 36-12-160 REPORT OF REFEREE—WITHHOLDING OR FORFEITURE OF PURSE. (1) A referee of any contest shall submit a report of any and all contests which he referees. Any matter involving disregard of the rules or law must be included in the report and any recommendations relative to fines or suspensions of violators of the rules or law. Mail the report to the commission office. All referees must fully and explicitly describe the circumstances in which any bout is stopped

on account of a technical knockout. When requested by the commission the referee's report must contain the exact reason for his actions in awarding the decision to the winner as a result of a technical knock-out.

(2) The referee shall recommend to the commission that they declare forfeited any remuneration or purse, or any part thereof, belonging to the contestants or one of them, or any part of the gate receipts for which contestants are competing, if in his judgment such contestant or contestants are not honestly competing. It is the desire of the commission to strictly enforce the above, and every referee is ordered to warn competing boxers of the power of the commission to hold up the purse or purses, should there be any apparent cause for such warning.

(3) In any case where the referee decides that both contestants are not honestly competing, the BOUT MUST BE STOPPED BEFORE THE END OF THE LAST ROUND, AND NO DECISION BE GIVEN. The announcer shall inform the audience, that no decision has been rendered. In such cases the purses shall be forfeited. A contestant earns nothing and shall not be paid for a contest in which there is stalling, faking, dishonesty or collusion. The commission shall have the power, independent of the referee or his decision, to determine the merits of any contest, and take whatever action it considers proper. ~~((As)) Counting a boxer out, or disqualifying one of the contestants for fouling, is ((held to be)) in effect giving a decision((, in case the referee decides that one or both the contestants are not honestly competing and the knockdown is "a dive" or the foul is prearranged termination of the bout, he SHALL NOT FINISH THE KNOCK-DOWN COUNT OR DISQUALIFY FOR FOULING OR AWARD DECISION TO OPPONENT, but shall stop the bout and order the purses of both boxers held pending investigation by the commission. The announcer shall so inform the audience, particularly that no decision has been rendered)).~~

(4) ~~((Once given, the)) A referee's decision ((cannot be changed, except as follows: Should the commission at any time following the rendering of a decision, determine there was collusion affecting the result of any contest, such decision shall be changed as the commission may direct. No purse ordered held for investigation can be released except by order of the commission)) rendered at the termination of any boxing contest is final and shall not be changed unless following the rendition of a decision the commission determines that any one of the following occurred:~~

(a) There was collusion affecting the result of any contest;

(b) The compilation of the scorecard of the referee or referee and judges shows an error which would mean that the decision was given to the wrong boxer;

(c) There was a clear violation of the laws or rules and regulations governing boxing which affected the result of any contest.

If the commission determines that any of the above occurred with regards to any contest then the decision rendered shall be changed as the commission may direct.

AMENDATORY SECTION (Amending Rule .04.170, filed 9/22/60)

WAC 36-12-170 REFEREE'S FEES TO BE PAID BY ~~((CLUB))~~ PROMOTER. ~~((+))~~ The commissioner in each district shall decide the fee and number of referees to be used at each boxing card ~~((and wrestling exhibition)),~~ in each city under his jurisdiction.

~~((2) The commission through its chief inspectors, shall select and assign all referees.~~

~~In charity shows sanctioned by the commission all referee fees will be fixed by the commission.))~~

AMENDATORY SECTION (Amending Rule .04.180, filed 12/6/67)

WAC 36-12-180 CHIEF INSPECTORS. (1) Each commissioner shall serve as chief inspector in his district, but shall receive no compensation for said service.

(2) The chief inspectors shall select and assign inspectors, timekeepers, referees, announcers ~~((and)),~~ judges, and physicians for all bouts held in their respective districts unless the commission directs otherwise.

AMENDATORY SECTION (Amending Order 84-1, filed 7/26/84)

WAC 36-12-190 DUTIES OF ~~((STATE))~~ COMMISSION INSPECTOR. (1) They shall attend to the forwarding of all reports to the ~~((executive secretary of the))~~ commission office; prepare reports on suspensions, applications for reinstatement, and all other matters arising in their respective districts which require joint action by the commission.

(2) ~~((They))~~ Commission representatives shall have under their charge the issuing of licenses to boxers, managers, seconds, ~~((wrestlers,))~~ referees, timekeepers, ~~((clubs))~~ promoters, physicians, judges, and announcers ~~((and trainers)).~~ They shall investigate applications for ~~((club))~~ promoter licenses and report same to the commission but shall not issue ~~((club))~~ promoter licenses except upon the order of the commission. ~~((They shall not reinstate anyone under suspension or release fines or money held for forfeiture, these being matters for action by the commission's representative in the form of certified checks made payable to the order of the state boxing commission of Washington.))~~

(3) Inspectors shall report directly to the chief inspector of the district and be under his authority.

(4) Inspectors shall be in charge of all details of the contest that do not come under the jurisdiction of the other officials.

(5) Inspectors shall see that all necessary equipment is provided, that the contestants are ready on time, that the seconds are properly instructed in their duties, that the ~~((doctor's))~~ physician's report and the statement of weights are delivered to the referee, and that all regulations pertaining to the proper conduct of the bout are enforced.

(6) Inspectors shall insist that ~~((clubs))~~ promoters enforce the rule against gambling.

(7) Inspectors shall see that all seconds present a neat appearance and are attired according to the requirements of the rules.

(8) The referee's report shall be made on the form supplied for that purpose by the inspector. The referee shall sign the report in the presence of a ~~((state inspector))~~ commission representative after the termination of the show.

(9) In accordance with the law, each inspector shall receive for each contest officially attended a fee not to exceed one percent of the net gate of such contest up to a maximum of one hundred fifty dollars for closed circuit televised contests and ~~((three))~~ five hundred dollars for all other boxing contests. Fifty dollars shall be the minimum charge for such fee with respect to closed circuit televised contests and ~~((twenty dollars))~~ for all other contests.

~~((10) Inspectors will check the number and places of ticket cans at the gates and see that they are sealed and padlocked. After the show have them opened and tickets counted under their supervision.))~~

### NEW SECTION

WAC 36-12-195 LICENSE FEES. The commission's license year is July 1st through June 30th and license fees are paid annually. Fees are as follows:

- (1) Manager - \$40.00
- (2) Referee - \$15.00
- (3) Boxer - \$15.00
- (4) Matchmaker - \$40.00
- (5) Second - \$15.00

AMENDATORY SECTION (Amending Order 80-2, filed 2/6/81)

WAC 36-12-200 ~~((CONTESTANTS))~~ BOXERS.  
(1) ~~((Effective July 1, 1981 the fee for wrestler's license will be \$15.00.~~

~~(2) Effective July 1, 1981 the fee for boxer's license will be \$15.00.~~

~~(3))~~ (2) Boxers ~~((and wrestlers))~~ may assume and use ring names, but the right to use any certain name is subject to the approval of the commission and may be denied either at the time of presenting application for license or later, should reason for such denial be brought before the commission.

~~((4) No professional boxer shall be allowed to sell tickets for any show in which he is engaged, on a commission basis or otherwise, on which he will receive remuneration for his services, as a boxer.~~

~~(5))~~ (2) Contestants shall report to the inspector in the dressing room at least one hour before ~~((they are due to appear in the ring))~~ the scheduled time of the first match.

~~((6))~~ (3) Contestants shall box in proper costume, including such foul proof protection cups as shall be listed as approved by the commission ~~((all of which shall be firmly adjusted before leaving the dressing room. Failure to obey this rule may result in a fine of not less than \$5.00 being imposed on the violator)).~~ Proper costume shall include abdominal guard, two pair of trunks of contrasting color, shoes and approved mouthpiece.

Approved mouthpiece shall mean a custom-made individually fitted mouthpiece.

In addition, female boxers shall also include a breast protector and body shirt with their ring costume.

Each boxer shall be equipped and use throughout the bout a custom made individually fabricated mouth guard.

~~((7) Boxers signed to engage in a contest must appear at scheduled ring time equipped with a pair of regulation trunks, which may be black, purple, dark green, dark red, dark blue or orange. These trunks must be of solid colors except white. They may be ornamented with a stripe around the belt and down the sides of a color which contrasts with the trunks, but which must also be chosen from one of the colors above specified. These trunks may bear a suitable emblem or insignia provided it is not of a commercial or advertising nature. The contestants shall not wear the same colors in the ring.~~

~~Boxers must wear regulation trunks which are loose fitting and made of light-weight cloth similar to an athlete's "running pants."~~

~~Fights will not be permitted.~~

~~The belt of the trunks shall not extend above the waist line.~~

~~Shoes shall be of soft material, and shall not be fitted with spikes, cleats, hard soles, or hard heels. Socks, rolled down to the tops of the shoes, may be of any color. No other apparel than above specified may be worn in the ring, except a bathrobe, sweat clothes or jacket.~~

~~(8))~~ (4) The use of grease or other substances that might handicap an opponent is prohibited.

~~((9))~~ (5) Contestants must be clean and present a tidy appearance ~~((and be cleanly shaved)).~~

~~((10) Any))~~ (6) No contestant ~~((absenting))~~ may absent himself from a show in which he has signed or has been signed by his duly licensed manager, to appear, without a valid written excuse or furnishing a certificate from a commission physician in advance in case of a physical disability ~~((, automatically suspends himself for a period of sixty days)).~~ Any boxer who files a certificate from a commission physician stating that he is unable to fulfill a contract on account of a physical disability must, on being restored to the eligible list fulfill his contract with the same opponent or a suitable substitute ~~((at))~~ as the ((club)) promoter specified in the contract within a reasonable time, such period to be set by the commission, unless the boxer is released from the contract by mutual agreement.

~~((11) A boxer must be in the city where appearing, forty-eight hours before the contest. Main event boxers scheduled to appear in cities of more than 75,000 population shall be present in such city at least five days in advance of the date on which the bout is scheduled for the purpose of training, publicity and for whatever other purposes the promoter may desire.~~

~~Any boxer or manager of boxers who violates this rule will be suspended and fined.))~~

(7) When a boxer competes anywhere in a bout of more than four rounds he will not be allowed to compete again until six days have elapsed.

When a boxer competes anywhere in a bout of four rounds or less, he will not be allowed to compete again until two days have elapsed.

~~((12))~~ (8) No one shall be allowed in the boxer's dressing room except his manager, seconds and commission or ~~((club))~~ promoter representatives.

~~((13) In each application for a bout, the results of the last six bouts for each main event contestant shall be included in a sworn statement signed by the boxer, manager and promoter. This shall include a clause certifying that the boxer is in excellent physical condition and is not concealing an illness or injury.)~~ (9) Boxer's licensing requirements are:

(a) Completed application.

(b) Complete physical.

(c) Two small photos.

(d) Fee is listed under License fees WAC 36-12-195. (Forms are supplied by the commission.) These requirements must be received by the commission office before a boxer appears in any event.

AMENDATORY SECTION (Amending Rule .04.220, filed 9/22/60)

WAC 36-12-220 FOULS IN BOXING. (1)(a) Hitting below the belt.

(b) Hitting an opponent who is down or is getting up after being down.

(c) Holding an opponent with one hand and hitting with the other.

(d) Holding or deliberately maintaining a clinch.

(e) Wrestling or roughing at the ropes.

(f) Pushing an opponent about the ring or into the ropes, or striking an opponent who is helpless as a result of blows and so supported by the ropes that he cannot fall.

(g) Butting with the head, the shoulder or using the knee or elbow.

(h) Hitting with the open glove or with the butt or inside of the hand, the elbow, the wrist and all back-hand blows.

(i) Purposely going down without being hit or for the purpose of avoiding a blow.

(j) Striking deliberately at that part of the body over the kidneys.

(k) The use of the pivot blow or the rabbit punch.

(l) Jabbing opponent's eyes with the thumb of the gloves. ~~((Subjects offender to fine or suspension.))~~

(m) The use of abusive language in the ring.

(n) Any unsportsmanlike trick or action causing injury to an opponent.

(o) Hitting on the break.

(p) Hitting after the bell has sounded ending the round.

(q) Roughing at the ropes.

(r) Pushing an opponent about the ring or into the ropes.

(2) Any boxer guilty of foul tactics in a boxing contest may be disqualified or fined, or both, and his purse withheld from payment, and the boxer shall be automatically suspended. Disposition of the purse and the penalty to be imposed upon the boxer shall be determined by the commission.

(3) If a bout is stopped because of accidental fouling, the referee and physician shall determine whether the boxer who has been fouled can continue or not and if his

chances have not been seriously jeopardized as a result of the foul, may order the bout continued after a reasonable interval set by the referee, who shall so instruct the timekeeper.

If conditions, except as otherwise provided by these rules and particularly as otherwise provided by WAC 36-12-120(4), relating to accidental butting, make it necessary to stop the bout the referee shall order as follows, and so notify the boxers, their managers, and the ~~((club))~~ promoter, whose announcer shall notify the spectators:

~~((The remuneration of both boxers shall be withheld by the commission for use by the club in paying the boxers (in the same amount if the commission so orders) for a second contest between them, to take place as an "added attraction" at the next show held by the club, or at a later date set by the commission after a hearing.~~

~~The club must provide preliminaries and main bouts of normal quality so that the rematch will be actually an "added attraction." Where a rematch is ordered the first two days of the ticket sale shall be reserved, and so announced and advertised, for purchase of tickets by holders of seats at the first show, who will be given choice of locations as they present their ticket stubs at the box office.~~

~~Suspensions, fines and forfeitures of payments of either or both contestants shall be held in abeyance after the first bout, where a rematch is ordered by the referee or the commission, and the ensuing conduct of the boxers in the rematch will be considered by the commission in its final ruling. All moneys held will be forwarded to the commission office.)~~ (4) Referees shall not permit unfair practices that may cause injuries to a contestant, and are held strictly responsible for the enforcement of the rules. The only fair blow is a blow delivered with the padded knuckle part of the glove on the front or sides of the head and body above the belt. After sufficient warning has been given the referee shall punish persistent disregard of the rules.

AMENDATORY SECTION (Amending Rule .04.240, filed 12/6/67)

WAC 36-12-240 TO PREVENT INJURY TO BOXERS—PHYSICAL QUALIFICATIONS AND EXAMS—STIMULANTS—ASSUMED NAME—PROFESSIONAL COMPETING WITH AMATEUR.

(1) Any boxer applying for a license must first be examined by a physician, ~~((who has been appointed by the commission as examining physician,))~~ to establish both physical and mental fitness for competition, and annually thereafter the boxer must take this required examination. The fee for all examinations must be paid by the boxer. The commission may order examinations of boxers ~~((or wrestlers))~~ at any time for the purpose of determining whether such boxer ~~((or wrestler))~~ is fit and qualified to engage in future contests. The printed form supplied to the physician must be filled out and returned to the commission, by the physician, and must be in the possession of the commission before the license application can be acted upon. The examination must be repeated and reports turned in once a year, as long as the boxer is licensed by the commission.



~~((It is the suggestion of the commission that all boxers and wrestlers have, in addition to the ordinary heart examination a fluoroscopic examination of the heart. This should be reinstated after a lapse of ninety days, with no further charge to the contestant.~~

~~Lists of qualified physicians appointed by the commission for this work may be obtained from the boxing inspector of the district. The fee for this examination must be paid by the boxer or wrestler. A boxer presenting himself for physical examination must be clean in person and clothing. Failure to conform strictly to this rule is ground for suspension.~~

~~(2) The use of any ((drugs)) controlled substances, ((alcoholics)) alcohol or stimulants, or injections in any part of the body, either before or during a match, by any boxer is adequate grounds for revoking his license, as well as revoking the license of the person administering the same.~~

~~(3) ((Boxers who have been knocked out shall be kept in a prone position until they shall have recovered.~~

~~(4) An application for boxer's license must be in writing.~~

~~((5)) Before a license is issued to any boxer, the application for such license must be approved by ((a member of)) the commission.~~

~~((6)) (4) If a boxer uses an assumed ring name, both the real name and his ring name must be included in the application. The word "killer" or "bloody" or any similar term must not be used by any contestant and must be eliminated from all advertisements and announcements referring to boxing ((and wrestling contests or exhibitions)).~~

~~((7)) (5) Whenever a licensed boxer, because of injuries or illness, is unable to take part in a contest for which he is under contract, he (or his manager) must immediately report the fact to the nearest inspector, and submit to an examination by a physician designated by the inspector. The examination fee to be paid by the boxer, or ((club)) promoter, if the latter requests an examination.~~

~~((8)) (6) Any professional boxer engaging in amateur contests shall automatically have his license revoked.~~

~~((9)) (7) All professional boxers should have attained their 18th birthday before being allowed to compete in any boxing contest in this state. No boxer under ((18)) eighteen or over ((36)) thirty-six years old shall be granted a license except by special action of the commission.~~

~~((10)) (8) No license shall be issued to any applicant for a boxer's license who is found to be blind in one eye or whose vision in one eye shall be so poor as to cause any examining physician to recommend that no license be granted. This rule will be effective regardless of how keen the boxer's vision may be in the other eye. Nor shall a boxer's license be issued to any boxer who has suffered a cerebral hemorrhage or any other serious head injury.~~

~~((11)) (9) When a boxer has been knocked out, none of his handlers are to touch him, except to remove his rubber mouth protector until the attending physician enters the ring and personally attends the fallen boxer,~~

and issues such instructions as he sees fit to the boxer's handlers.

AMENDATORY SECTION (Amending Order 80-2, filed 2/6/81)

WAC 36-12-250 MANAGERS. (1) ~~((Manager's license fee will be \$40.00 per annum.~~

~~((2)) Managers must not sign a contract for the appearance of any boxer with whom he has not a written contract on file with the commission. Contracts between boxer and manager must be on a contract form approved by and furnished by the commission, except that any particular contract form not furnished by the commission may be approved by the commission as a whole. A contract between a manager and a boxer on file with the commission will be recognized until such time as a court of competent jurisdiction determines it to be of no further force and effect.~~

~~((3)) (2) Managers must not attempt to select or insist upon the selection of any designated referee in a bout in which a boxer under his management is to appear and shall not have the name of such referee written into the official contract ~~((under penalty of a fine of not less than \$100.00. Managers cannot contribute to the pay of any referee under any circumstances)).~~~~

~~((4)) (3) Managers who act as seconds for their own boxers, exclusively, are not required to take out a second's license.~~

~~((5)) (4) Contracts between manager and boxer are not transferable except with approval and consent of the commission and may be voided by the commission for cause. In case of a minor, the contract must be executed by his proper legal guardian. To settle dispute, a birth certificate may be required.~~

~~((6)) (5) All contracts between manager and boxer must be in writing and signed in triplicate, the original filed with the commission for approval. Contracts must state the division of the boxer's earnings, which in no case shall allow the manager more than 33-1/3 percent of the boxer's purse, exclusive of amounts owed by the boxer to the manager under subsection (15) of this section.~~

~~((7)) (6) No assignment of any part or parts of a boxer's or a manager's interest in a contract can be made without the written approval and consent of the commission.~~

~~((8)) (7) No manager shall be allowed to contract for the services of a boxer under his management for a match to take place on a date after the expiration of the contract between the boxer and the manager.~~

~~((9)) (8) Any boxer not under contract to a manager can make his own matches, sign contracts and need not apply for a manager's license to handle his own affairs.~~

~~((10)) (9) In cases where boxers sign contracts with managers the boxer's share of any purse which he may earn will not be less than 66-2/3 percent, exclusive of amounts owed to the manager under subsection (15) of this section.~~

~~((11)) (10) If a manager shall fail to make application for a license he shall forfeit all rights to boxers on whom he has filed contracts in this state and the boxer~~

shall be free to sign contracts with other licensed managers. Managers must file contracts on all boxers under their management.

~~((12))~~ (11) If a manager is doing business for a boxer not signed to a contract, such boxer must personally sign all contracts for appearances ~~((at))~~ for licensed ~~((clubs))~~ promoters and his signature must be properly witnessed.

~~((13))~~ (12) No boxer can have more than one manager without the express approval of the commission.

(13) No contract shall be approved between a manager and a boxer for a period exceeding five years.

(14) All disputes between the parties of a boxer/manager contract, including the validity of the contract, shall be handled as a civil matter.

(15) Any manager who advances or loans any money to any boxer or incurs indebtedness on behalf of any boxer shall furnish a statement to the boxer. This statement shall be specific and shall set forth as to each transaction or item at least the following information: The amount of money involved, the date that the indebtedness occurred, the purpose of the indebtedness, and the name of the person to whom the debt is owed.

The manager shall obtain the boxer's signature and date of signature on each accounting, within fourteen days of the loan or obligation being incurred.

#### AMENDATORY SECTION (Amending Order 80-2, filed 2/6/81)

WAC 36-12-260 SECONDS. (1) ~~((Second's annual license fee effective July 1, 1981 will be \$20.00.~~

~~((2))~~ Seconds and managers acting as seconds must be neatly attired when in the ring ~~((and wear jerseys of plain colors and with sleeves. Sport shirts without ties are permissible. No advertising matter shall appear on the person or clothing of seconds or managers or on the person or clothing of anyone appearing in the ring in any capacity)).~~

~~((3))~~ (2) A second holding only a second's license shall not attempt to act as a manager, or assist in any way in procuring matches, or take a share of the boxer's earnings. If found guilty of such actions he shall be suspended.

~~((4))~~ (3) Seconds shall not be more than three in number, including "house assistant second."

~~((5) Seconds must not coach or in any way assist a principal during a round, or by word or action attempt to heckle or annoy his opponent. They must remain seated in place, and be silent.~~

~~((6))~~ (4) A second shall not excessively coach a boxer during a round and shall remain seated and silent when so directed by the commission inspector on duty.

(5) Before a bout the referee shall be informed of the identity of the chief second.

~~((7) No father, brother, mother, sister or wife of a boxer shall be allowed to act as his second unless special permission is obtained in writing from the commission.~~

~~((8))~~ (6) Fans may be used between rounds, but swinging of towels is prohibited. ~~((Seconds must not spray or forcefully throw water on a contestant.~~

~~((9))~~ (7) Seconds shall not enter a ring until the bell indicates the end of a round. They shall leave the ring at

the sound of the ~~((timer's))~~ timekeeper's whistle ten seconds before a round is to begin, removing all obstructions, buckets, stools, etc., promptly at the sounding of the bell or gong.

~~((10))~~ (8) Violations of the above rules ~~((shall be followed by ejection of offenders from the ring corner; and))~~ may result in an indefinite suspension of the offenders by the commission and disqualification of their principal ~~((by the referee)).~~

#### AMENDATORY SECTION (Amending Order 80-2, filed 2/6/81)

WAC 36-12-270 MATCHMAKERS. (1) ~~((Matchmaker's license fee \$40.00.~~

~~((2))~~ Matchmakers must observe all of the rules and requirements with respect to weight agreement and weighing-in, and the proper execution and filing of contracts.

~~((3))~~ (2) Matchmakers will be held responsible by the commission if they make matches in which one of the principals is outclassed. Persistent lack of judgment in this matter will be regarded as cause for canceling the license of the matchmaker and the ~~((club))~~ promoter which he represents, for the protection of both the boxers and the public.

~~((4))~~ (3) Managers are not allowed to have more than three boxers under their management appear in any one show ~~((without special permission in writing from the commission)).~~ Matchmakers must rigidly enforce this rule.

~~((5) A matchmaker can make matches for only one club unless special written permission is obtained from the commission, after a vote has been taken.~~

~~((6) Any promoter or matchmaker who deals with an unlicensed manager may have his license revoked or suspended and he may be subject to such fine as the commission may determine.~~

~~((7))~~ (4) Any promoter or matchmaker found guilty of managing a boxer shall have his license suspended, and in the case of a promoter, his club license may be revoked.

#### AMENDATORY SECTION (Amending Rule .04.280, filed 9/22/60)

WAC 36-12-280 TIMEKEEPER. (1) ~~((He))~~ The timekeeper must be seated at ~~((the))~~ ringside close to the gong or bell. He shall indicate the beginning and ending of each round by striking the gong or bell with a hammer.

(2) He shall provide himself with a whistle and an accurate stopwatch that shall have been properly examined ~~((and certified))~~ before it is used.

(3) Ten seconds before the beginning of each round the timekeeper shall give a warning to the seconds of the contestants by blowing the whistle.

(4) In the event of a contest terminating before the scheduled limit of rounds, the timekeeper shall inform the announcer of the exact duration of the contest.

(5) The timekeeper's procedure in the case of a knockdown is detailed in ~~((the section of these rules under))~~ WAC 36-12-140(4) and 36-12-150.

AMENDATORY SECTION (Amending Rule .04.290, filed 9/22/60)

WAC 36-12-290 ANNOUNCER. (1) After contestants and their chief seconds are in the ring the announcer shall announce the names of the contestants, their correct weights, and other matters as may be directed by the commission ((or the)), inspector, or the promoter. ((Clubs)) Promoters shall provide the announcement of rounds. The announcer shall announce the decisions.

(2) All substitutions of contestants or changes in any boxing program shall be announced to the audience by the announcer before the first boxing contest.

AMENDATORY SECTION (Amending Rule .04.300, filed 9/22/60)

WAC 36-12-300 JUDGES. ((+)) There may be two or three judges who shall be appointed by the commission. At the discretion of the commission, three judges may be used to score a contest. In which case the third judge would vote in lieu of the referee. The commission may elect to appoint two judges and a referee, in which case the referee shall score in the same manner as the judges, and his score shall be included with the score of the judges in determining the winner. The majority opinion shall be conclusive and if there is no majority then the decision shall be a draw.

In event two votes are a draw, and one vote is for one fighter the decision is a draw.

Only by special commission action can a referee only be the judge.

When scoring a contest, the elements of offense, defense, clean hitting, ring generalship and sportsmanship should be considered.

(2) The judges shall sit at opposite sides of the ring, and shall reach their decision without conferring in any manner with any other official or person.

(3) The ten point system of scoring for each round will be used. The winner of any round is marked "10." The loser may be marked from 1 to 9. When a round is even each contestant is given a score of "10."

At the conclusion of the contest, the judges' and referee's vote, which are equal in value, shall be added and turned over to the announcer, who in turn, will hand the votes to the commission and their decision to be given by the announcer.

(4) A knockdown, being the closest approach to a knockout, should be scored. A knockdown is rated as such as soon as it occurs.

The use of foul blows and other such tactics shall result in a penalty of two points for each foul committed. The referee shall advise the judges of the number of points to be deducted immediately upon the termination of the round during which such deductions apply.

The referee and the judges shall clearly write their decisions and sign the same.

When a contestant fails to answer the bell for a round, his opponent shall be credited with a "T.K.O." in the ensuing round rather than in the one just completed.

It is advisable to actually ring the bell for the next round and then count out the contestant who does not answer the bell.

(5) Points for each round shall be awarded immediately after the termination of the round.

(6) The referee shall have the power to penalize either contestant for any foul which does not, in his opinion, merit disqualification. In the case of fouls or other infractions of the rules, the referee shall be the sole judge of the number of points to be deducted from the offender's total in any particular round, and the referee shall at the conclusion of each round notify the judges of the number of points to be deducted in accordance with his determination.

When necessary to deduct points because of fouls or other infractions of the rules, the referee shall warn the offender and at the end of the round shall notify both contestants of any penalties which may be assessed either boxer.

Points deducted for any foul or infraction of the rules shall be deducted in the round in which they occur. No boxer shall be penalized in a later round by virtue of a previous foul or infraction of the rules.

At the conclusion of the contest, the judges and the referee shall total the points for each contestant on their respective score sheets and encircle the name of the winner or draw, as the case may be, sign their sheets and hand them to the announcer who shall announce the winner in the customary manner. The announcer shall then deliver the sheets to the state inspector in charge.

(7) In contests of four rounds or more the contestant receiving a majority of points shall be awarded the decision.

Judges shall keep their score secret from surrounding spectators and ignore any suggestions or advice.

Coaching or advice by seconds from the corners of contestants is forbidden and strictly enforced by the referee under penalty of suspension.)) (1) The commission inspector in charge at all boxing shows shall, before the start of each bout, give the judges a regulation scorecard. Judges shall score each round of the bout on this card and sign it at the conclusion of the contest.

(2) Judges shall score all contests and determine the winner through the use of the ten point must system. In this system the winner of each round receives ten points and the opponent a proportionately less number. If the round is even, each boxer receives ten points. No fraction of points may be given.

(3) The majority opinion on the judges scorecards shall be conclusive and if there is no majority then the decision shall be a draw.

(4) At the termination of each contest, the referee will pick up and deliver the scorecards to a commission representative. When the commission representative has verified the results of the contest, the ring announcer shall be informed of the decision and shall announce the decision.

(5) The commission inspector will deliver or mail all scorecards with the rest of his reports to the commission office.

AMENDATORY SECTION (Amending Order 80-1, filed 7/16/80)

WAC 36-12-310 ~~((CLUB))~~ COMMISSION PHYSICIAN. (1) Within eight hours of entering the ring each contestant must be given a thorough physical examination by a physician who has been appointed by the commission.

(2) Should the boxer examined prove unfit for competition, through physical injury, faulty heart action, the presence of any infection or contagious disease, or any weakness or disability discovered by the examining physician ~~((that should bar him)), ((the))~~ said boxer ~~((must))~~ shall be rejected and ~~((immediate report of that fact made))~~ barred from contest. This decision must be reported immediately to the ((club)) promoter and the commission inspector.

(3) ~~((One hour before the start of a boxing show))~~ The physician shall certify to the inspector in writing over his signature that the contestants passed by him are in good physical condition to engage in the contest, and shall ((mail to the commission)) give his written report on the boxers ((examined, within twenty-four hours)) to the commission inspector.

(4) The physician shall be in attendance at the ring-side during all the contests and shall be prepared to assist should any serious emergency arise. The commission physician at ringside will have the authority to stop a fight when he considers a boxer badly injured or in no shape to continue. Whenever a fight is stopped between rounds by the physician or otherwise because of injuries, the opponent shall be credited with a TKO for the round just concluded. No bout shall be allowed to proceed unless the physician is in his seat. ~~((This also applies, where applicable, to wrestling matches.))~~

(5) The ~~((club))~~ commission physician shall have a suitable place or room in which to make the examinations. Physicians, other than those licensed by the commission shall not be allowed in the dressing room of any boxer before a bout.

(6) ~~((Physicians are to report boxers who fail to comply with the rule that any boxer presenting himself for physical examination must be clean in person and clothing.))~~

(7) A boxer rejected by a ~~((club))~~ commission physician for disability will be placed on the suspended list until it is shown that such disability no longer exists.

AMENDATORY SECTION (Amending Order 80-1, filed 7/16/80)

## WAC 36-12-320 REGARDING SUSPENSIONS.

(1) ~~((Clubs))~~ Promoters and their matchmakers ~~((will take notice of the suspension bulletins sent out by the commission, and))~~ will not permit any person under suspension to take any part whatsoever, as a participant or in arranging or conducting matches or exhibitions, during the period of suspension.

(2) Every person debarred or suspended by the commission shall refrain from participating in any detail of matchmaking or holding bouts during such disbarment or suspension.

~~(3) ((All persons under suspension or whose licenses have been revoked are barred from the dressing rooms of all clubs, and from occupying seats within six rows of the ring platform, and from approaching within six rows of seats from the ring platform and from holding intercourse in the arena with any of the principals in the bouts, or their managers or seconds or the referee, directly or by messenger, during any boxing show. Any violator of this rule is to be ejected from the arena or club building, and the price paid for the ticket shall be refunded to him upon his presenting the ticket stub at the box office, and he shall thereafter be barred entirely from all club arenas in this state during the holding of contests or exhibitions.))~~

~~((4))~~ Any person holding a license under this commission who has been suspended for using dishonest methods to affect the outcome of any contest, or for any conduct reflecting serious discredit upon the sport of boxing shall not be eligible for reinstatement.

~~((5))~~ (4) Any manager under temporary suspension shall be considered to have forfeited for the duration of his suspension all rights in this state held under the terms of any contract with a licensed boxer. Any attempt by a suspended manager to exercise such contract right shall make the suspension permanent, and a boxer who continues any of the contract relations with a suspended manager shall be indefinitely suspended.

~~((6))~~ (5) Any person holding a license under the commission may be suspended for violations of the law or the rules, or for arrest or conviction on a charge involving moral turpitude.

~~((7))~~ (6) A boxer whose manager has been suspended may continue boxing independently during the term of such suspension, signing his own contract for matches. No payment of a boxer's earnings may be made by any licensed ~~((club))~~ promoter to a manager under suspension, or to his agent, but the purse in full shall be paid to the boxer.

~~((8))~~ (7) Revocation of license or permanent suspension of a manager shall automatically cancel all of his contract rights in this state under any and all contracts with boxers made under authority of this commission.

~~((9))~~ (8) In case of such revocation or permanent suspension the boxers are at liberty to operate independently and make their own matches, or to enter into contracts with other managers licensed by the commission and in good standing.

~~((10))~~ (9) Following the knockout or technical knockout of a boxer, that boxer shall have his license to box suspended for a minimum period of ~~((30))~~ thirty days for a TKO and sixty days for a KO. Boxers will not be permitted to engage in any contact boxing during this period without approval of the commission.

This suspension is to take effect immediately following the knockout or technical knockout. If the commission feels that ~~((a 30 day))~~ this suspension is not sufficient they may impose a longer period or the suspension may be for an indefinite period pending the outcome of a physical examination.

~~((11))~~ Any contestant who has lost six consecutive fights ~~((must))~~ will be automatically suspended and cannot be reinstated until he has submitted to a complete medical examination, which will also include a neurological examination.

(10) If at any time a boxer's ability to perform is questionable, whether for reasons of health, mental condition, or no longer possessing the ability to compete or for any other reason, the commission may, upon being satisfied of the boxer's lack of ability to perform, retire the boxer from further competition.

AMENDATORY SECTION (Amending Order 84-1, filed 7/26/84)

WAC 36-12-330 CONTRACTS. (1) All contracts between ~~((clubs))~~ promoters and boxers or their managers must be ~~((drawn in triplicate))~~ on the official forms supplied by the commission. The original copy for the ~~((state boxing))~~ commission must be filed at the commission office at least five days before the bout.

(2) All contracts must name the opponent and fix a certain date for the contest. If a boxer is signed for a series of bouts, dates and names of opponents must be a part of the agreement and a separate contract signed for each bout. Each contract shall be accompanied by an affidavit, signed by the boxer or manager and properly attested, giving an accurate account of his ring record. Such affidavit shall be in a form and style prescribed by the commission.

~~(3) ((It is provided, however, that should the club desire to rematch the boxer with the winner of an ensuing contest that may be done by writing in the space reserved for opponent's name, as follows: "(Name) or (name) or the winner of their contest on (date)."~~ In signing the opponent in the case the matchmaker of the club may sign both principals in the said ensuing contest and with consent of all parties to the contract, have written in the blank space below, in each of their official contracts the provisions: "This contract shall become null and void if the boxer loses the contest with (name of opponent) on (date) and may be declared null and void at the pleasure of the club in the event of a "draw" decision, or a decision of "no decision."

~~(4))~~ All papers filed with the commission, shall be the property of the commission.

~~((5))~~ (4) No verbal agreement or written agreement other than the contract on the official contract form, and no "blanket contract" or option on a boxer's services will be recognized by the commission. Such options and contracts are expressly prohibited.

~~((6))~~ (5) All contracts shall be paid in full according to their contracts, and no part or percentage of their remuneration may be withheld except by order of the commission or its referee, nor shall any part thereof be returned through arrangement with the boxer and his manager, to any matchmaker or ~~((club))~~ promoter official.

~~((7))~~ (6) As a matter of record all communications to the commission regarding contracts, or violations or threatened violations thereof, must be made in writing or

by telegraph to the commission through its nearest chief inspector, and rulings of the chief inspector or the commission must be made only in writing or by telegraph.

~~((8))~~ (7) If, through inclement weather (in case of an outdoor show), or other happening not within the control of the ~~((club))~~ promoter, a postponement becomes necessary, the commission may grant an extension of the contracts and set a new date, and the action of the commission shall be binding upon all parties to the contracts.

A small advance ticket sale shall not be regarded as a legitimate reason for a postponement or cancellation.

AMENDATORY SECTION (Amending Rule .04.340, filed 9/22/60)

WAC 36-12-340 PAYMENT OF CONTESTANTS. (1) All payments of purses shall be made through the commission's ~~((chief))~~ inspector ~~((or such inspector as he appoints to act for him))~~. Payments shall be made immediately after the contest or exhibition, or in case of a percentage contract, as soon as the percentage can be determined.

The ~~((club's))~~ promoter's authorized representative shall deliver to the inspector ~~((in the club office))~~, the checks made out by the ~~((club))~~ promoter to the parties entitled to payment as follows:

If the contestant has no manager legally entitled to represent him, the check shall be made payable to the ~~((said))~~ contestant in the full amount due him under his contract with the ~~((club))~~ promoter.

If the contestant has ~~((such))~~ a manager the ~~((club))~~ promoter shall provide a check made out by the ~~((club))~~ promoter to the manager for the ~~((percentage of the contestant's purse to which he is entitled under his contract with the contestant, not in any case to be in excess of 33-1/3 percent of the purse:~~

~~Also a check made out to the contestant for his contract share of the purse, not less than 66-2/3 percent))~~ full contract amount. After receipt of payment the manager is then responsible for paying the purse share of 66-2/3 percent to his boxer, excepting money owed to the manager pursuant to WAC 36-12-250(15).

The inspector shall deliver each check to the person it is made out to, and shall ~~((take))~~ obtain a signed receipt ~~((therefor))~~ for payment received on the printed form provided by the commission~~((, and fill in the form as required and deliver it))~~. This receipt shall be mailed or delivered by the inspector to the commission office along with the other required event reports.

(2) Should any ~~((club))~~ promoter's check be protested, claim shall be made for the amount of the check upon the surety company, as provided in ~~((clause WAC 36-12-090 of these rules))~~ RCW 67.08.030.

~~((Clubs))~~ Promoters will hold all endorsed payment checks for inspection at the commission's order.

In the event the referee fails to render a decision at the termination of any bout, the ~~((club))~~ promoter shall deliver payment checks covering such bout to the commission.

AMENDATORY SECTION (Amending Order 84-1, filed 7/26/84)

WAC 36-12-350 TICKETS. (1) ~~((The sale of tickets for any proposed exhibition is prohibited until plans showing the seating arrangement, aisle spacing, exit facilities, and the location of fire appliances have been approved by the fire department.~~

~~(2) Clubs)) Promoters may use only tickets ((obtained from a printer)) approved by the commission. ((Authorized printers shall send by mail to the commission office, not less than twenty-four hours before the exhibition for which the tickets have been printed a sworn inventory of all tickets delivered to any licensed club. This inventory shall account also for any over prints, changes or extras. Clubs will notify printers of this requirement.)) The promoter shall provide to the commission before each event, a sworn inventory from the printer of all tickets printed showing number and prices, including any over prints, changes, or extras.~~

~~((3)) (2) No exchange of tickets shall be made except at the box office, and no ticket shall be redeemed after the show has taken place. Tickets in the hands of agencies must be returned to the box office not later than two hours after the show has started.~~

~~((4)) (3) All tickets((, exclusive of working press, official, employee, and photographer,)) shall have the price and name of ((club)) promoter and date of show printed plainly thereon. Changes in ticket prices or dates of shows must be referred to the commission for approval.~~

~~((5)) (4) No ticket shall be sold except at the price printed on it.~~

~~((6) Every club holding either boxing or wrestling matches must have printed on the stub of every ticket sold the following advice:~~

~~"Retain this coupon in event of postponement or no contest. Refund \$. . . . ."~~

~~The price paid for the ticket shall be printed in the foregoing blank space and the coupon detached and returned to the ticket holder at the entrance gate. This coupon check shall also show the name of the club, and date of the exhibition, and shall be redeemed at its face value by the club upon presentation by the purchaser if the advertised main event is postponed or does not take place as advertised.~~

~~(7)) (5) Tickets of different prices ((must)) shall be printed ((on cardboard of)) in different colors on cardboard or heavy paper.~~

~~((8) Inspectors will check numbers and places of ticket cans at gates and see that they are sealed and padlocked, and after the show have them opened and tickets counted under their supervision.~~

~~(9)(a) All tickets issued to the press shall be marked "press." Working press tickets shall be consecutively numbered to correspond to the seats and shall not be issued to exceed the comfortable seating capacity of the press box surrounding the ring, and no one, except the officials designated by the commission and the timekeeper, shall be allowed to sit at the press table unless actually engaged in reporting the contest.~~

~~(b) All complimentary and attache tickets shall be marked "complimentary" and "attache" in large letters. Attache tickets must be made available for commission use.~~

~~(c)) (6) No person shall be admitted to any ((wrestling show or)) boxing contest, held in the state of Washington without presenting to the doorkeeper an official ticket, or pass.~~

~~((d) Each promoter shall provide himself with a rubber stamp with the word "attache" thereon.~~

~~(e) The persons who may receive "attache" passes or tickets for admission are included in the following list:~~

~~(i) Officials connected with the specific boxing or wrestling show on any given date.~~

~~(ii) Actual contestants:~~

~~(iii) Licensed seconds scheduled to work for said contestants:~~

~~(iv) Managers of actual contestants:~~

~~(v) Ushers scheduled to work at the specific show:~~

~~(vi) An agreed number of firemen and policemen in uniform, who are assigned to work at the specific show:~~

~~(vii) Two working newspaper reporters from each daily newspaper in the city where show is held. In case of a major or championship match, special arrangements may be made with the commission for passes to out-of-town news reporter, actually engaged in reporting the show:~~

~~(viii) Building custodian or manager, commission inspectors and referees assigned to work at a specific show:~~

~~All other persons to whom passes are issued by the management, including newspaper employees, check room employees, concessionaires, peanut, popcorn and refreshment vendors, must each present his pass to the box office window and purchase a state tax ticket for which he shall pay as follows: If the established price is \$1.00 or less (exclusive of federal tax) the state tax is 5 cents; if the established price is more than \$1.00 and not over \$2.00, the state tax ticket will cost 10 cents; if the established price is more than \$2.00 and not over \$3.00 the state tax ticket will cost 15 cents. Add 5 cents for each dollar or fraction thereof in excess of an established price of \$3.00 — example, a \$4.00 top will cost 20 cents; a \$5.00 top will cost 25 cents.~~

~~If the promoter elects to make a service charge on his passes, he must include in his charge the amount of the federal tax; the state tax as per the schedule set forth in this section and any other taxes, such as local city tax.~~

~~The pass and the tax ticket must be presented to the ticket taker at the door in order to gain admission.~~

~~No policemen, firemen, constables and/or employees of the sheriff's office either in uniform or in civilian attire should be admitted to any boxing or wrestling show without a pass and tax ticket, except policemen and firemen designated in subsection (9)(c)(vi) of this section. FIVE PERCENT STATE TAX MUST BE PAID ON THE VALUE OF THE SEAT REGARDLESS OF COURTESY TICKETS OR ANY OTHER FORM OF PARTIAL PASS.~~

~~(10)) (7) Complimentary tickets or passes shall be limited to ((one)) two percent of the ((seating capacity of the house unless permission is obtained from the state boxing commission to exceed the said one percent)) total~~

tickets sold. All tickets exceeding this amount shall be subject to tax under RCW 67.08.050(2).

~~((11))~~ (8) Under no circumstances shall a ticket-holder be passed through the gate without having the ticket separated from the stub, or be allowed to occupy a seat, unless in possession of a ticket stub.

~~((12))~~ (9) Ushers must see to it that spectators get the seats their ticket stubs entitle them to, and that anyone occupying such seat unlawfully is asked to vacate, and if necessary is ejected.

~~((13))~~ (10) The sale of tickets cannot exceed the seating capacity of the house, and no person can be sold the right of admission without a ticket.

~~((14))~~ (11) Whenever an exhibition or contest is ~~(given)~~ held, an authorized representative of the licensed ~~(club)~~ promoter holding such ~~(exhibition)~~ event shall, in addition to the written report required by the commission, give ~~(a memorandum in writing)~~ an accounting to the inspector immediately after the close of the box office, showing the number of each class of tickets unsold or unused ~~(and permit)~~. The inspector ~~(to)~~ will examine all unsold or unused tickets, stubs, coupons, books, cash, and all other matters relating to the box office and ticket takers. The inspector will then make a formal report to the commission by mail immediately upon the completion of such examination. Any fraud on the part of the ~~(club's)~~ promoter's representative will be deemed the act of the ~~(club)~~ promoter.

AMENDATORY SECTION (Amending Order 84-1, filed 7/26/84)

WAC 36-12-360 ((CLUBS)) PROMOTERS. All promoters must be licensed to promote boxing in the state of Washington. A license certificate is issued when a promoter's application has been approved by the commission and a bond has been obtained and approved. Medical insurance must be obtained before any scheduled event takes place. (See RCW 67.08.030 and 67.08.040.)

~~(1) ((Licensed clubs shall not be allowed to hold more than one set of boxing bouts a week without special permission. All main event and semifinals must have the okay of the commissioner or chief inspector in each particular district, before a bout or card is announced or publicity given to the newspapers:~~

~~(2) Clubs)) All boxing contests must be approved by the commission. No promoter may release the names of contestants to the media or otherwise publicize a contest unless a contract has been executed between the parties and the contest approved by the commission.~~

(2) The grounds for denial or cancellation by the commission for a boxing contest are as follows:

(a) The failure of the promoter or any person connected with the promotion and under the jurisdiction of the commission to comply with any statute or rule regulating boxing in Washington.

(b) The contest would tend to be a mismatch based on the record, experience, skill, and condition of the contestants.

(c) The contestants have not completed licensing requirements within the seventy-two hour time frame set by the commission.

(d) The commission does not have adequate staff to enforce the statutes and rules regulating boxing enacted and adopted to protect the health, safety, and welfare of the participants and consumers and guarantee the collection of revenue due to the state from the contest and all ancillary rights incidental thereto.

(3) Promoters will be held responsible for maintaining order, and any person who is intoxicated, abusive or disorderly in conduct, to the annoyance of surrounding spectators, must be ejected.

~~((3) Licensed clubs are not to exceed forty rounds of boxing for any one program, without written consent))~~

(4) Promoters shall not schedule less than twenty-six rounds of boxing, nor more than forty rounds, for any one program except with the approval of the commission. An emergency bout ((must)) shall be provided in ((case)) the event an arranged card breaks down and if it is necessary to put on another bout. ((The emergency bout should not be paid for unless used, but the boxers must then be given a preliminary bout at the following exhibition:))

~~((4))~~ (5) Advance notices for all boxing shows must be in the office of the commission ~~((three))~~ seven days prior to the holding of any boxing show. In addition to the regular scheduled boxers the advance notice must show the names of boxers engaged by the ~~(club)~~ promoter for an emergency bout.

~~((5))~~ (6) Notice of any change in announced or advertised programs for any contest must be filed immediately with the commission and the press. Notice of such change or substitution must also be conspicuously posted at the box office, and announced from the ring before the opening contest, and if any of the patrons desire to have the price of their tickets refunded, such refund shall be made if the tickets or ticket stubs are presented at the box office at once. The box office must remain open a reasonable time to redeem such tickets.

~~((6))~~ (7) Substitutions will not be permitted in ~~((the main))~~ any bout unless more than twenty-four hours before weighing-in time of the day of the contest, and then will be permitted only when the substitute has been approved by the commission.

~~((7))~~ (8) No intermission shall exceed a period of ~~((10))~~ ten minutes at any boxing ~~((or wrestling))~~ show ~~((and the inspector in charge shall see that this rule is strictly enforced))~~.

The time allowed for putting ~~((the))~~ gloves on main event boxers within the ring, shall not exceed five minutes ~~((and the referee and timekeeper shall advise the inspector in charge if this rule is violated:~~

~~(8) Clubs are not allowed to "farm out" or sell their show to any matchmaker, or manager of boxers, or other person.~~

No person other than boxer or person officially identified with the sport may be introduced from the ring).

(9) No promoter, or club, or member ((or)), stockholder, or official of a club shall be permitted to act directly or indirectly as a manager of a boxer, or to hold any financial interest in such management or in the boxer's ring earnings.



(10) Every ~~((club))~~ promoter must provide a suitable room or place and a scale for the examination of contestants by the ~~((club))~~ commission physician. The ~~((club))~~ promoter must furnish ice bags, a stretcher, and a blanket at each boxing show, to be in readiness in the event same will be deemed necessary by the commission physician.

(11) Copies of all boxing contracts must be filed with the commission. The making of secret agreements contrary to the terms of the contracts so filed is prohibited under penalty of suspension of all parties thereto.

(12) Any ~~((club))~~ promoter doing business directly or indirectly with managers or boxers under suspension may have its license revoked.

(13) Requests for charity shows must be referred to the commission.

(14) No soliciting of any kind by any individual, or organization shall be allowed in any boxing arena without the ~~((written permission))~~ approval of the commission.

(15) All drinks shall be dispensed only in plastic or paper cups. Violations of this rule may result in the suspension or revocation of the offending ~~((club's))~~ promoter's license.

(16) Promoters must provide adequate security as approved by the commission.

(17) A ~~((club))~~ promoter shall not employ any unlicensed ~~((referee,))~~ second, ~~((timekeeper,))~~ boxer, matchmaker, or announcer ~~((or club physician))~~.

~~((It is imperative that every boxer competing must be licensed and in possession of his identification card bearing his photo and license number. Contestants must show their identification cards to the inspector in charge, and those not having cards in their possession will be required to pay an additional license fee as a fine, which fine with report concerning same by inspector shall be sent to the commission for approval or refund. Only one appearance is allowed on a receipt.~~

~~((+7))~~ (18) No admission can be charged ~~((to a training quarters))~~ where boxers are training except ~~((by permission))~~ with the approval of the commission. ~~((Where such))~~ When an admission fee is charged it shall be considered by the commission ~~((that it is charged))~~ as a charge for the privilege of seeing an exhibition of boxing, and the ~~((club))~~ promoter or person making the charge for admission shall furnish the commission with a certified written report, detailing the number of admissions and the total amount of money taken in, within ~~((72))~~ seventy-two hours thereafter. The state tax of ~~((5))~~ five percent on such gross receipts, exclusive of any federal taxes paid thereon shall be forwarded to the commission with the report.

~~((+8))~~ (19) The commission requires that whenever any person, licensed by the ~~((state boxing))~~ commission ~~((of Washington))~~ is approached with a request or suggestion that a sham or collusive contest be entered into or that the contest shall not be conducted honestly and fairly, such licensed person must immediately report the matter to the ~~((state boxing))~~ commission.

~~((+9))~~ (20) A ~~((state boxing))~~ commissioner, chief inspector, or any commission inspector ~~((in attendance upon and))~~ supervising a contest or exhibition has the

full power of the commission in enforcing the rules and regulations of the commission.

~~((20) SHOULD ANY QUESTION COME UP, NOT COVERED BY THESE RULES, THE STATE BOXING COMMISSION OF WASHINGTON RESERVES THE RIGHT TO MAKE WHATEVER DECISION SEEMS TO IT FAIR AND EQUITABLE, AND IN ACCORDANCE WITH THE SPIRIT AS WELL AS THE LETTER OF THE LAW, AND SUCH DECISION SHALL BE FINAL.))~~

## PROFESSIONAL WRESTLING RULES

### NEW SECTION

WAC 36-12-365 DEFINITIONS. The term "participant" as used in this chapter means any person actually engaged physically in the wrestling exhibition or show. This includes, but is not limited to wrestlers, referees, and managers.

### NEW SECTION

WAC 36-12-367 PARTICIPANTS. (1) Any person under the age of eighteen years old shall not be eligible for a license with the commission.

(2) All applications for a participant's license shall be in writing on a form furnished by the commission. Any person who makes a false statement or misrepresents any information on an application may have his license denied or revoked by the commission.

(3) All applicants for a participant's license shall be found after examination by a physician to be physically and mentally fit to participate in a wrestling show or exhibition.

(4) Upon application for a participant's license, all applicants shall pay a fee in the amount of fifteen dollars.

(5) Two small photos are required and must be provided to the commission before a license can be issued.

(6) All licenses are valid from the time of issuance until the expiration of the licensing year. July 1st is the beginning of each license year.

(7) No licensed promoter is eligible for a participant's license.

AMENDATORY SECTION (Amending Rule .04.370, filed 9/22/60)

WAC 36-12-370 RING. (1) The ~~((professional boxing rules governing the size, construction and equipment of boxing rings shall apply to wrestling rings, except as otherwise provided in this section))~~ ring shall not be less than sixteen feet square within the ropes and the ring floor shall extend beyond the ropes not less than eighteen inches.

(2) The ring floor shall be padded to a thickness of at least ~~((two inches))~~ one inch. A regular one-piece wrestling mat is ~~((to be))~~ preferred, although soft padding of a proper thickness may be used, with a top covering of clean canvas tightly stretched and laced to the ring platform.

(3) ~~((Any mat or padding and canvas covering which has been used for boxing matches shall not be used for wrestling matches until the mat or canvas covering has been washed and is free from resin.~~



(4)) The promoter shall keep the mat ((or padding)) and covering in a clean and sanitary condition. ((Each club shall have two canvas covers, using one while the other is being cleaned.))

#### NEW SECTION

##### WAC 36-12-385 COMMISSION INSPECTOR.

(1) A commission inspector shall attend all wrestling events scheduled. He will make sure all participants are properly licensed and that all laws, rules, and regulations are enforced.

(2) The inspector shall forward all reports and the gross revenue tax due from each event to the commission office.

(3) In accordance with the law, each inspector shall receive for each event officially attended, a fee not to exceed one percent of the net gate of each event up to a maximum of three hundred dollars and a minimum of twenty-five dollars which shall be paid by the promoter.

#### AMENDATORY SECTION (Amending Rule .04.400, filed 9/22/60)

WAC 36-12-400 TIMEKEEPERS AND ANNOUNCERS. ((1) There shall be a timekeeper appointed by the commission present at all matches. He shall officially keep time and follow the instructions of the referee.

(2) The timekeeper shall take his cue to commence time in any match from the nod of the referee and shall sound the gong simultaneously with the referee's call of "time."

(3) At the termination of each five-minute period, the timekeeper shall call out the time that the contestants have been wrestling sufficiently loud for the referee to hear, as "five minutes," "ten minutes," etc.

(4) In time limit matches the timekeeper shall sound the gong at the end of the designated time limit to indicate the end of the match. If the length of any time limit match is one hour or less, rest periods shall be excluded as part of the time of the match, but if the time limit for a match is more than one hour all rest periods must be included by the timekeeper as a part of the time of the match.

(5) In matches of one fall, he shall sound the gong when the referee announces the winner, and he shall announce the time of the fall to the referee.

(6) In matches of two or more falls, he shall sound the gong when the referee announces the winner of the fall and again at the end of the five minute rest period when the contestants resume the match for the next fall. He shall take his cue from the nod of the referee as in starting the match.)) Timekeepers and announcers will be provided by the promoter and must be licensed with the commission. A completed application and two small photos are the licensing requirements for such license.

#### AMENDATORY SECTION (Amending Rule .04.410, filed 12/6/67)

WAC 36-12-410 MATCHES. (1) ((All wrestling bouts must be billed, announced and advertised as exhibitions unless written permission is obtained from the

commission to bill, advertise and announce a bout as a contest.

(2) Three days before each wrestling match)) The promoter shall furnish the commission with an advance notice, giving the names of the ((wrestlers)) participants to be used ((in the match and the amount of the purse or percentage of the gate receipts each contestant is to receive for his services)) prior to each event.

((3) No wrestler shall be permitted to tape his hands, arms, or any other part of his body without the consent of the club physician.

(4) No wrestler shall wrestle at more than one club on the same night.

(5) All wrestling matches shall be limited to two hours. Ninety minute matches shall be decided by two out of three falls, except as otherwise expressly provided herein. Preliminary matches may be one fall or time limit matches.

(6) If, in a 90 minute match, neither contestant procures a fall or has a marked advantage after 90 minutes of wrestling, the referee may in his discretion, following a five minute rest period, order the match continued for an added 30 minutes. If one of the contestants wins a fall during the added 30 minute period, he shall be declared the winner. If at the end of the added 30 minute period the referee is unable to decide the winner, the match shall be declared a draw.

(7) If there is only one fall within 90 minutes of wrestling the winner of that fall shall be declared the winner of the match. If each contestant has gained a fall within 90 minutes of wrestling, the referee may in his discretion allow the match to continue after a five minute rest period for an added 30 minutes, and if at the expiration of the added time neither of the contestants has gained another fall, the match shall be declared a draw.

(8) If a match is limited to a period of time less than 90 minutes and neither of the contestants gains a fall or each of them gains a fall, the referee may award the decision on the basis of the following factors:

- (a) Aggressiveness
- (b) Willingness to mix
- (c) Counter wrestling

The match shall be awarded to the contestant who excels in those factors.

(9) Both shoulder blades momentarily pinned to the mat for the referee's count of three seconds shall constitute a fall. Flying and rolling falls shall not count.

(10) Conceding a fall or quitting because of receiving punishment by means of legitimate holds constitutes a fall. The referee shall slap the contestant securing the fall on the back or shoulders in order that the underman will not be strained by being held too long in a painful position.

(11) If a contestant falls, pitches or is accidentally thrown out of the ring, he shall be allowed 20 seconds to reenter the ring. If he is not inside the ropes within that period, the referee may award the fall to his opponent.

(12) If a contestant is injured by falling or pitching out of a ring, the referee shall allow sufficient time for examination by the club physician to determine whether

~~he can continue. If he cannot continue, the match shall be awarded to the other contestant on a technical fall.~~

~~(13) No wrestler shall deliberately leave the ring during the course of any match except during a rest period and then only with the consent of the referee.)) (2) Under no circumstances shall any ((wrestlers be conducted)) participants engage another participant outside of the ring. ((If a wrestler deliberately steps outside the ropes he may immediately be disqualified and his purse may be paid to the commission for whatever disposition it may deem appropriate.)) Any wrestlers involved in this action will be suspended immediately for a period of time set by the commission.~~

~~((14) Wrestlers shall be allowed a five minute rest period between falls if the match provides for two out of three falls.~~

~~(15) If the contestants refuse to observe the rules of the commission, the referee may disqualify the offenders or declare the match "no decision." If a match is declared "no decision" the purse of the offenders may be forfeited to the commission.~~

~~(16) If a wrestler fails to answer the bell for the resumption of the match after the rest period following any fall, he shall forfeit the match.~~

~~(17) In no circumstances shall any wrestler molest, hit or physically abuse a spectator or manhandle a referee.~~

~~(18) Wrestlers contesting outside the ropes of the ring in which the match is being held or in the aisles may be penalized as provided in subsection (13) above. Wrestlers who attempt to strike each other with any object or who manhandle the referee may be suspended, for 60 days for the first offense, one year for the second offense, and may have their licenses revoked and be disqualified from wrestling for life in the state of Washington for the third offense. In addition to suspension the commission may assess a fine against the contestant according to the seriousness of the offense.~~

~~(19) If circumstances arise which are not covered by these rules during the course of any match, the referee shall decide the question, and his decision thereon shall be final.))~~

#### NEW SECTION

WAC 36-12-415 TICKETS. (1) Tickets must be printed and consecutively numbered.

(2) A ticket manifest must be provided to the commission upon request.

(3) All tickets must have prior approval by the commission.

#### NEW SECTION

WAC 36-12-425 CONTRACTS. Any contract or agreement between a participant and a promoter shall be in writing, signed by all parties, and made available to the commission upon request.

#### NEW SECTION

WAC 36-12-435 RECORDS. Promoters shall maintain a full, true, and accurate set of books of account and other records of receipts and disbursements in connection with all shows or exhibitions, and the records

shall be open for inspection and audit by representatives of the commission for a period of six months after each event or exhibition.

#### NEW SECTION

WAC 36-12-445 BUILDINGS. Any building or facility where wrestling events are held must meet state and local fire and safety requirements.

AMENDATORY SECTION (Amending Rule .04.450, filed 12/21/62)

WAC 36-12-450 MISCELLANEOUS PROVISIONS. (1) ~~((Wrestling matches shall be conducted in a standard size ring of the type, size and description first approved by the commission, which shall not contain any foreign substances or materials. No wrestling match shall include more than two participants, without the express written approval of the commission.~~

~~(2) No wrestling club license holder shall be permitted to stage any special wrestling exhibition or program without permission of the commission.~~

~~(3) If a referee works with the wrestlers and makes himself a part of the match to the extent that he helps in any way in staging an act or stunt, his license shall be revoked and he shall be disqualified from working as a referee in the state of Washington.~~

~~(4) If a wrestler is booked to wrestle for a club and does not appear, unless he is sick or injured and can produce a doctor's certificate to that effect or has a valid excuse that meets with the approval of the commission, he shall be subject to such penalties as may be imposed upon him by the commission.~~

~~(5) It shall be the duty of the referee, promoter, and his agents, attaches and employees, and the participants in any wrestling match to maintain peace, order and decency in the conduct of any match. Foul and profane language by either contestant, is prohibited.~~

~~(6) Any wrestler guilty of foul tactics in a wrestling match may be disqualified and his purse withheld from payment, and the wrestler may automatically be suspended. Disposition of the purse and the penalty to be imposed, if any, upon the wrestler shall be subject to the action of the commission.~~

~~(7) No wrestler's license shall be issued to any person who is over 55 or under 18 years of age. Two licenses, one as a wrestler and the other as a referee to the same person, will not be issued.)) Dangerous conduct; punishment. The referee shall not permit physically dangerous conduct or tactics by any participant. Any participant who fails to discontinue such tactics, after being warned by the referee or a commission official shall be disqualified and subject to disciplinary action.~~

~~(2) Duties of licensees.~~

It shall be the duty of the promoter, his agents, employees, and the participants in any wrestling show or exhibition to maintain peace, order, and decency in the conduct of any show or exhibition. There shall be no abuse of a commission official at any time. Foul and profane language by participants is prohibited.

(3) Responsibility of promoter.

(a) Each promoter shall be directly responsible to the commission for the conduct of its employees and any violation of the laws, rules, or regulations of the commission by any employee of a promoter shall be deemed to be a violation by the promoter.

(b) Promoters are responsible for any violations of the law or commission rules by their participants.

(4) Postponement or cancellation.

A small advance sale of tickets shall not be regarded as a legitimate reason for a postponement or cancellation. Indoor wrestling shows or exhibitions shall not be cancelled for any reason except with the approval of the commission.

(5) Discrimination.

There shall be no discrimination against any participant in regard to sex, race, color, or creed.

(6) Appeals.

(a) Licensees may appeal any suspension, revocation, or fine to the commission in the manner provided in chapter 34.05 RCW.

(b) Such appeals must be received in the commission office within twenty days from the date of the notice sent by the commission.

#### REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 36-12-090 BOND.

WAC 36-12-230 REFEREES NOT TO PERMIT UNFAIR BOXING PRACTICES—CERTAIN ILLEGAL BLOWS DEFINED.

WAC 36-12-380 SELECTION OF MATCH OFFICIALS.

WAC 36-12-390 DUTIES OF REFEREES.

WAC 36-12-420 FOULS AND PERMISSIBLE WRESTLING HOLDS.

WAC 36-12-430 COSTUMES FOR WRESTLERS.

WAC 36-12-440 PAYMENT OF CONTESTANTS.

WAC 36-12-460 BUILDINGS.

WAC 36-12-470 MISCELLANEOUS RULES OF BOXING AND WRESTLING CLUB LICENSES.

WAC 36-12-480 METHOD OF OPERATION.

#### WSR 91-11-039

#### EMERGENCY RULES

#### DEPARTMENT OF HEALTH

[Order 164—Filed May 10, 1991, 2:31 p.m.]

Date of Adoption: May 8, 1991.

Purpose: Changes status of several tests from category WAC 246-388-010(4) to waiver list in WAC 246-338-030(10); excludes from fee charges hematocrit testing performed by the Washington State Migrant Council for nutritional evaluation only in WAC 246-338-990(3).

Citation of Existing Rules Affected by this Order: Amending WAC 246-338-010, 246-338-030, and 246-338-990.

Statutory Authority for Adoption: Chapter 70.42 RCW.

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

Reasons for this Finding: Movement of these three tests to a less costly category will increase access to these critical services and assure preservation of the public health.

Effective Date of Rule: Immediately.

May 8, 1991

Pam Campbell Mead  
for Kristine M. Gebbie  
Secretary

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-338-010 DEFINITIONS. For the purpose of chapter 70.42 RCW and this chapter, the following words and phrases have these meanings unless the context clearly indicates otherwise.

(1) "Accreditation body" means a public or private organization or agency which accredits, certifies, or licenses medical test sites, by establishing and monitoring standards judged by the department to be consistent with federal law and regulation, and this chapter.

(2) "Authorized person" means any individual allowed by Washington state law or rule to order tests or receive test results.

(3) "Case" means any slide or group of slides, from one patient specimen source, submitted to a medical test site, at one time, for the purpose of cytological or histological examination.

(4) "Category I" means a medical test site performing one or more of the following tests, in addition to any or all tests listed under WAC ((248-38-030)) 246-338-030(10), but none of the tests described under subsection (5) of this section for Category II:

(a) ((Culture for colony counts for urinary tract infections, not including identification and susceptibility testing;

(b) Blood glucose using reagent strip by instrumentation;

(c)) Manual or instrumentation hematology or coagulation;

((d)) (b) Chemistry tests, limited to glucose, blood urea nitrogen, creatinine, uric acid, sodium, potassium;

((e)) (c) Throat culture screen for beta-hemolytic streptococcus using differentiation discs;

((f)) (d) Cholesterol screening, limited to qualitative and semi-quantitative determinations(;

(g) Direct streptococcal antigen test)).

(5) "Category II" means a medical test site performing any test, other than or in addition to any or all of the tests listed under subsection (4) of this section for Category I and under WAC ((248-38-030)) 246-338-030(10).

(6) "Certificate of waiver" means a medical test site performing one or more of the tests listed under WAC (~~(248-38-030)~~) 246-338-030(10), but none of the tests described under subsections (4) and (5) of this section for Category I or Category II.

(7) "Days" means calendar days.

(8) "Department" means the department of health.

(9) "Designated specialty test site supervisor" means an available individual, designated in writing by the owner of the medical test site, meeting the qualifications and performing the duties of a designated test site supervisor, as described in this chapter for an assigned specialty or subspecialty.

(10) "Designated test site supervisor" means the available individual responsible for the technical functions of the medical test site and meeting the department qualifications under this chapter.

(11) "Disciplinary action" means license or certificate of waiver denial, suspension, condition, revocation, civil fine, or any combination of the preceding actions, taken by the department against a medical test site.

(12) "Facility" means one or more locations where tests are performed, within one campus or complex, under one owner.

(13) "Federal law and regulation" means Public Law 100-578, Clinical Laboratory Improvement Amendments of 1988, Public Health Service Act, and regulations implementing the federal amendments.

(14) "Forensic" means investigative testing in which the results are never used for health care or treatment, or referral to health care or treatment, of the individual.

(15) "May" means permissive or discretionary on the part of the department.

(16) "Medical test site" or "test site" means any facility or site, public or private, which analyzes materials derived from the human body for the purposes of health care, treatment, or screening. A medical test site does not mean:

(a) A facility or site, including a residence, where a test approved for home use by the Federal Food and Drug Administration is used by an individual to test himself or herself without direct supervision or guidance by another and where this test is not part of a commercial transaction; or

(b) A facility or site performing tests solely for forensic purposes.

(17) "Owner" means the person, corporation, or entity legally responsible for the business requiring licensure or a certificate of waiver as a medical test site under chapter 70.42 RCW.

(18) "Person" means any individual, public organization, private organization, agent, agency, corporation, firm, association, partnership, or business.

(19) "Principle health care provider" means the attending physician or other health care provider recognized as primarily responsible for diagnosis and treatment of a patient or, in the absence of such, the health care provider initiating diagnosis, testing or therapy for a patient.

(20) "Provisional license" or "provisional certificate of waiver" means an interim approval issued by the department to the owner of a medical test site.

(21) "Recordkeeping" means books, files, or records necessary to show compliance with the quality control and quality assurance requirements under this chapter.

(22) "Shall" means compliance is mandatory.

(23) "Site" means one or more locations where tests are performed, under one owner, changing or extending location to perform tests on a regular or intermittent basis.

(24) "Specialty" means a group of similar subspecialties or tests. The specialties for a medical test site are as follows:

- (a) Chemistry;
- (b) Cytogenetics;
- (c) Diagnostic immunology;
- (d) Immunohematology;
- (e) Hematology;
- (f) Histocompatibility;
- (g) Microbiology;
- (h) Pathology; and
- (i) Radiobioassay.

(25) "Subspecialty" means a group of similar tests. The subspecialties of a specialty for a medical test site are as follows, for:

(a) Chemistry, the subspecialties are routine chemistry, endocrinology, toxicology, urinalysis, and other chemistry;

(b) Diagnostic immunology, the subspecialties are syphilis serology, general immunology, HIV, and alpha fetoprotein;

(c) Immunohematology, the subspecialties are blood group and Rh typing, antibody identification, crossmatching, transfusion services and blood banking, and other immunohematology;

(d) Hematology, the subspecialties are routine hematology, coagulation, and other hematology;

(e) Microbiology, the subspecialties are bacteriology, mycology, parasitology, virology, and mycobacteriology; and

(f) Pathology, the subspecialties are histopathology, diagnostic cytology, and oral pathology.

(26) "Supervision" means authoritative procedural guidance by a qualified individual, assuming the responsibility for the accomplishment of a function or activity by technical personnel.

(27) "Technical personnel" means individuals employed to perform any test or part of a test.

(28) "Test" means any examination or procedure conducted on a sample taken from the human body, including screening.

#### AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-338-030 WAIVER FROM LICENSURE OF MEDICAL TEST SITES. (1) The department shall grant a certificate of waiver to a medical test site performing only the tests listed under this section.

(2) Applicants requesting a certificate of waiver or renewal shall:

(a) Submit a completed application and fee for initial certificate of waiver or renewal to the department on forms furnished by the department, including signature of the owner, and

(b) Furnish full and complete information to the department in writing, as required for proper administration of rules to implement chapter 70.42 RCW including:

- (i) Name, address, and phone number of the medical test site;
- (ii) Name, address, and phone number of the owner of the medical test site;
- (iii) Number and types of tests performed, planned or projected;
- (iv) Names and qualifications including educational background, training and experience of the designated test site supervisor;
- (v) Names and qualifications including educational background, training, and experience of technical personnel, if requested by the department, in order to determine consistency with federal law and regulation;
- (vi) Other information as required to implement chapter 70.42 RCW; and
- (vii) Methodologies for tests performed, when the department determines the information is necessary consistent with federal law and regulation.

(3) The owner or applicant shall submit an application and fee to the department thirty days prior to the expiration date of the current certificate of waiver.

(4) The department shall:

(a) Grant a certificate of waiver or renewal of a certificate of waiver for the medical test site valid for two years when the applicant or owner meets the requirements of chapter 70.42 RCW and this chapter, subject to subsection (5) of this section;

(b) Terminate a provisional certificate of waiver at the time a two-year certificate of waiver for the medical test site is issued;

(c) Establish fees to be paid under WAC (~~(248-48-120)~~ 246-338-990; and

(d) Prohibit transfer or reassignment of a certificate of waiver without thirty days prior written notice to the department and the department's approval.

(5) If the department has reason to believe a waived site is conducting tests requiring a license, the department shall:

(a) Conduct on-site reviews of the medical test site;

(b) Examine records of the medical test site;

(c) Give written notice of any violations to the medical test site, including a statement of deficiencies observed and requirements to:

(i) Present a written plan of correction to the department within fourteen days following the date of post-mark; and

(ii) Comply within a specified time not to exceed sixty days after department approval of a written plan of correction;

(d) Allow the owner a reasonable period of time, not to exceed sixty days, to correct a deficiency unless the deficiency is an immediate threat to life, health, or safety.

(6) The department may:

(a) Grant a provisional certificate of waiver to a medical test site, applying for a certificate of waiver for the first time, valid for a period of time not to exceed two years from date of issue;

(b) Conduct on-site review of a medical test site at any time to determine compliance with chapter 70.42 RCW and this chapter; and

(c) Initiate disciplinary action, as described under chapter 70.42 RCW and this chapter, if the owner or applicant fails to comply with chapter 70.42 RCW and this chapter, consistent with chapter 34.05 RCW, Administrative Procedure Act.

(7) The owner shall notify the department, in writing, at least thirty days prior to the date of a proposed change of ownership and provide the following information:

(a) Full name, address, and location of the current owner and prospective new owner, if known;

(b) Name and address of the medical test site and the new name of the medical test site, if known;

(c) Changes in technical personnel and supervisors, if known; and

(d) The date of the proposed change of ownership.

(8) The prospective new owner shall submit the information required under subsection (2)(a) and (b) of this section, at least thirty days prior to the change of ownership.

(9) The owner shall inform the department, in writing of:

(a) The date of opening or closing the medical test site; and

(b) Any change in the information related to certificate of waiver application, excluding tests which would not effect category change or licensure, within thirty days after the change, unless specifically stated otherwise under chapter 70.42 RCW and this chapter.

(10) The department shall grant a certificate of waiver if the medical test site performs only the tests listed in this section and no other tests unless specifically disallowed or allowed under federal law and regulation:

(a) Microscopic examination:

(i) For pinworms by adhesive method;

(ii) Of urine sediment;

(iii) Of wet mounts;

(iv) Of potassium hydroxide (KOH) preparations;

(v) For fern tests;

(vi) Of gram stains, limited to discharges and exudates;

(vii) Of nasal smears by Hansel or Wright-Giemsa stain;

(b) Any microscopic examination by an individual meeting the qualifications of a designated test site supervisor, only when the same individual diagnoses and treats his or her own patients;

(c) Examination of urine by reagent strip or tablet methods;

(d) Urine specific gravity;

(e) Examination of whole blood (~~by visual reading of reagent strip or tablet methods~~), limited to whole blood glucose by visual reading of reagent strip, tablet method, or using instrumentation approved for home use by the Federal Food and Drug Administration;

(f) (~~Examination of whole blood, limited to blood glucose, using instrumentation approved for home use by~~

~~the Federal Food and Drug Administration and performed in the patient's residence)) Group A Strep screen by direct antigen test;~~

- (g) Qualitative serum and urine pregnancy test kits, excluding instrumentation methods;
- (h) Micro hematocrit, spun hematocrit;
- (i) Erythrocyte sedimentation rate;
- (j) Qualitative examination of stool specimens for occult blood;
- (k) Primary inoculation of bacteriological or mycological media for visual reading of a color reaction only;
- (l) Semen analysis;
- (m) Screening tests for Sickle cell, other than electrophoresis methods;
- (n) Ovulation test using visual color test for human luteinizing hormone;
- (o) Whole blood clotting time;
- (p) Antistreptolysin O (ASO) screen by slide agglutination test or equivalent;
- (q) C reactive protein (CRP) screen by slide agglutination test or equivalent;
- (r) Rheumatoid factor screen by slide agglutination test or equivalent; ((and))
- (s) Infectious mononucleosis screen by slide agglutination test or equivalent; and
- (t) Culture for colony counts for urinary tract infections, not including identification and susceptibility testing.

(11) The department shall use the following criteria when determining additional waived tests not listed under subsection (10) of this section, which are determined to have insignificant risk of an erroneous result, including those which:

- (a) Are approved by the Federal Food and Drug Administration for home use;
- (b) Are so simple and accurate as to render the likelihood of erroneous result negligible, judged by the department to require three or less of the following functions:
  - (i) Calculation;
  - (ii) Specimen or reagent preparation;
  - (iii) Six or more steps in the test procedure;
  - (iv) Calibrated or volumetric measurement;
  - (v) Independent judgment other than a single observation and recording of results;
  - (vi) External calibration;
  - (vii) External quality control; and
  - (viii) Equipment maintenance;
- (c) Pose no reasonable risk of harm to the patient if performed incorrectly.

(12) If the medical test site performs tests not included under subsection (10) of this section, the owner shall apply for licensure as defined under chapter 70.42 RCW and this chapter.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-338-990 FEES. (1) For the purpose of this section, the following words and phrases have the following meanings:

(a) "Accredited by organization" means a testing site is accredited, certified, or licensed by an organization

meeting the requirements of WAC 248-38-040, Approval of accreditation bodies;

(b) "Category I (A)" means a medical test site in Category I performing less than five thousand total tests per year or three or less specialties;

(c) "Category I (B)" means a medical test site in Category I performing five thousand to thirty thousand total tests per year or four to five specialties;

(d) "Category I (C)" means a medical test site in Category I performing greater than thirty thousand total tests per year or six or more specialties;

(e) "Category II (A)" means a medical test site in Category II performing less than ten thousand total tests per year or three or less specialties;

(f) "Category II (B)" means a medical test site in Category II performing ten thousand to fifty thousand total tests per year or four to five specialties;

(g) "Category II (C)" means a medical test site in Category II performing greater than fifty thousand total tests per year or six or more specialties;

(h) "Temporary" means a Category I or II medical test site performing testing at locations separate from the medical test sites permanent location with a frequency of five times a year or less;

(i) "Direct staff time" means all state employees' work time, including travel time and expenses, involved in the following functions associated with medical test site licensure:

- (i) On-site follow up visit;
- (ii) Telephone contacts and staff or management conferences in response to a deficiency statement or complaint; and
- (iii) Preparation and participation in a continuing education or training event for a medical test site.

(2) The department shall assess and collect biennial fees for medical test sites as follows:

(a) Charge fees, based on the requirements authorized under RCW 70.42.090 and this section;

(b) Prorate fees for the remainder of the biennial period, when the owner or applicant applies for a license or certificate of waiver during a biennium;

(c) Adjust fees when a medical test site increases or decreases the complexity or volume of testing;

(d) Determine fees according to criteria below:

- (i) Certificate of waiver . . . . . \$100 per year or \$200 per biennium;
- (ii) Category I (A) . . . . . 400 per year or 800 per biennium;
- (iii) Category I (B) . . . . . 500 per year or 1000 per biennium;
- (iv) Category I (C) . . . . . 600 per year or 1200 per biennium;
- (v) Category II (A) . . . . . 500 per year or 1000 per biennium;
- (vi) Category II (B) . . . . . 700 per year or 1400 per biennium;
- (vii) Category II (C) . . . . . 850 per year or 1700 per biennium;
- (viii) Site:
  - (A) One instrument . . . . . 200 per year or 400 per biennium;
  - (B) Each additional instrument . . . 100 per year or 200 per biennium;
  - (ix) Temporary . . . . . 50 per year or 100 per biennium;
  - (x) Cytology only . . . . . 450 per year or 900 per biennium;
  - (xi) Cytology in a Category II medical test site . . . . . 250 per year or 500 per biennium;
- (xii) Accredited by Organization:
  - (A) Category I . . . . . 400 per year or 800 per biennium;
  - (B) Category II . . . . . 500 per year or 1000 per biennium;
  - (C) HCFA . . . . . 50 per year or 100 per biennium;
- (xiii) Follow up survey for deficiencies . . . . . direct staff time;
- (xiv) Complaint investigation . . . . . direct staff time;
- (xv) Continuing education . . . . . direct staff time.

*(3) The department shall exclude from fee charges the women, infant, and children (WIC) programs performing hematocrit testing only for food distribution purposes and hematocrits performed by the Washington state migrant council for nutritional evaluation only.*

**WSR 91-11-040**  
**PERMANENT RULES**  
**DEPARTMENT OF HEALTH**  
**(Board of Pharmacy)**

[Order 169B—Filed May 10, 1991, 2:35 p.m.]

Date of Adoption: March 28, 1991.

Purpose: To allow pharmacies which provide services to inpatients of a hospital or extended care facility to include pharmacists who are practicing outside of the confines of the licensed pharmacy when calculating the pharmacist to pharmacy assistant ratio.

Citation of Existing Rules Affected by this Order: Amending [new section] WAC 360-52-120.

Statutory Authority for Adoption: RCW 18.64.005.

Pursuant to notice filed as WSR 91-05-092 on February 20, 1991.

Effective Date of Rule: Thirty days after filing.

March 28, 1991  
 Joyce A. Gillie  
 Chair

**NEW SECTION**

**WAC 360-52-120 PHARMACIST TO PHARMACY ASSISTANT RATIO.** (1) RCW 18.64A.040 establishes a ratio of pharmacists to level A pharmacy assistants who are performing level A functions. This ratio is one to one in most pharmacies, including hospital outpatient activities and one to three in pharmacies associated with inpatient hospital services.

(2) In determining which pharmacists may be included in the calculation of the ratio, the board will consider approval of pharmacy assistant utilization plans which include all pharmacists within the pharmacy who are engaged in the actual practice of pharmacy. When the pharmacy provides service to inpatients of a hospital or extended care facility, pharmacists who are practicing pharmacy outside of the confines of the licensed pharmacy (e.g., performing nursing unit inspections, reviewing charts, consulting with health professional staff) may be included in the ratio, provided:

(a) There are sufficient numbers of pharmacists within the pharmacy to properly supervise the work of the pharmacy assistants;

(b) The pharmacy is not open to the public;

(c) The medications are being checked by another health professional before being given to the patient;

(d) Drug orders are not dispensed from the pharmacy without being checked by a licensed pharmacist or pharmacy intern.

**WSR 91-11-041**  
**PERMANENT RULES**  
**DEPARTMENT OF HEALTH**  
**(Board of Pharmacy)**

[Order 170B—Filed May 10, 1991, 2:37 p.m.]

Date of Adoption: March 28, 1991.

Purpose: Allows an intern to continue to work in the absence of a preceptor as long as the intern is being supervised by a licensed pharmacist. Requires pharmacist-preceptors to participate in a board approved training program prior to June 30, 1991, to qualify for recertification.

Citation of Existing Rules Affected by this Order: Amending WAC 360-10-030, 360-10-050, and 360-10-060.

Statutory Authority for Adoption: RCW 18.64.005.

Pursuant to notice filed as WSR 91-05-091 on February 20, 1991.

Effective Date of Rule: Thirty days after filing.

March 28, 1991  
 Joyce A. Gillie  
 Chair

**AMENDATORY SECTION** (Amending Order 208, filed 12/9/87)

**WAC 360-10-030 RULES FOR THE PHARMACY INTERN.** (1) The intern shall send notification to the board of pharmacy on or before the first day of beginning of his/her training. Such notification shall consist of the date, the name of the pharmacy, and the name of the preceptor where the intern expects to begin his/her internship. The board of pharmacy shall promptly notify the intern of the acceptability of the preceptor under whom the intern expects to gain experience. Internship credit will not be accepted until the preceptor has been certified.

(2) The pharmacy intern shall engage in the practice of pharmacy, and the selling of items restricted to sale under the supervision of a licensed pharmacist, only while he/she is under the direct and personal supervision of a certified preceptor or a licensed pharmacist designated by the preceptor to supervise that intern during the preceptor's absence from the site. Provided, that hours of experience gained while the certified preceptor is absent from the site shall not be counted toward fulfilling any internship requirement.

**AMENDATORY SECTION** (Amending Order 055, filed 5/16/90, effective 6/16/90)

**WAC 360-10-050 REQUIREMENTS FOR PRECEPTOR CERTIFICATION.** (1) A pharmacist who is licensed and actively engaged in practice in a Class A pharmacy in the state of Washington, and who has met certification requirements prescribed in this section of the regulation and who has completed a board approved training program within the last five years, and who has been certified by the board of pharmacy shall be known as "pharmacist preceptor." The requirement for completion of an approved training program becomes effective ~~((January 1))~~ June 30, 1991.

(2) The pharmacist preceptor must have completed twelve months as a licensed pharmacist engaged in the practice of pharmacy as defined in RCW 18.64.011(11).

(3) Any preceptor or preceptor applicant who has been found guilty of a drug or narcotic violation or whose pharmacist license has been revoked, suspended, or placed on probation by the state board of pharmacy shall not be eligible for certification as a preceptor, until completion of the probationary period, and a showing of good cause for certification as a pharmacist preceptor.

(4) The preceptor shall be responsible for the quality of the internship training under his/her supervision and he/she shall assure that the intern actually engages in pharmaceutical activities during that training period.

(5) The board of pharmacy shall withdraw a preceptor's certification upon proof that the preceptor failed to meet or maintain the requirements as stated in this section.

(6) In considering the approval of special internship programs pursuant to WAC 360-10-080, the board may approve alternative qualification requirements for the preceptors of such programs.

**AMENDATORY SECTION** (Amending Order 211, filed 3/2/88)

**WAC 360-10-060 RULES FOR PRECEPTORS.**

(1) The pharmacist preceptor, or his or her designee in accordance with WAC 360-10-030(2), shall supervise the pharmacy intern and shall be responsible for the sale of restricted items, and the compounding and dispensing of pharmaceuticals dispensed by an intern.

(2) The pharmacist preceptor must use the board approval plan of instruction for interns.

(3) Upon completion of the intern's experience at each site, the preceptor under whom this experience was obtained shall file a report with the board. Such report shall briefly describe the type of professional experience received under the preceptor's supervision and the preceptor's evaluation of the intern's ability to practice pharmacy at that stage of internship.

(4) The board of pharmacy shall provide the necessary affidavit forms to certify hours of experience under the personal supervision of a preceptor. Affidavits must be certified and recorded in the office of the board not later than thirty days after the completion of any site intern experience; provided that any experience necessary for eligibility to take the licensing examination must be in the board office no later than thirty days prior to the examination.

(5) The pharmacist preceptor may supervise more than one intern during a given time period; however, two interns may not dispense concurrently under the direct supervision of the same preceptor.

Purpose: To amend current language and adopt rules outlining out-of-state requirements.

Citation of Existing Rules Affected by this Order: Amending WAC 308-20-010, 308-20-020, 308-20-030, 308-20-040, 308-20-050, 308-20-070, 308-20-080, 308-20-090, 308-20-105, 308-20-110, and 308-20-140.

Statutory Authority for Adoption: RCW 18.16.030.

Pursuant to notice filed as WSR 91-05-080 on February 20, 1991.

Effective Date of Rule: Thirty days after filing.

April 29, 1991

Marsha Tadano Long  
Assistant Director

**AMENDATORY SECTION** (Amending Order PM 772, filed 9/14/88)

**WAC 308-20-010 DEFINITIONS.** (1) ~~((Achievement indicators form form designed and used by the school to record achievement rating of student learning objectives.))~~ "Creditable hour" means only those hours of training while the student is performing in the subject areas listed in the course outline, as stated in WAC 308-20-080.

(2) "Chemical compounds formulated for professional use only" (==) are those compounds containing hazardous chemicals in a form not generally sold to the public; ~~((such as))~~ including but not limited to, bulk concentrates of permanent wave solution, neutralizers, chemical relaxers, oxidizing agents, flammable substances, or ~~((corrosive materials))~~ approved chemical compounds. These compounds must be designated for use on the hair of the face, neck, skin, or scalp.

(3) "Curriculum" (==) means a detailed course of study.

(4) "Student learning objectives" (==) are measurable outcomes expected to occur as the result of instruction.

(5) "Instructional objectives" (==) are measurable evaluation of the attainment of the student learning objectives.

(6) "Terminal learning objectives" (==) are final outcomes expected to occur at the completion of a course of study as a result of instruction.

(7) "Monthly student record" is a form preprinted with school name that shows the actual activities of the student in each subject, (i.e., shampoo, haircut, perm, color, etc.) within each course (i.e., barbering, manicuring, chemical services, or cadet instructor).

**AMENDATORY SECTION** (Amending Order PM 772, filed 9/14/88)

**WAC 308-20-020 TERM OF COURSE—EXAMINATION ELIGIBILITY.** A school shall not require students to remain in school after the completion of ~~((any))~~ the minimum state creditable hours required in the course of instruction.

Any individual, seventeen years of age or older, having completed 500 hours of manicurist training approved by the director may apply for examination to be licensed as a manicurist.

**WSR 91-11-042**

**PERMANENT RULES**

**DEPARTMENT OF LICENSING**

[Filed May 10, 1991, 3:43 p.m.]

Date of Adoption: May 10, 1991.



Any individual, seventeen years of age or older, having completed 800 hours of barber training as approved by the director may apply for examination to be licensed as a barber.

Any individual, seventeen years of age or older, having completed 1600 hours of cosmetology training as approved by the director may apply for examination to be licensed as a cosmetologist. Cosmetology training consists of ~~((a))~~ the 500 hour manicurist course, the 800 hour barber course and ((an additional)) the 300 hours of training in ((the performance of all)) chemical services as approved by the director.

Any person who has the same qualifications as a cosmetologist and who has completed at least 500 hours of instruction in cosmetology teaching techniques and lesson planning in a school may apply for examination to be licensed as a cosmetology instructor.

#### AMENDATORY SECTION (Amending Order PM 772, filed 9/14/88)

**WAC 308-20-030 CURRICULUM STRUCTURE.** Each curriculum shall be designed to prepare students for at least beginning employment/job entry. A school offering training in cosmetology, barbering, manicuring, and instructor-training will submit a curriculum for each course. The curriculum shall include the minimum state required hours in accordance with the course outline as stated in WAC 308-20-080 and 308-20-105.

Each curriculum shall include clearly defined, tangible instructional objectives and student learning objectives to meet the training needs ~~((for))~~ of each ((curriculum)) course offered by the school.

#### AMENDATORY SECTION (Amending Order PM 772, filed 9/14/88)

**WAC 308-20-040 APPLICATION FOR SCHOOL LICENSE.** With each school application, the following items must be included before a school license will be approved by the department:

- (1) Names and addresses of all school owners;
- (2) Names and addresses of all school operators or managers;
- (3) Names and addresses of all instructors responsible for the training of students. The department must be notified, in writing, when a change of instructor staff occurs;

(4) A copy of the curriculum for each course the school intends to offer. A cosmetology school must submit a combined curriculum for manicurist, barber and chemical services; a ((barber)) school offering barber instruction must submit a barber curriculum; a ((manicurist)) school offering manicurist instruction must submit a manicurist curriculum. A school offering instruction in cosmetology, barber, and manicurist must submit a separate curriculum for each. Any school offering cosmetology instructor training must submit a curriculum in cosmetology teaching techniques and lesson planning. Each curriculum must meet the training guidelines established by the director and adopted by rules pursuant to this chapter. A copy of the instructional objectives, student learning objectives, terminal learning objectives

and ~~((achievement indicator form))~~ student rating scale for each curriculum must be submitted with the application. ((The achievement indicator form must include the school name and address preprinted on the form;)) A school license will be issued with endorsements to instruct in cosmetology, barbering, manicuring, and/or instructor training according to the curriculums submitted;

(5) Each school will submit, at the time of application, a catalog, bulletin or other printed material which contains accurate and current information regarding the operation and requirements of the school. Supplements to the catalog/bulletin are to be fastened to the publication and, if such information supersedes any information contained elsewhere in the catalog/bulletin, it must be clearly indicated on the supplement. The catalog/bulletin is to be made available to all students prior to enrollment and must include, but not be limited to, the following information:

- (a) Names of all owners and/or managers.
- (b) Names and qualifications of all instructors.
- (c) Beginning and ending dates of training, including hours of operation, and observed holidays.
- (d) Placement assistance, if any.
- (e) Policy outlining acceptable conduct of students including grounds for dismissal and readmission.
- (f) School policy on absences, leave, tardiness, and make-up work.
- (g) School policy and regulations regarding student progress including expected rate of progress, minimum acceptable grades, penalties for unsatisfactory progress, and the rights of students to appeal.
- (h) Total cost to students including registration fee, books, supplies, equipment, tuition, lab fees, or any other associated cost for which the student is liable.
- (i) A description of each course to include total hours, the course objectives and the method of instruction. (E.g., classroom lab, etc.,) and any certificate or credentials awarded upon completion.

(j) Cancellation and refund policies.

(k) The address and phone number of the department of licensing, cosmetology section for student's use in contacting the state regarding Washington state laws or concerns about their training.

(6) A copy of the school's monthly and final student record form, showing hours of training earned in each area listed in WAC 308-20-080 or in the case of an instructor-trainee, WAC 308-20-105. The form must be preprinted with the school name and address and signature areas for both the student and instructor and be in a form acceptable to the department.

The approved form must show operations or hours of activity daily in each subject, by course, i.e., barbering, manicuring, or chemicals with total hours by course daily and monthly in subjects, listed in WAC 308-20-080, with totals in each subject for month to date and total to date. Hours of training in addition to state required hours should show in a separate area.

(7) Each school shall submit a copy of the enrollment contract or agreement for each course of training offered. The contract/agreement must include at least the following:

- (a) The school's cancellation and refund policy;

(b) Adequate information to clearly define the terms of the agreement between the student and the school, including but not limited to:

- (i) The name and address of the school and student.
- (ii) The date training is to begin, and the number of hours of instruction.

(iii) An itemized list of all costs incurred by the student to complete the training. Such costs shall include tuition and registration fees, books, supplies, and equipment and all other charges made by the school. Methods of payment or payment schedule must be clearly stated.

(c) A statement acknowledging receipt of the copy of the school's catalog/brochure and enrollment agreement by the student;

(d) The school shall retain a copy of the student enrollment agreement and one copy shall be delivered to the student at the time of execution.

~~((7))~~ (8) A description of the school facilities and equipment. This may be submitted by facility architect's blue print with equipment penciled in or by accurate hand drawn diagram including equipment to be used for training of students;

~~((8))~~ (9) A surety bond as established by WAC 308-20-060 shall be submitted with the application for school licensure. No school shall be approved until the surety bond is in force.

The department shall be notified within fifteen days of any changes in subsections (1) through ~~((8))~~ (9) of this section.

(10) Estimated gross tuition form indicating the expected gross tuition for one year. This information will be used to determine the required bond amount. If the tuition earned exceeds the estimated amount, the bond will be amended to reflect actual tuition earned.

AMENDATORY SECTION (Amending Order PM 772, filed 9/14/88)

WAC 308-20-050 CHANGE IN OWNERSHIP OF SCHOOL. If a change involving twenty-five or more percent of school ownership occurs, a new license application must be submitted with proof of ownership, or percentage of ownership, by the new owners. ~~((A))~~ The new application must ((then be submitted to the department within fifteen days of change of ownership. Such notification is to include any changes made in curriculum, management personnel, instructional staff, tuition or registration fee, catalog, brochure, contract or surety bond)) be complete. It must include all items listed in WAC 308-20-040 and the required fee. A new license must be issued prior to operation. Applicants should allow at least forty-five days for processing a complete application.

AMENDATORY SECTION (Amending Order PM 772, filed 9/14/88)

WAC 308-20-070 TRAINING GUIDELINES. A numerical rating scale shall be used to evaluate and record student progress ~~((on the achievement indicator form))~~.

The student's competency in attaining learning objectives is to be rated ~~((on a scale of "1-4" as follows:~~

~~4. Job ready—Can completely perform the job safely and independently.~~

~~3. Moderately competent—Can perform job completely and safely with limited supervision.~~

~~2. Limited competency—Requires instruction and close supervision in order to perform a task safely.~~

~~1. No exposure—No experience or knowledge in this area).~~

Schools will design a rating method form that will demonstrate each student's progress in each course. Schools will design instructional objectives which promote student progress from ~~((a))~~ beginning ~~(("1" rating))~~ to completion ~~(("4" rating))~~ within the specified hours required for each course. Each month the school shall provide each student with a current copy of his/her ~~((achievement indicator form))~~ rating.

AMENDATORY SECTION (Amending Order PM 772, filed 9/14/88)

WAC 308-20-080 COURSE OUTLINE OF TRAINING REQUIREMENTS.

<del>((COURSE</del>	<del>MINIMUM ACHIEVEMENT REQUIRED BEFORE STUDENTS MAY WORK ON CUSTOMERS IN SCHOOL</del>
---------------------	---

Barber services training:

- 1. Shampooing \_\_\_\_\_ 2
- 2. Haircutting or trimming \_\_\_\_\_ 2
- 3. Arranging, dressing, curling or waving (excluding chemical services) \_\_\_\_\_ 2
- 4. Sanitation of materials, equipment and tools \_\_\_\_\_ 3
- 5. Safety
  - (a) The use of materials, equipment and tools \_\_\_\_\_ 3
  - (b) Recognition of diseases or disorders of the skin, scalp or hair \_\_\_\_\_ 3

Manicurist services training:

- 1. Application and removal of artificial nails \_\_\_\_\_ 2
- 2. Sanitation of materials, equipment and tools to provide the service \_\_\_\_\_ 3
- 3. Safety
  - (a) In the use of materials, equipment and tools to provide a service \_\_\_\_\_ 3
  - (b) In the recognition of a disease or disorder of the nail or skin \_\_\_\_\_ 3

((COURSE	MINIMUM ACHIEVEMENT REQUIRED BEFORE STUDENTS MAY WORK ON CUSTOMERS IN SCHOOL
(c) Use of chemicals formulated for professional use only	3
4. Skin care involving hot compresses or massage	2
5. Skin care involving electrical appliances	2
6. Temporary removal of superfluous hair	
(a) Mechanical	2
(b) Chemical	2
(c) Electrical	2

Cosmetology chemical services training:

1. Permanent waving	
(a) Sectioning and wrapping	2
(b) Preperm test curl	2
(c) Solution application	2
(d) Processing	2
(e) Neutralizing	2
2. Chemical relaxing	
(a) Sectioning	2
(b) Strand test	2
(c) Relaxer application	2
(d) Processing	2
(e) Neutralizing	2
3. Hair coloring or bleaching	
(a) Predisposition test	2
(b) Strand test	2
(c) Measurement and mixing of chemicals	2
(d) Application of chemicals	2
(e) Removal of chemicals	2
4. Safety	
(a) In the storage, mixing and use of chemicals	3
(b) In the uses of materials, equipment and tools to provide a service	3
5. Sanitation of all materials, equipment and tools to provide a service	3

All ratings are to be recorded at least monthly on each student's achievement indicator form. All ratings should reflect job readiness rather than a grade given in class. The suggested job readiness completion rating for all procedures is "4." Listed are the subjects that make up the mandatory 800 hours of training for barbering, 500 hours of training for manicuring, and 300 hours of training for chemical services. To qualify for the barber examination students only need complete the 800 hours of barbering subjects, to qualify for the manicurists examination students need only complete the 500 hours of

manicuring subjects. To qualify for the cosmetology examination students must complete 800 hours of barbering subjects, 500 hours of manicuring subjects, and 300 hours of chemical services subjects. A cosmetologist qualifies to perform all listed services and must be trained in all three areas.

Barber Services Training:

1. Theory
2. Shampooing – includes draping, brushing hair, scalp manipulations, PH values, conditioning and rinsing
3. Scalp and Hair Analysis
4. Haircutting and Trimming – includes scissor, razor, thinning shears, and clipper
5. Cutting and Trimming of Facial Hair – includes beard and mustache, eyebrow, ear & nose
6. Thermal Styling
7. Wet Styling – includes pin curling, braiding, fingerwaves, shaping, and rollers
8. Dry Styling – includes braiding, shaping, brushing, backcombing, and rollers
9. Styling Aids
10. Sanitation – includes cleaning individual work station, shampoo and dispensary bowls after individual use, proper disposal and storage of towels used by the student, life expectancy of disinfectants, sanitizing implements used by the student
11. Diseases – skin, scalp and hair
12. Safety – includes demonstration of implements and proper use, electrical appliances
13. First Aid – as related to the barbering field

Manicurist Services Training:

1. Theory
2. Artificial Nails – includes nail analysis, preparation of the nail, application, finish and removal
3. Skin Care – includes hot compresses, facials, hand massage or using approved electrical or mechanical appliances, or approved chemical compounds
4. Temporary removal of superfluous hair – tweezing, waxing, tape, and chemicals
5. Sanitation – cleaning of individual work station, proper storage and disposal of equipment used by the student, disinfectants and life expectancy of disinfectants, sanitation methods of equipment
6. Safety – includes demonstration of implements and proper use
7. Diseases and Disorders – nail and skin
8. First Aid – as related to the manicurist field

Chemical Services Training

1. Theory
2. Permanent Waving – includes scalp and hair analysis, sectioning and wrapping, preperm test curl (when necessary), solution application, processing (test curl, when necessary) and neutralizing
3. Chemical Relaxing – includes scalp and hair analysis, sectioning, strand test, relaxer application
4. Chemical Training Elements – includes processing, neutralizing, materials, equipment
5. Hair Coloring or Bleaching – includes scalp & hair analysis, predisposition test, strand test, measurement and mixing of chemicals, application of chemicals and removal of chemicals
6. Sanitation – clean individual work station, sanitize individual equipment and tools, life expectancy of disinfectant, proper use and storage of linens
7. First Aid and Safety – as it relates to the use of chemicals

AMENDATORY SECTION (Amending Order PM 772, filed 9/14/88)

WAC 308-20-090 STUDENT CREDIT FOR TRAINING. (1) Only those hours of instruction received under the direction of a licensed instructor and on the premises of the licensed school (~~may be credited toward the hourly training requirement~~) in which the

student is enrolled and in the courses listed in this chapter shall be credited toward the hourly training requirements.

(2) Students shall not receive credit for training received during any period the school license is void, expired, suspended, revoked, or otherwise not currently in effect.

(3) Manicurists will be given 500 hours credit and barbers will be given 800 hours credit toward meeting the hourly requirement of 1600 hours in cosmetology. Cosmetology students transferring to a barber or manicurist course shall transfer only the credit that applies to the course for which they are transferring.

(4) Students transferring from another school, state, country or territory may, at the school's discretion, receive credit toward completion of student learning objectives and course requirement hours as follows: (a) Hour for hour credit as applies to each of the Washington state minimum recognized creditable hours in each course, and; (b) student learning objective credit after successfully demonstrating to the school that the objectives have been met.

Schools transferring credits will transfer to the student report form, in appropriate categories by course, the credits accepted. The certifying school accepts responsibility for total training of the student.

(5) Each month the school will provide a copy of the completed monthly report form to the student. When a student transfers to a new school an enrollment student record will be developed for the permanent student file with a copy given to the student prior to enrollment. This will reflect the training transferred and the areas of training still needed.

#### NEW SECTION

WAC 308-20-095 EXAMINATION ELIGIBILITY OF APPLICANTS FROM OUT-OF-STATE SCHOOLS. A student who has received cosmetology, barbering, and/or manicuring instruction in a school outside Washington may be allowed to take the Washington state chemical/barber/manicurist examination(s) under chapter 18.16 RCW if the following requirements are met:

(1) The complete application and proper fee is paid;

(2) The applicant is seventeen years of age or older;

(3) The applicant has completed a course of training equivalent to that required under chapter 18.16 RCW, as stated in WAC 308-20-080, in a school in good standing under pertinent laws in the jurisdiction where the school is located. This must be documented by a detailed transcript of the subjects taken and number of hours involved in each subject; and

(4) Approval from the department, prior to scheduling any examination.

AMENDATORY SECTION (Amending Order PM 772, filed 9/14/88)

WAC 308-20-105 CURRICULUM FOR INSTRUCTOR-TRAINEES. Licensed schools wishing to

offer training for cosmetology instructors are required to develop and maintain an appropriate curriculum. This curriculum should be based on five hundred hours of training and study in the areas shown below:

(1) Training in instructional methods covering the following subjects or units:

(a) Methods of teaching cosmetology:

(i) Lesson planning to meet instructional objectives;

(ii) Student learning principles for student learning objectives;

(iii) Classroom management; ~~((and))~~

(iv) Four-step method; and

(v) Occupational analysis.

~~(b) ((Occupational analysis and advisory committees:~~

~~(i) Develop system for analysis;~~

~~(ii) Charting and categorizing;~~

~~(iii) Validating; and~~

~~(iv) Organizing and working with advisory committees.~~

~~(c))~~ Course organization:

(i) Develop instruction from analysis;

(ii) Organize and prioritize;

(iii) Group and sequence learning units;

(iv) Test and evaluate; record progress of students on ~~((achievement indicators))~~ monthly report forms; and

(v) Teaching aids.

~~((d))~~ (c) Student leadership development:

(i) How to be effective;

(ii) ~~((Vocational Industrial Clubs of America or))~~

Student leadership organization such as Vocational Industrial Clubs of America;

(iii) Personality and conduct;

(iv) Interpersonal relationships; and

(v) Customer relations.

~~((e))~~ (d) One of the following topics or units:

(i) Testing and rating;

(ii) Audio visual materials;

(iii) Philosophy of vocational education; or

(iv) Techniques in individualized instruction.

(2) Training in clinic supervision and management covering the application of teaching techniques as follows:

(a) Practical classroom and clinic services:

(i) Sanitation of all tools, implements, equipment, and work areas; and

(ii) Safety involved in providing any service to members of the public.

(b) Safety in the storage, mixing, and use of all chemicals used in a cosmetology, barber, or manicurist school or business.

(c) ~~((Reception area management:~~

~~(i) Customer relations;~~

~~(ii) Use of cash register; and~~

~~(iii) Telephone techniques.~~

~~(d))~~ Student's practical assignments.

~~((e))~~ (d) Motivational supervision.

~~((f))~~ (e) Student assistance.

AMENDATORY SECTION (Amending Order PM 772, filed 9/14/88)

WAC 308-20-110 MINIMUM SCHOOL SAFETY STANDARDS. (1) Each licensed school or institution will be responsible for providing a clean, safe environment for the training of students and provide all students the necessary training to ensure that sanitation and safety measures are applied for the maximum protection of the public, students ~~((or)), and models ((used by students or instructors))~~.

(2) An adequate supply of hot and cold running water must be provided for the benefit of the student's and consumer's health, safety and welfare.

(3) Clean towels shall be provided for each customer and shall be laundered after every use. Towels will be kept in closed cabinets until used.

(4) Robes or gowns used by customers must be laundered after every use, and stored in closed cabinets until used. Soiled linens should be kept in ventilated closed containers. Towels, robes and gowns shall not be washed or dried on the premises except in suitable automatic washers and dryers.

(5) A separate area with an adequate supply of hot and cold running water, shall be designated as a dispensary for the dispensing of supplies and for the cleaning of tools, equipment and materials.

(6) Wet sanitizer—fresh, clean solution shall be ~~((placed daily))~~ in a clean covered container for the sanitizing of combs, brushes and other tools or implements.

(7) Chemicals must be stored in compliance with state and local laws to ensure maximum protection against fires, fumes, corrosion of containers or contamination. ~~((Flammable liquids that have a flash point below 100°F and vapor pressure not exceeding 40 lbs per square inch under 100°F must be provided adequate ventilation in storage so that normal leakage of such vapors from containers will be diluted enough to prevent spark from igniting them. Reducing or oxidizing materials must be stored separately from powerful oxidizing agents.))~~ Storage areas shall be posted "flammable liquids." ~~((Acids must be stored in a cool, well ventilated area void of sources of ignition. Metal shelves used to store acids must be painted or otherwise rendered immune to attack by acids. Corrosive materials must be kept in a cool, well ventilated area.))~~ Materials should be inspected regularly and corroded containers must be discarded immediately.

(8) ~~((Approved fire extinguishers must be kept in vicinity of storage area.~~

~~((9)))~~ Adequate toilet facilities shall be provided for the use of customers, employees and students. The use of common towels and bar soap is prohibited.

~~((+0)))~~ (9) Shampoo bowls will be kept clean and free of hair in traps.

(10) Licenses of the school and all currently employed instructors must be posted in public view.

(11) All trays, rollers, floors, chairs, and other implements should be free from dust, dirt, and/or hair.

(12) Clippers, scissors, razors, rollers, and other implements should be disinfected and sanitized after each

use. Once sanitized they should be stored in clean covered/sealed containers to maintain dry sanitation. Used implements should be stored in an area separate from the sanitized implements.

(13) Hazardous chemicals and flammable liquid signs should be posted in the dispensary, storage room, and any other location these materials may be located.

(14) Fire extinguishers must be readily accessible to the dispensary, storage room, and other locations where flammable liquids may be kept.

(15) Facial rooms must have provisions for privacy, hot and cold running water, closed cabinets for linen storage, and method or procedure to sanitize and store implements in a manner that maintains sanitation.

(16) General appearance – the school floor, walls, and ceilings must be clean. Ventilation should be sufficient to keep odors from the chemicals used at a safe level. Electrical wiring must be acceptable to the local fire district as demonstrated by a current fire inspection form. Electrical plug-in should not reflect any frays and be properly repaired to prevent shock.

AMENDATORY SECTION (Amending WSR 90-07-030, filed 3/14/90, effective 4/14/90)

WAC 308-20-140 EXAMINATION—APPLICATION. Examinations are administered at least monthly. Examination schedules will be published ~~((by the director))~~ and issued to each school. Each licensed school shall post the schedule of examinations in plain view for the students and provide students with an application and all necessary information for completing and submitting the application. No school shall prohibit or hinder a student from submitting an application for examination if the student is at least seventeen years of age and has completed the state required ~~((number of))~~ creditable hours in the approved course of study.

Each application submitted must be complete in every respect, including fee before the applicant will be scheduled for examination. The application must include a copy of the final student record form verifying the total activities in each subject and the hours of training in each course signed by the student and instructor. A sworn statement by the student that all statements on the application are true and correct is to be included. The school owner or manager will also sign a sworn statement that all statements made in the application are true and correct and this school has complied with all state regulations regarding the training of the student.

Applications may be submitted when the student is within one hundred fifty hours of completing the required training. These applications must include a sworn statement by student and school owner or manager that the student is within 150 hours of completing the required training. The training affidavit and final student record form ~~((may be submitted at the examination site the morning of the exam for determination of exam eligibility))~~ must be submitted prior to being authorized to sit for any examination. If completed properly and otherwise satisfactory, the applicant will be ~~((allowed))~~ authorized to take the examination(s).

~~((Applications and fees for examination must be date stamped received into the department of licensing no~~

later than the first day of the month to be scheduled for the following month's examination. (For example: Must be received by August 1 to be scheduled for September examination.) ~~Only when the date received stamp is omitted or illegible, will the postmark by the postal service be substituted.)~~

Any person who ~~((either (1)))~~ fails to appear as scheduled for an examination, ~~((2) fails to request to be rescheduled at least seven days prior to scheduled examination date, or (3) fails to supply the training affidavit and student record form at least seven days prior to the scheduled examination date))~~ shall forfeit the fee ~~((for examination, except in cases of emergency as determined by the department))~~.

~~((Applications and fees for reexamination must be received by the Professional Licensing Division at 2424 Bristol Court S.W., Olympia, Washington on or before the 20th of the month to be scheduled for the following month's examination:))~~

#### NEW SECTION

WAC 308-20-175 PERSONS LICENSED IN OTHER JURISDICTIONS. Persons licensed in any state, territory, or possession of the United States, or foreign country can apply for licensure by submitting a complete application, fee, verification of current licensure, and a detailed transcript of all cosmetology, barber, and/or manicurist training.

(1) After review of the courses taken and hours involved if it is determined that the training at the time of licensure was obtained, is equivalent to Washington state requirements, as stated in WAC 308-20-080, a license will be issued without examination.

(2) After review of the courses taken and hours involved if it is determined that the training is not equivalent to Washington state requirements, additional training in the lacking area(s) is required. When training to meet the requirements is obtained, the applicant must pass the examination(s) in the areas the training was needed, if a current out-of-state license is held. If the out-of-state license is invalid the complete examination for the requested license must be passed. The department will schedule the required examination(s) upon receipt of a statement from the school of the completion of required training and the monthly student record form that verifies the actual training received.

**WSR 91-11-043**  
**EMERGENCY RULES**  
**PERSONNEL BOARD**

[Order 372—Filed May 13, 1991, 1:59 p.m.]

Date of Adoption: May 13, 1991.

Purpose: This rule prohibits docking the salaries of exceptions work period employees for absences of less than one full day.

Citation of Existing Rules Affected by this Order: New section WAC 356-18-230 Partial day absence—Exceptions work period.

Statutory Authority for Adoption: RCW 41.06.040 and 41.06.150.

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: To respond to a 9th Circuit Court of Appeals decision which interpreted the Fair Labor Standards Act such as to require this ruling.

Effective Date of Rule: Immediately.

May 13, 1991  
Dee W. Henderson  
Secretary

#### NEW SECTION

WAC 356-18-230 PARTIAL DAY ABSENCE—EXCEPTIONS WORK PERIOD. *Exceptions work period employees shall not be charged with leave without pay for partial days of absence.*

**WSR 91-11-044**

**EMERGENCY RULES**

**DEPARTMENT OF FISHERIES**

[Order 91-31—Filed May 13, 1991, 3:22 p.m., effective May 16, 1991, 12:01 a.m.]

Date of Adoption: 91-31 [May 13, 1991].

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order: Amending WAC 220-52-051.

Statutory Authority for Adoption: RCW 75.08.080.

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

Reasons for this Finding: This regulation will provide for a simultaneous opening of the commercial and recreational shrimp fisheries in Shrimp Districts 1, 2, and 3.

Effective Date of Rule: 12:01 a.m., May 16, 1991.

May 13, 1991  
Judith Merchant  
Deputy  
for Joseph R. Blum  
Director

#### NEW SECTION

WAC 220-52-05100H COMMERCIAL SHRIMP—PUGET SOUND. *Notwithstanding the provisions of WAC 220-52-051, effective immediately until further notice it is unlawful to take, fish for or possess shrimp taken for commercial purposes with shellfish pot gear from Shrimp Districts 1, 2, and 3 except as provided for in this section:*

(1) *Open: May 16, 1991 until further notice.*

**WSR 91-11-045**  
**EMERGENCY RULES**  
**DEPARTMENT OF FISHERIES**

[Order 91-32—Filed May 13, 1991, 3:25 p.m., effective May 15, 1991, 12:01 a.m.]

Date of Adoption: May 13, 1991.

Purpose: Personal use regulations.

Citation of Existing Rules Affected by this Order:  
 Amending WAC 220-57-140.

Statutory Authority for Adoption: RCW 75.08.080.

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

Reasons for this Finding: There are adequate spring chinook stocks available to allow increased area opportunity for recreational harvest.

Effective Date of Rule: 12:01 a.m., May 15, 1991.

May 13, 1991  
 Judith Merchant  
 Deputy  
 for Joseph R. Blum  
 Director

**NEW SECTION**

*WAC 220-57-14000N CHEHALIS RIVER. Notwithstanding the provisions of WAC 220-57-140, effective May 15, through June 30, 1991 it is unlawful to take, fish for, or possess salmon taken for personal use from the waters of the Chehalis River except as provided for in this section:*

*(1) Open in those waters of the Chehalis River downstream from the Mellon Street Bridge in Centralia (approximately 1 mile upstream from the mouth of the Skookumchuck River).*

*(2) The daily bag limit is six salmon not less than 12 inches in length and not more than two chinook salmon over 24 inches in length allowed in the daily bag limit.*

**WSR 91-11-046**  
**PERMANENT RULES**  
**WASHINGTON STATE PATROL**

[Filed May 14, 1991, 10:36 a.m.]

Date of Adoption: May 1, 1991.

Purpose: Implementation of RCW 43.43.752 through 43.43.759 regarding DNA identification systems and procedures.

Statutory Authority for Adoption: RCW 43.43.759.

Pursuant to notice filed as WSR 91-07-045 on March 18, 1991.

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

May 3, 1991  
 George B. Tellevik  
 Chief

**Chapter 446-75 WAC**  
**DNA IDENTIFICATION**

**NEW SECTION**

**WAC 446-75-010 DEFINITIONS.** (1) "DNA" wherever used in this chapter shall mean deoxyribonucleic acid.

(2) "Convicted felon" wherever used in this chapter shall mean every individual convicted on or after July 1, 1990 in a Washington superior court of a felony defined as a sex offense under RCW 9.94A.030 (29)(a) or a violent offense as defined in RCW 9.94A.030(32).

(3) "DNA identification" wherever used in this chapter shall mean the identification of a particular individual from the the chemical structure of the DNA contained in cells of the human body.

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

**NEW SECTION**

**WAC 446-75-020 PURPOSE.** The purpose of this chapter is to provide procedures for the operation of DNA identification systems as required by RCW 43.43.758, and to prohibit the improper use of DNA identification data as required by RCW 43.43.759.

**NEW SECTION**

**WAC 446-75-030 PURPOSES OF DNA IDENTIFICATION.** (1) DNA identification systems as authorized by RCW 43.43 shall be used only for two purposes: (a) identification of possible suspects in criminal investigations, and (b) convicted felon identification databanking.

(2) DNA identifications made in response to a criminal investigation shall not be entered into any permanent or temporary databank. Such results shall be returned to the requesting agency.

**NEW SECTION**

**WAC 446-75-040 DNA IDENTIFICATION SYSTEM ESTABLISHED.** The DNA identification system established by the Chief of the Washington State Patrol shall be compatible with the method(s) used by the Federal Bureau of Investigation. Identification systems established by other local law enforcement agencies shall be compatible to the current Washington State Patrol system.

**NEW SECTION**

**WAC 446-75-050 DNA IDENTIFICATION SYSTEM ANALYTICAL PROCEDURES.** Law enforcement agencies establishing a DNA identification system shall maintain written analytical procedures necessary to complete the analyses. A copy of the analytical procedures shall be forwarded to the Chief of the Washington State Patrol to ensure compatibility with the Washington State Patrol system. The Chief shall approve or disapprove the procedures utilizing the standards set forth for DNA identification by the Federal

Bureau of Investigation prior to any implementation by the submitting agency. The appeal process for any disapproval shall be in accordance with the provisions of the Administrative Procedure Act (34.05 RCW).

#### NEW SECTION

**WAC 446-75-060 COLLECTION OF BLOOD FOR DNA DATABANK—PROCEDURES—TIME FRAME.** (1) The collection, preservation, and shipment of blood samples obtained from convicted felons pursuant to RCW 43.43.754 for the convicted felon databank program shall be in conformance with the "Protocol for the Collection of Blood for the Convicted Felon DNA Program" as prepared by the Washington State Patrol Crime Laboratory Division. Copies of the current protocol may be obtained from the Washington State Patrol Crime Laboratory Division, Olympia, WA.

(a) If the convicted felon is sentenced to one year or less in jail, the blood sample will be drawn by the county no later than 60 days from the date of conviction or prior to release, whichever comes first. If the convicted felon will spend no time in jail due to time already served, probation or other sentencing by the court, the blood shall be drawn prior to release.

(b) If the convicted felon is sentenced to more than one year in jail the sample will be drawn within 120 days after transfer to the state correctional institution by the Department of Corrections.

(2) Results from DNA identifications made from blood samples obtained from convicted felons under RCW 43.43.754 shall be submitted to the Chief of the Washington State Patrol and entered into the Washington State Patrol DNA databank. Such results shall reside in the databank until expungement pursuant to WAC 446-75-070.

#### NEW SECTION

**WAC 446-75-070 EXPUNGEMENT OF DNA DATA.** (1) A person desiring the destruction of his DNA identification data from a DNA databank shall make his request therefor on a form furnished by the Chief of the Washington State Patrol. The request shall be mailed or delivered to the Washington State Patrol Crime Laboratory Division, Olympia, WA.

(2) The request shall be completed, signed by the person whose record is sought to be expunged. The signature shall be notarized. It shall include the address of the applicant, the printed name and the address of the witness to the applicant's signature and such other information requested on the application as identifies the applicant and the offense for which the request of expungement is made.

(3) The request shall include proof that the person making the request for expungement is the same person whose DNA data is sought to be expunged. Such proof shall include a sworn statement of identity. When requested by the Patrol, fingerprints and a blood sample shall also be required from the applicant.

(4) The request shall include proof that the person making the request has no record as a convicted felon

under RCW 43.43.754 or has other lawful grounds for expungement. Such proof shall include a sworn statement from the applicant, and not-guilty or released without conviction documentation from such criminal charges. Where the finding or release is based on an order of a court, the applicant shall furnish a certified true copy of the court order.

#### NEW SECTION

**WAC 446-75-080 DNA IDENTIFICATION DATA - PROHIBITIONS.** The use of any data obtained from DNA identification procedures is prohibited for any research or other purpose not related to a criminal investigation or to improving the operation of the system established by the Washington State Patrol and authorized by RCW 43.43.752 through 43.43.759.

#### **WSR 91-11-047**

#### **WITHDRAWAL OF PROPOSED RULES DEPARTMENT OF ECOLOGY**

[Filed May 14, 1991, 10:42 a.m.]

The Department of Ecology is withdrawing the proposed amendments to chapter 173-224 WAC, WSR 91-03-080 which was filed with the code reviser on January 17, 1991.

Any questions regarding this action should be directed to Bev Poston, Department of Ecology, Mailstop PV-11, Olympia, Washington 98504-8711, (206) 438-7039.

Fred Olson

#### **WSR 91-11-048**

#### **PROPOSED RULES UTILITIES AND TRANSPORTATION COMMISSION**

[Filed May 14, 1991, 1:08 p.m.]

Original Notice.

Title of Rule: WAC 480-70-245 relating to solid waste service agreements. The proposed amendatory section is shown below as Appendix A, Docket No. TG-910450. Written and/or oral submissions may also contain data, views, and arguments concerning the effect of the proposed amendatory section on economic values, pursuant to chapter 43.21H RCW.

Purpose: To clarify the wording of the rule.

Statutory Authority for Adoption: RCW 80.01.040.

Summary: See Purpose above.

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 does not change existing rules.

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

Hearing Location: Commission Hearing Room, Second Floor, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, WA, on July 3, 1991, at 9:00 a.m.

Submit Written Comments to: Paul Curl, Secretary, 1300 South Evergreen Park Drive S.W., Olympia, WA, by June 24, 1991.

Date of Intended Adoption: July 3, 1991.

May 13, 1991

Paul Curl  
Secretary

#### APPENDIX "A"

AMENDATORY SECTION (Amending Order R-31, filed 10/18/71)

WAC 480-70-245 AGREEMENTS TO OPERATE CERTIFICATES. (1) ~~(When)~~ A a certificated carrier (~~((possesses exclusive authority in an area and))~~) which due to lack of ownership of suitable equipment is unable to adequately serve ~~((his))~~ its customers (~~((such certificated carrier))~~) may enter into an agreement with another certificated carrier not possessing authority in the area, but possessing the required equipment necessary to provide the service. The agreement must be filed with and approved by the commission before such service is rendered under the agreement.

(2) Customer billing will be rendered by the certificated carrier possessing the proper authority in the area at the rates and charges contained in that carrier's tariff on file with the commission. The terms of reimbursement for the service rendered by the performing carrier must be stated in and be a part of the agreement entered into between the carriers.

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 91-11-049 NOTICE OF PUBLIC MEETINGS CONVENTION AND TRADE CENTER

[Memorandum—May 13, 1991]

The Washington State Convention and Trade Center board of directors at its May 8, 1991, regular meeting, the July regular meeting of the board will be held on Saturday, July 13 (instead of Wednesday, July 10) in conjunction with a two-day board retreat. The public meeting notice will reflect this revised meeting date.

#### WSR 91-11-050

#### NOTICE OF PUBLIC MEETINGS EDMONDS COMMUNITY COLLEGE

[Memorandum—May 14, 1991]

Thursday, May 16, 1991  
Lynnwood Hall, Room 424  
12:00 – 6:25

The facilities for this meeting are free of mobility barriers and interpreters for deaf individuals and brailled or taped information for blind individuals will be provided upon request when adequate notice is given.

#### WSR 91-11-051

#### PROPOSED RULES EMPLOYMENT SECURITY DEPARTMENT

[Filed May 14, 1991, 3:15 p.m.]

Original Notice.

Title of Rule: Employer notice and separation determination rules.

Purpose: To implement changes in departmental policies regarding the mailing of notices to employers when a claim for unemployment benefits is filed and to remove requirements to adjudicate most separations from base year employers when those employers are not last employers.

Other Identifying Information: Written comments received by June 25, 1991, will be considered for revised rules to be presented for further comments at or before the July 24, 1991, hearing date.

Statutory Authority for Adoption: RCW 50.12.010 and 50.12.040.

Summary: Adjudication of separation issues will be limited to separations from last employer and discharges for criminal behavior. Base year employers will not be notified of filings of invalid claims.

Reasons Supporting Proposal: These changes are expected to lessen agency administrative expense and employer response requirements.

Name of Agency Personnel Responsible for Drafting: Wm. Eric Jordan, 212 Maple Park, Olympia, WA, (206) 586-2915; Implementation and Enforcement: Marie Brillante, Assistant Commissioner, UI, 212 Maple Park, Olympia, WA, (206) 753-5120.

Name of Proponent: Employment Security Department, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Prior to January 14, when emergency rules were filed, the department reviewed, and adjudicated when necessary all situations when a worker quit or was fired by a base year employer or last employer. These rules remove the requirement that separations from base year employers be considered except when the base year employer is last employer or when the worker is fired for committing a criminal act connected with the work (RCW 50.20.060(2)). As a result of these rules, fewer

redundant notices will be mailed to employers, and fewer employer responses will be required.

Proposal Changes the Following Existing Rules: WAC 192-12-300, removing information relating to discontinued mailings to base year employers who have not reported wages; WAC 192-12-305, remove obsolete references; WAC 192-12-310, removing requirement to notify base year employers until claim is valid, clarifying notice requirements; WAC 192-12-320, removing requirements for determination notices for separations other than last employer; and WAC 192-12-330, clarifying department response to employer supplied information on claims.

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

The proposed rules have a minor or negligible economic impact on businesses. These changes will result in fewer mailings to employers and resulting employer responses.

Hearing Location: Commissioner's Conference Room, 2nd Floor, Employment Security Department, 212 Maple Park, Olympia, WA 98504, on Wednesday, July 24, 1991, at 9:30 a.m.

Submit Written Comments to: Wm. Eric Jordan, Rules Coordinator, Employment Security Department, 212 Maple Park, Mailstop KG-11, Olympia, WA 98504, by July 19, 1991.

Date of Intended Adoption: August 9, 1991.

May 14, 1991  
Vernon E. Stoner  
Commissioner

AMENDATORY SECTION (Amending Order 4-89, filed 10/4/89, effective 10/9/89)

WAC 192-12-300 MAILING ADDRESSES FOR NOTICE TO EMPLOYER. Notices to employers mailed as required in RCW 50.20.150 and WAC 192-12-310 will be mailed as follows:

(1) The notice to the last employer of the claimant will be mailed to the address provided by the claimant.

(2) The notice to any base year employer who has reported wages to the department will be mailed to the mailing address of record of the employer provided by the employer for tax purposes.

~~((3) The notice to any other base year employer will be mailed to the address provided by the claimant.))~~

AMENDATORY SECTION (Amending Order 4-89, filed 10/4/89, effective 10/9/89)

WAC 192-12-305 CLAIMANT RESPONSIBILITY FOR PROVIDING ACCURATE EMPLOYER ADDRESS. (1) If the notice to last employer (~~or base year employer~~) (WAC 192-12-310) is mailed to an address provided by the claimant (WAC 192-12-300 (1) ~~& (3)~~)) and is returned by the Post Office as undeliverable, the claimant will be determined to have failed to provide details of separation of employment, unless:

(a) the mail returned by the Post Office indicates the employer has moved and left no forwarding address, or

(b) the claimant can establish that the address provided was an accurate address at the time the claimant last worked for the employer.

(2) No payment will be made to a claimant found to have failed to provide details of separation from employment pursuant to subsection (1) unless the claimant is a continued claim recipient as defined in WAC 192-12-011, in which case payments will be made conditionally pursuant to WAC 192-12-012.

(3) A claimant who has failed to provide details of separation from employment pursuant to subsection (1) may be subject to disqualification pursuant to WAC 192-23-051 if the claimant does not respond to a request to provide an accurate employer address.

AMENDATORY SECTION (Amending Order 4-89, filed 10/4/89, effective 10/9/89)

WAC 192-12-310 NOTICE TO EMPLOYER. (1) At the time of filing any new claim (the filing for an application for initial determination) a notice will be mailed to:

~~(a) the claimant's last employer,~~ and

(b) All base year employers). This notice will provide the employer with information provided to the department by the claimant and request that the employer provide information to the department if the separation was for reasons of other than lack of work.

(2) At the time of filing any new claim (the filing for an application for initial determination) that results in the establishment of a benefit year pursuant to RCW 50.04.030, a notice will be mailed to all base year employers. This notice to base year employers will include information on wages reported and benefit charging related information and will request employer response if wage information is incorrect or if the employer wishes to request relief of benefit charging.

(3) At the time of filing an additional claim for benefits (reopening a claim after subsequent employment) a notice will be mailed to the last employer reported by the claimant.

AMENDATORY SECTION (Amending Order 4-89, filed 4-89, filed 10/4/89, effective 10/9/89)

WAC 192-12-320 MAILING OF DETERMINATION NOTICES. RCW 50.20.180 allows the commissioner to determine the parties to be mailed notices of allowance or denial of benefits.

(1) The claimant will be mailed a notice of determination

(a) that denies the claimant benefits, or

(b) that allows benefits and is also mailed to an employer.

(2) The last employer will be mailed a determination notice if the claimant was separated from employment for reasons other than lack of work.

(3) A determination of eligibility will be made and a notice mailed to any (~~base year~~) employer since the beginning of the base year who ~~((a) from whom the claimant was separated from employment for reasons other than lack of work, and~~

~~(b) the claimant has not been employed and had earnings of at least his or her weekly benefit amount in each of five weeks subsequent to the separation, or~~

~~(c) the employer~~) provides information that the claimant was discharged as a result of a felony or gross misdemeanor connected with the work.

(4) A determination of eligibility of benefits based on an issue other than a separation from employment will be mailed to an employer if the employer provides relevant information relating to eligibility for a specific week.

AMENDATORY SECTION (Amending Order 4-89, filed 10/4/89, effective 10/9/89)

WAC 192-12-330 PREDETERMINATION PROCEDURE—SEPARATION ISSUE. (1) No determination on a separation issue (RCW 50.20.050, RCW 50.20.060) will be issued until both parties to the separation have had an opportunity to present information and rebuttal, if necessary and appropriate, on the matters at issue.

(2) If an employer does not respond within ten days to the notice required by WAC 192-12-310, the department may at that time make a determination based on available information.

(3) If the department receives information from the employer after the end of the ten day response period, but before the determination has been made, the information provided by the employer will be considered prior to making the determination if the information was mailed to the Job Service Center where the claim was filed.

(4) If the department receives information from the employer after the end of the ten day period and within thirty days following the mailing of a determination, the department (~~may~~) will consider that information for the purposes of a redetermination under RCW 50.20.160 or as an appeal of the determination.

(5) Any information received within thirty days of the mailing of the notice required by WAC 192-12-310 (~~with~~) may be considered a request for relief of benefit charges under RCW 50.29.020.

NEW SECTION

WAC 192-12-370 LAST EMPLOYER RULE (1) For the purpose of determining eligibility for benefits pursuant to RCW 50.20.050, only the separation from the last employer will be considered.

(2) For the purpose of determining eligibility for benefits pursuant to RCW 50.20.060(1), only the separation from the last employer will be considered.

(3) For the purpose of determining eligibility for benefits pursuant to RCW 50.20.060(2), any separation subsequent to the beginning of an individual's base year will be considered.

**WSR 91-11-052**  
**EMERGENCY RULES**  
**EMPLOYMENT SECURITY DEPARTMENT**

[Filed May 14, 1991, 3:18 p.m.]

Date of Adoption: May 14, 1991.

Purpose: To revise requirements for mailing notices to employers when workers file unemployment claims, and removing requirements to make determinations of eligibility in certain cases.

Citation of Existing Rules Affected by this Order: Amending WAC 192-12-300, 192-12-305, 192-12-320, and 192-12-330.

Statutory Authority for Adoption: RCW 50.12.010 and 50.12.040.

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: Reduction of federal administrative funding for the department requires changes in procedures to lessen administrative costs. Rule-making proceedings for permanent change of these and related rules have commenced. (See separate notice filed May 14, 1991.) These emergency rules are substantially similar to emergency rules adopted January 14, 1991 (WSR 91-03-054).

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: The Employment Security Department has filed notice to adopt these rules as permanent rules, and has actively solicited comments on the general content of these rules through work with a task force including representatives of employers and workers, and through publication of notice of a period of preproposal comment filed January 14, 1991, published as WSR 91-03-055, allowing written comment through April 15, 1991.

Effective Date of Rule: Immediately.

May 14, 1991  
Vernon E. Stoner  
Commissioner

**AMENDATORY SECTION** (Amending Order 4-89, filed 10/4/89, effective 10/9/89)

WAC 192-12-300 MAILING ADDRESSES FOR NOTICE TO EMPLOYER. Notices to employers mailed as required in RCW 50.20.150 and WAC 192-12-310 will be mailed as follows:

(1) The notice to the last employer of the claimant will be mailed to the address provided by the claimant.

(2) The notice to any base year employer who has reported wages to the department will be mailed to the mailing address of record of the employer provided by the employer for tax purposes.

~~((3) The notice to any other base year employer will be mailed to the address provided by the claimant.))~~

**AMENDATORY SECTION** (Amending Order 4-89, filed 10/4/89, effective 10/9/89)

WAC 192-12-305 CLAIMANT RESPONSIBILITY FOR PROVIDING ACCURATE EMPLOYER ADDRESS. (1) If the notice to last employer (~~(or base year employer)~~) (WAC 192-12-310) is mailed to an address provided by the claimant (WAC 192-12-300 (1) (~~& (3)~~)) and is returned by the Post Office as undeliverable, the claimant will be determined to have failed to provide details of separation of employment, unless:

(a) the mail returned by the Post Office indicates the employer has moved and left no forwarding address, or

(b) the claimant can establish that the address provided was an accurate address at the time the claimant last worked for the employer.

(2) No payment will be made to a claimant found to have failed to provide details of separation from employment pursuant to subsection (1) unless the claimant is a continued claim recipient as defined in WAC 192-12-011, in which case payments will be made conditionally pursuant to WAC 192-12-012.

(3) A claimant who has failed to provide details of separation from employment pursuant to subsection (1) may be subject to disqualification pursuant to WAC 192-23-051 if the claimant does not respond to a request to provide an accurate employer address.

**AMENDATORY SECTION** (Amending Order 4-89, filed 10/4/89, effective 10/9/89)

WAC 192-12-320 MAILING OF DETERMINATION NOTICES. RCW 50.20.180 allows the commissioner to determine the parties to be mailed notices of allowance or denial of benefits.

(1) The claimant will be mailed a notice of determination

(a) that denies the claimant benefits, or

(b) that allows benefits and is also mailed to an employer.

(2) The last employer will be mailed a determination notice if the claimant was separated from employment for reasons other than lack of work.

(3) A determination of eligibility will be made and a notice mailed to any (~~(base year)~~) employer since the beginning of the base year who

~~((a) from whom the claimant was separated from employment for reasons other than lack of work, and~~

~~(b) the claimant has not been employed and had earnings of at least his or her weekly benefit amount in each of five weeks subsequent to the separation, or~~

~~(c) the employer)) provides information that the claimant was discharged as a result of a felony or gross misdemeanor connected with the work.~~

(4) A determination of eligibility of benefits based on an issue other than a separation from employment will be mailed to an employer if the employer provides relevant information relating to eligibility for a specific week.

AMENDATORY SECTION (Amending Order 4-89, filed 10/4/89, effective 10/9/89)

WAC 192-12-330 **PREDETERMINATION PROCEDURE—SEPARATION ISSUE.** (1) No determination on a separation issue (RCW 50.20.050, RCW 50.20.060) will be issued until both parties to the separation have had an opportunity to present information and rebuttal, if necessary and appropriate, on the matters at issue.

(2) If an employer does not respond within ten days to the notice required by WAC 192-12-310, the department may at that time make a determination based on available information.

(3) If the department receives information from the employer after the end of the ten day response period, but before the determination has been made, the information provided by the employer will be considered prior to making the determination if the information was mailed to the Job Service Center where the claim was filed.

(4) If the department receives information from the employer after the end of the ten day period and within thirty days following the mailing of a determination, the department (~~may~~) will consider that information for the purposes of a redetermination under RCW 50.20.160 or as an appeal of the determination.

(5) Any information received within thirty days of the mailing of the notice required by WAC 192-12-310 (~~with~~) may be considered a request for relief of benefit charges under RCW 50.29.020.

NEW SECTION

WAC 192-12-370 **LAST EMPLOYER RULE** (1) For the purpose of determining eligibility for benefits pursuant to RCW 50.20.050, only the separation from the last employer will be considered.

(2) For the purpose of determining eligibility for benefits pursuant to RCW 50.20.060(1) only the separation from the last employer will be considered.

(3) For the purpose of determining eligibility for benefits pursuant to RCW 50.20.060(2), any separation subsequent to the beginning of an individual's base year will be considered.

**WSR 91-11-053**  
PERMANENT RULES  
**DEPARTMENT OF AGRICULTURE**  
[Order 2084—Filed May 15, 1991, 9:38 a.m.]

Date of Adoption: May 15, 1991.  
Purpose: To repeal the narcissus bulb nematode quarantine.  
Citation of Existing Rules Affected by this Order: Repealing chapter 16-484 WAC.

Statutory Authority for Adoption: Chapter 17.24 RCW.

Pursuant to notice filed as WSR 91-07-037 on March 15, 1991.

Effective Date of Rule: Thirty-one days after filing.  
May 15, 1991  
Michael Schwisow  
Deputy Director  
for C. Alan Pettibone  
Director

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 16-484-020 ESTABLISHING QUARANTINE—PROMULGATION.
- WAC 16-484-022 PROMULGATION—ESTABLISHING QUARANTINE.
- WAC 16-484-030 DEFINITIONS.
- WAC 16-484-040 CONDITIONS GOVERNING SHIPMENTS.
- WAC 16-484-050 SANITARY REQUIREMENT ON NARCISSUS BULBS GROWN WITHIN THE STATE OF WASHINGTON.
- WAC 16-484-080 CONDITIONS APPLICABLE TO GROWERS.
- WAC 16-484-090 VIOLATIONS.
- WAC 16-484-100 EFFECTIVE DATE.

**WSR 91-11-054**  
PERMANENT RULES  
**DEPARTMENT OF AGRICULTURE**  
[Order 2085—Filed May 15, 1991, 9:41 a.m.]

Date of Adoption: May 15, 1991.  
Purpose: To repeal the Australia and Tasmania apple quarantine.

Citation of Existing Rules Affected by this Order: Repealing chapter 16-486 WAC.

Statutory Authority for Adoption: Chapter 17.24 RCW.

Pursuant to notice filed as WSR 91-07-036 on March 15, 1991.

Effective Date of Rule: Thirty-one days after filing.  
May 15, 1991  
Michael Schwisow  
Deputy Director  
for C. Alan Pettibone  
Director

REPEALER

The following chapter of the Washington Administrative Code is repealed:

- WAC 16-486-001 PROMULGATION—ESTABLISHING QUARANTINE.
- WAC 16-486-010 QUARANTINE AREA.
- WAC 16-486-015 COMMODITY COVERED.
- WAC 16-486-020 REGULATION.

WAC 16-486-025 FUMIGATION  
REQUIREMENTS.

WAC 16-486-030 PROOF OF FUMIGATION.

WAC 16-486-035 DISPOSITION OF APPLES  
SHIPPED IN VIOLATION OF THIS  
QUARANTINE.

WAC 16-486-040 VIOLATION AND  
PENALTY.

WAC 16-486-045 EFFECTIVE DATE.

**WSR 91-11-055**

**EMERGENCY RULES**

**DEPARTMENT OF FISHERIES**

[Order 91-33—Filed May 15, 1991, 10:49 a.m.]

Date of Adoption: May 14, 1991.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order:  
Repealing WAC 220-52-071001.

Statutory Authority for Adoption: RCW 75.08.080.

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

Reasons for this Finding: The current regulation governing sea cucumber seasons was put into effect in 1986 for a single four-year cycle only, and a new regulation is necessary to authorize further seasons. Limiting catch effort in early season stabilizes price and provides for the economic well being of the industry.

Effective Date of Rule: Immediately.

May 14, 1991  
William Koss  
for Joseph R. Blum  
Director

**NEW SECTION**

*WAC 220-52-07100J SEA CUCUMBERS. Notwithstanding the provisions of WAC 220-52-071, effective immediately until further notice it is unlawful to take, fish for, or possess sea cucumbers taken from waters of Washington State except as provided for in this section:*

*(1) Sea Cucumber District 1 – Open May 1 through May 14, 1991 Monday through Wednesday.*

*(2) Sea Cucumber District 1 – Open May 15 through June 30, 1991 Monday through Thursday.*

*(3) Sea Cucumber District 1 – Open July 1 until further notice Monday through Friday.*

*(4) During the open periods as provided for in this section it is unlawful to have more than one diver in the water at any time.*

**REPEALER**

*The following section of the Washington Administrative Code is repealed:*

*WAC 220-5207100I SEA CUCUMBERS. (91-30)*

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

**WSR 91-11-056**

**PROPOSED RULES**

**DEPARTMENT OF FISHERIES**

[Filed May 15, 1991, 10:51 a.m.]

Original Notice.

Title of Rule: Commercial licensing rules.

Purpose: Amend commercial license rules to provide proof of vessel ownership and accountability.

Statutory Authority for Adoption: RCW 75.08.080.

Statute Being Implemented: RCW 75.08.080.

Summary: Requires vessel owners to provide proof of vessel ownership; requires herring validation owners to use validations in combination with commercial licenses.

Reasons Supporting Proposal: There is a statutory mandate that fisheries license only vessel owners, a herring validation is required in addition to a commercial license.

Name of Agency Personnel Responsible for Drafting: Evan S. Jacoby, Mailstop AX-11, Olympia, Washington, 586-2429; Implementation: Helen Small, Mailstop AX-11, Olympia, Washington, 753-6517; and Enforcement: Dayna Matthews, Mailstop AX-11, Olympia, Washington, 753-6585.

Name of Proponent: Washington State Department of Fisheries, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The Department of Fisheries is required to issue commercial fishing licenses to vessel owners, only. The best proof of ownership is Coast Guard documentation, which is a federal requirement for all vessel of five or more net tons. For smaller vessels, the next best proof is state registration. This establishes a requirement to present current registration or documentation, with a grandfathering condition for vessels up to 36 feet in length that have state registration. Commercial herring fishers are required to have a herring endorsement in addition to a commercial fishing license. As the endorsement is supplemental to the license, this rule proposal demands renewal of the underlying license and provides for license accountability.

Proposal Changes the Following Existing Rules: See above.

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

Neither ten percent of all the businesses in any one three-digit industrial classification nor twenty percent of all small businesses are affected.

Hearing Location: Large Conference Room, General Administration Building, 210 11th Street, Olympia, WA 98504, on June 26, 1991, at 1:00 p.m.

Submit Written Comments to: Hearings Officer,  
Washington State Fisheries, 115 General Administration  
Building, Olympia, WA 98504, by June 23, 1991.

Date of Intended Adoption: July 3, 1991.

May 10, 1991  
Judith Merchant  
Deputy  
for Joseph R. Blum  
Director

WSR 91-11-057  
PROPOSED RULES  
UNIVERSITY OF WASHINGTON

[Filed May 16, 1991, 9:47 a.m.]

Original Notice.

Title of Rule: Chapter 478-160 WAC, Admissions and registration procedures for the University of Washington.

Purpose: To update the program rules for continuing education.

Other Identifying Information: WAC 478-160-175 through 478-160-195.

Statutory Authority for Adoption: RCW 28B.20.130.

Summary: Revisions and deletions to the continuing education portions of chapter 478-160 WAC are proposed to bring the code into uniformity with current agency practices.

Reasons Supporting Proposal: The rules have not been revised to reflect current policy.

Name of Agency Personnel Responsible for Drafting and Enforcement: University Extension, 5001 25th Avenue N.E., 543-2300; and Implementation: Office of the Provost, 301 Administration, 543-7632.

Name of Proponent: University of Washington, public.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Amendments to WAC 478-160-175 through 478-160-195 are proposed to bring the code into conformity with current continuing education policies and practices; regarding repeal of WAC 478-106-180, Extension credit, is incorporated into WAC 478-160-175 amendments; regarding repeal of WAC 478-160-185, Continuing studies credit courses, are no longer offered; and regarding repeal of WAC 478-160-195, Community services program, activities have been discontinued.

Proposal Changes the Following Existing Rules: See Explanation of Rule above.

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

Hearing Location: HUB 106B, Husky Union Building, University of Washington, on July 15, 1991, at 12:00 p.m.

Submit Written Comments to: Rules Coordination Office AI-10, University of Washington, Seattle, Washington, 98195, by July 15, 1991.

Date of Intended Adoption: July 19, 1991.

May 14, 1991  
Melody Tereski  
Administrative Procedures Officer

AMENDATORY SECTION (Amending Order 89-44, filed 6/8/89)

WAC 220-20-017 COMMERCIAL ((SALMON)) FISHING LICENSES—APPLICATION AND RENEWAL. (1) The license application deadline for all commercial ((salmon)) fishing licenses is December 31 of the licensing year, except the application deadline for Columbia River smelt licenses is January 10 of the licensing year.

(2) Every commercial fishing vessel owner must, as a condition of obtaining a license to fish, offer evidence of ownership. The following is the only acceptable evidence of ownership:

(a) For initial issuance or renewal of a license for a vessel measuring less than 32 feet in length, evidence of ownership may be either current state vessel registration or current United States Coast Guard documentation. Either is acceptable, except that once documentation is presented, it becomes the only acceptable evidence of ownership, unless the vessel is remeasured and found to be under 5 net tons and no longer eligible for documentation.

(b) For renewal of a license for a vessel with state registration numbers that is 32 feet or greater in length but not more than 36 feet in length, evidence of ownership is current state registration.

(c) For renewal of a license for a documented vessel 32 feet or greater in length, evidence of ownership is current Coast Guard documentation.

(d) For initial issuance of a license for a vessel 32 feet or greater in length, evidence of ownership is:

- (i) Current United States Coast Guard documentation; or
- (ii) A tonnage certificate from the American Bureau of Shipping showing the vessel is less than five net tons (formal admeasurement), and current state registration; or
- (iii) Coast Guard verification that the vessel does not meet the minimum tonnage requirement for documentation (simplified admeasurement), and current state registration.

(e) For renewal of a license for a vessel greater than 36 feet in length, evidence of ownership is:

- (i) Current United States Coast Guard documentation; or
- (ii) A tonnage certificate from the American Bureau of Shipping showing the vessel is less than five net tons (formal admeasurement), and current state registration; or
- (iii) Coast Guard verification that the vessel does not meet the minimum tonnage requirement for documentation (simplified admeasurement), and current state registration.

(f) "Initial issuance" is defined as the first issuance of a commercial fishing license of any type to a vessel. Once any commercial fishing license has been issued to a vessel, additional licensing is not "initial issuance," and evidence of ownership is the same as for license renewal.

(g) "Renewal" is defined as reapplication for a commercial fishing license of any type for a vessel that has held a commercial fishing license of any type since June 30, 1983, and includes additional licensing for a vessel that has held a commercial fishing license since June 30, 1983.

(3) A commercial fishing vessel owner who is required under subsection (2) of this section to present documentation as evidence of ownership, and is unable to do so, may renew a license in order to transfer the license off of the vessel that is incapable of being documented. In such a case, evidence of ownership shall be current state registration, and the license renewal application must be accompanied by a license transfer application.

(4) Herring validations - In addition to a commercial fishing license, a herring validation to the license is required to take herring for commercial purposes.

(a) Beginning in 1992, herring validations to commercial fishing licenses are not renewable without renewal of the underlying license.

(b) Herring validations to commercial fishing licenses are transferable to other fishing licenses of the same gear type.

AMENDATORY SECTION (Amending Order 72-5, filed 11/6/72)

WAC 478-160-170 CONTINUING EDUCATION—POLICY. Continuing education(, in cooperation with the various schools and colleges, develops and administers college-level programs to provide continued educational opportunities, primarily) at the University of Washington provides access to the academic and research resources of the institution in credit and noncredit courses for adults and occasionally for young people. Courses are offered by the University of Washington Extension and continuing education units in the professional schools and colleges.

AMENDATORY SECTION (Amending Order 72-5, filed 11/6/72)

WAC 478-160-175 CREDIT DEFINITIONS. ~~((Continuing education offers courses which confer extension credit or continuing studies credit, or are noncredit in nature. For the purpose of these regulations, the following definitions shall apply:~~

- ~~(1) The term noncredit means that the course carries no credit.  
 (2) Continuing studies credit is that credit associated with certain specifically designed continuing education courses. Continuing studies credit is not applicable toward a university degree or a professional certificate.  
 (3) Extension credit is that academic credit associated with extension and correspondence study courses. Matriculated students may apply extension credit toward a university degree or a professional certificate within certain prescribed limitations as outlined in the University Bulletin.  
 (4) Residence credit is that academic credit associated with those courses which are offered at the university within the regular academic curriculum. Credit earned through satisfactory completion of such courses is applicable toward a university degree or a professional certificate to the extent it satisfies specific college or school degree requirements.)) Credit courses are offered either for resident credit or for extension credit.~~

~~(1) Most courses offered through University of Washington Extension are offered for resident credit, and grades earned in such courses are transcribed as resident credit and are included in the student's resident cumulative grade-point average.~~

~~(2) Courses offered through correspondence study, and some other courses, are offered for extension credit. These credits and grades are not included in the resident grade-point average, and students may apply only ninety such university credits toward an undergraduate degree. Extension credit courses are identified by an "X" prefix when listed in catalog material.~~

~~Additional information concerning credit courses may be obtained by contacting University of Washington Extension at 5001 25th Ave. N.E., Seattle, WA 98195, (206) 543-2300.~~

AMENDATORY SECTION (Amending Order 72-5, filed 11/6/72)

WAC 478-160-190 NONCREDIT COURSES. Noncredit courses, covering a variety of topics, are offered during the day and evening for both adults and young people. ~~((They include lecture-discussion series, one-to-three day symposia, residential seminars, short courses and conferences, women's programs, lectures and concerts and telecourses:))~~

~~The delivery format of noncredit courses include certificate programs, lecture-discussion series, symposia, seminars, short courses, and conferences.~~

~~Specific information may be obtained by contacting ((the Office of Noncredit Programs, Lewis Hall Seattle, WA 98195)) University of Washington Extension or the appropriate professional school or college.~~

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 478-160-180 EXTENSION CREDIT.  
 WAC 478-160-185 CONTINUING STUDIES CREDIT COURSES.  
 WAC 478-160-195 COMMUNITY SERVICES.

**WSR 91-11-058**  
**PROPOSED RULES**  
**PARKS AND RECREATION**  
**COMMISSION**

[Filed May 16, 1991, 10:00 a.m.]

Original Notice.

Title of Rule: Boating pumpout contract program.

Purpose: To establish procedures and guidelines to contract with public or private marinas to purchase and install sewage pumpout stations.

Statutory Authority for Adoption: Chapter 43.51 RCW.

Statute Being Implemented: Chapter 88.36 RCW.

Summary: This WAC describes who is eligible to apply for a contract with state parks to purchase and install a sewage pumpout station. It also describes the eligible costs and procedures to follow to apply.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Washington State Parks and Recreation Commission, Olympia, 586-2166.

Name of Proponent: Washington State Parks and Recreation Commission, public.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The purpose is to clarify how to apply to state parks for contracts to purchase and install sewage pumpouts. It also describes eligible costs.

Proposal does not change existing rules.

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

Hearing Location: Anacortes City Hall, Council Chambers, Six and Q Streets, Anacortes, Washington 98221, on July 12, 1991, at 9:00 a.m.

Submit Written Comments to: Jim French, Washington State Parks and Recreation Commission, 7150 Cleanwater Lane, 98504, by July 8, 1991.

Date of Intended Adoption: July 12, 1991.

May 16, 1991

Nina Carter

Executive Assistant

Chapter 352-75 WAC  
 ((BOATING PUMPOUT GRANTS))  
BOAT SEWAGE PUMPOUT CONTRACT PROGRAM

AMENDATORY SECTION (Amending WSR 90-10-052, filed 4/30/90, effective 5/31/90)

WAC 352-75-010 PURPOSE. The purpose of this chapter is to set forth the parameters for the ~~((allocation))~~ distribution and uses of moneys administered by the parks and recreation commission ~~((from))~~. A portion of the income is derived from the watercraft excise tax ~~((found in))~~ pursuant to RCW 82.49.030(3). These moneys shall provide financial assistance to applicants throughout the state of Washington for the construction of sewage pumpout or sewage dump station facilities ~~((in))~~ which will aid the achievement of clean waterways throughout the state of Washington.

~~((in order))~~ To prevent the despoliation of the waters ~~((of))~~ in Washington state, to provide adequate opportunities for the responsible disposal of boat sewage, and to ~~((derive))~~ obtain the most benefits for the state in protecting ~~((a))~~ valuable ~~((;))~~ recreational resources, ~~((it is necessary to establish criteria))~~ the sewage pumpout and sewage dump station program was developed and criteria established for the award and use of funds made available ~~((under chapter 88.36 RCW))~~ pursuant to RCW 88.36.100(2). This chapter ~~((with))~~ and chapter 88.36 RCW sets forth the following:

- (1) The limitations on the allocation and uses of the funds;
- (2) The criteria to be considered for determining who will be eligible to receive funds;
- (3) The process to be followed for ~~((the award of))~~ awarding the funds; and
- (4) Other related issues.

AMENDATORY SECTION (Amending WSR 90-10-052, filed 4/30/90, effective 5/31/90)

WAC 352-75-020 DEFINITIONS. When used in this chapter or chapter 88.36 RCW, the following words and phrases shall have the

meaning designated in this section unless a different meaning is expressly provided or unless the context clearly indicates otherwise.

(1) "State parks" means the operating arm of the Washington state parks and recreation commission, which is responsible for implementation of commission programs established pursuant to statute or policy.

(2) "Boater" means any person on a vessel on waters of the state of Washington.

(3) "Boat wastes" shall include, but are not limited to ~~(-)~~, sewage, garbage, marine debris, discarded plastics, contaminated bilge water, cleaning solvents, paint scrapings, or discarded petroleum products associated with the use of vessels.

(4) "Commission" means the Washington state parks and recreation commission.

(5) "Director" means the director of the Washington state parks and recreation commission, pursuant to RCW 43.51.060(8).

(6) "Eligible cost" for sewage pumpout and sewage dump stations means the cost of that portion of the facility that can be financed under the provisions of this chapter and guidelines developed pursuant to this chapter.

(7) "Environmentally sensitive area" means a restricted body of water where discharge of untreated sewage from boats is especially detrimental because of limited flushing, shallow water, commercial or recreational shellfish, swimming areas, diversity of species, the absence of other pollution sources, or other characteristics.

(8) "Final offer list" is the list of projects approved by the commission which can receive funding from the account during the time period that the offer list is effective.

(9) "Financial recipient" is the entity which has been awarded a contract with state parks to receive funding for the construction of a sewage pumpout or sewage dump station.

(10) "Marina" means a facility providing boat moorage space, fuel, or commercial services. Commercial services include but are not limited to overnight or live-aboard boating accommodations.

~~((+0))~~ (11) "Polluted area" means a body of water used by boaters that is contaminated by boat wastes or other pollutants at unacceptable levels, based on applicable water quality and shellfish standards.

~~((+1))~~ (12) "Private entity" means any individual firm, corporation, association, partnership, consortium, joint venture, industry, or any other nonpublic entity which operates or has the potential to operate a boat sewage pumpout or portable sewage dump station facility.

~~((+2))~~ (13) "Project" means sewage pumpout or sewage dump station facility(ies) for which a public or private entity applies for and receives funding or financial assistance.

~~((+3))~~ (14) "Priority ranking list" means the list of rated and ranked projects for which state financial assistance is requested.

~~((+4))~~ (15) "Public entities" means all elected or appointed bodies, including tribal governments, responsible for collecting and spending public funds.

~~((+5))~~ (16) "Sewage dump station" means any receiving chamber or tank designed to receive vessel sewage from a portable container.

~~((+6))~~ (17) "Sewage pumpout station" means a mechanical device, generally stationed on a dock, pier, float, barge, or other location convenient to boaters, designed to remove sewage waste from holding tanks on vessels.

**AMENDATORY SECTION** (Amending WSR 90-10-052, filed 4/30/90, effective 5/31/90)

WAC 352-75-030 (~~(PROVISION OF GUIDELINES)~~) **CONTRACT ELIGIBILITY.** (1) The commission may award contracts to public, tribal, or private owned marinas, boat launches, or boater destination sites. The commission shall designate a marina, boat launch, or boater destination as eligible to apply for funding for the installation of a sewage pumpout or sewage dump station based on the following criteria:

(a) The marina, boat launch, or boater destination is located in an environmentally sensitive or polluted area; or

(b) The marina, boat launch, or boater destination site has one hundred twenty-five slips or more and there is a lack of sewage pumpouts within one-quarter mile.

(2) The commission may at its discretion designate a marina, boat launch, or boater destination as eligible to apply for funding for the installation of a sewage pumpout and/or sewage dump station if it meets the following criteria:

(a) There is a demonstrated need for a sewage pumpout or sewage dump station at the marina, boat launch, or boater destination based

on professionally conducted studies undertaken by federal, state, or local government, or the private sector; and

(b) The marina, boat launch, or boater destination provides commercial services, such as sales of food, fuel, or supplies, or overnight or live-aboard moorage opportunities; or

(c) The marina, boat launch, or boater destination site is located at a heavily used boater destination or on a heavily traveled route as determined by the commission; or

(d) There is a lack of adequate sewage pumpout station capacity within a reasonable distance.

(3) The commission may make exceptions to the eligibility to apply for funding for the installation of sewage pumpout and/or sewage dump station requirements under subsection (2) of this section if the marina, boat launch, or boater destination lacks available sewer, septic, water, or electrical services.

(4) State parks shall notify owners or operators of marinas, boat launches, and destination sites of the availability of funding to support installation of appropriate sewage pumpout or sewage dump stations. State parks shall also notify such operators or owners of which waters of the state have been designated as environmentally sensitive or polluted for the purpose of this program.

(5) State parks will provide all financial recipients with a set of financial guidelines for contract ~~((s))~~ administration. These guidelines will include all state forms and will describe in detail state procedures for recordkeeping, reporting, reimbursement, and auditing.

**AMENDATORY SECTION** (Amending WSR 90-10-052, filed 4/30/90, effective 5/31/90)

WAC 352-75-040 (~~(USE OF FUNDS)~~) **APPLICATION PROCESS.** (~~(Funds in the boat sewage pumpout and dump station account will be used to contract with public and private entities to install sewage pumpout or sewage dump stations located on both fresh waters and marine waters during the period from July 1, 1989, until June 30, 1995.)~~) To be considered by the commission for receipt of sewage pumpout or sewage dump station funds a potential eligible public or private entity must:

(1) Submit a letter of intent to state parks.

(2) Complete an application form prescribed by state parks on or before the filing date set by state parks in the application form.

(3) Agree that funds are available on a reimbursement basis only.

(4) Include a copy of the applicant's shoreline substantial development permit with the application.

(5) If a public and/or tribal entity, submit documentation of SEPA compliance with the application.

(6) If a private entity, submit an environmental checklist with the application.

(7) Agree to complete all construction by established completion date.

State parks will review all applications for compliance with the minimum qualification requirements as set forth in RCW 88.36.040 and chapter 352-75 WAC. Applicants which do not meet the minimum qualifications will be notified in writing of the disqualification. Applications will be evaluated and ranked in accordance with the following criteria:

(a)(i) Approval of site by local jurisdiction;

(ii) Proximity to existing sewage pumpout or sewage dump stations;

(iii) Resource sensitivity;

(iv) Boater use;

(v) Size of marina;

(vi) Economics of installation;

(vii) Feasibility of installation; and

(viii) Geographic balance.

(b) Based on the process set forth in subsection (1) of this section, state parks shall establish a priority ranking list. This list will rank all qualified applications in a priority order. The priority ranking list will be available for thirty days for public review and comment. One or more public hearings may be conducted if state parks determines there is significant public interest. Comments received during the public review period will be considered before the priority ranking list is submitted to the commission for final approval. State parks staff shall provide the commission with preliminary evaluations and rankings of the applications to include a summary of each proposal recommended for funding. The commission will consider the recommendations received from state parks staff and adjust the ranked list of applications based on the information provided to them, if desired, and approve the applications. As a result of the commission's decision, a final offer list will be developed and issued. If an applicant on a final offer list does



not sign a contract with the commission within ninety days of the list publication, the offer is automatically cancelled, and the applicant must reapply and compete for funding during a new funding cycle.

(c) Once an applicant has contracted to participate in the boat sewage pumpout or sewage dump station program, he/she must provide state parks with:

(i) A finished final design approved and stamped by a professional engineer. Said design must be submitted to and approved by state parks prior to any construction activity.

(ii) Complete plans, specifications, and cost estimates.

(iii) Assurance through a certified statement that the bidding, contracting, and construction activities comply with the applicable portions of Title 39 RCW.

(iv) At the conclusion of the construction the applicant will provide state parks with:

(A) Contractor's billings;

(B) A19-1 invoice vouchers for reimbursement;

(C) Copies of all advertisements;

(D) Copies of all bids;

(E) Copies of all change orders;

(F) A copy of the original public works contract if a public entity, or a copy of the original contract with the general contractor if a private entity; and

(G) A copy of the contractor's performance bond.

**AMENDATORY SECTION** (Amending WSR 90-10-052, filed 4/30/90, effective 5/31/90)

WAC 352-75-050 (~~COMPLIANCE WITH APPLICABLE LAWS, REGULATIONS AND OTHER REQUIREMENTS~~) **USE OF FUNDS.** ((+) A public or private entity which enters into a contract with the commission shall comply fully with all applicable federal, state, and local laws, orders, regulations, and will be required to obtain all required permits.

(2) A public or private entity applying for funds from the commission for a sewage pumpout and/or sewage dump station must comply with design criteria for such sewage pumpout and/or sewage dump station developed by the Washington department of ecology. Applicants will be provided with these design criteria as part of the application materials.) Funds in the boat sewage pumpout and sewage dump station program shall only be used to contract with public and private entities to install sewage pumpout or sewage dump stations located on both fresh waters and salt waters.

**AMENDATORY SECTION** (Amending WSR 90-10-052, filed 4/30/90, effective 5/31/90)

WAC 352-75-060 (~~RESPONSIBILITIES FOR COSTS~~) **ON-GOING COST.** ((The commission shall not be held responsible for payment of salaries, consultant's fees, and other overhead costs relating to a contract entered into with the commission by a public or private entity.) Each financial recipient shall comply with the requirements set forth in RCW 88.36.050 and this chapter. They shall further monitor the use of their sewage pumpout and dump station unit and report such usage to state parks not later than thirty days after the 31st day of December for the preceding year in the format prescribed by state parks.

**AMENDATORY SECTION** (Amending WSR 90-10-052, filed 4/30/90, effective 5/31/90)

WAC 352-75-070 (~~FUNDING PROCESSES~~) **EQUIPMENT BREAKDOWN.** ((+) Funding cycle. The funding cycle shall be conducted on an annual basis, unless after adequate public notice and comment, the director determines that funding on a biennial basis is in the best interest of the program. The amount of money available on an annual basis shall be approximately equal to one-half of the biennial appropriation less prior obligations, such as extended payment contracts, plus any money available from previous years.

(2) Application process. To be considered by the commission for receipt of boat sewage pumpout or dump station funds, an eligible public or private entity must complete an application on a form prescribed by state parks and file the application on or before the filing date set by state parks in the application form. Included with the submitted application forms shall be a copy of a shoreline substantial development permit application. The application for funding will be rated as described in subsections (3), (4), (5), and (6) of this section.

(3) Ranking criteria. Applications will be evaluated and prioritized in accordance with the following procedures:

(a) State parks will log in all applications as received.

(b) State parks will review all applications for compliance with the minimum qualification requirements as set forth in RCW 88.36.040 and WAC 352-75-080. Applicants which do not meet the minimum qualifications will be notified in writing of the disqualification.

(c) State parks will perform a preliminary evaluation of all remaining applications. The director may establish an application review committee to serve in an advisory capacity to state parks in the preliminary review and evaluation of applications. This review committee will include representatives from state natural resource agencies, marina operators, boater groups, and unaffiliated boaters.

(d) Applications will be ranked according to the following criteria:

(i) Approval of site by local jurisdiction;

(ii) Proximity to existing sewage pumpout or sewage dump stations;

(iii) Resource sensitivity;

(iv) Boater use;

(v) Size of marina;

(vi) Economics of installation;

(vii) Feasibility of installation; and

(viii) Geographic balance.

(4) Priority ranking list. Based on the process set forth in subsection (3) of this section, state parks shall establish a priority ranking list. This list will rank all remaining applications in priority order and propose for funding those applicants above a minimum rank set by state parks.

(5) Public review. The priority ranking lists will be available for at least 30 days for public review and comment. One or more public hearings may be conducted if state parks determines there is significant public interest. Comments received during the public review period will be considered before the priority ranking lists are submitted to the commission for approval.

(6) Commission deliberations. State parks will provide the commission with the preliminary evaluation and ranking of the applications, including a summary of each proposal recommended for funding. The commission will consider, adjust the ranked list of applications based on the information provided to them by state parks, if desired, and approve the applications.

(7) Final offer list. As a result of the commission's decision, a final offer list will be developed and issued. The final offer list will be effective until the next final offer list is issued. All offers are automatically cancelled after the effective period. If an applicant on the final offer list does not sign a contract with the commission during the effective period, the applicant may reapply and must compete for funding during a subsequent funding cycle.) Each financial recipient is responsible for the upkeep or preservation of condition of their sewage pumpout and dump station facility, including cost of ordinary repairs necessary and proper from time to time for that purpose. In the event an equipment breakdown does occur, the financial recipient must notify state parks within two working days of the breakdown. The facility must be repaired and be fully operational within ten days after the breakdown where the breakdown can be cured with normal expected repairs of five hundred dollars or less. For repairs greater than five hundred dollars, the facility must be fully operational within twenty days after the breakdown. A written report for all breakdown must be submitted to state parks within two weeks of the breakdown describing the problem(s), repair(s), and cost(s).

**AMENDATORY SECTION** (Amending WSR 90-10-052, filed 4/30/90, effective 5/31/90)

WAC 352-75-080 (~~ELIGIBILITY CRITERIA~~) **GENERAL CONTRACT PROVISIONS.** ((+) The commission may award contracts to publicly owned, tribal or privately owned marinas, boat launches, or boater destination sites.

(2) The commission shall designate a marina, boat launch, or boater destination as eligible to apply for funding for the installation of a sewage pumpout or sewage dump station based on the following criteria:

(a) The marina, boat launch, or boater destination is located in an environmentally sensitive or polluted area; or

(b) The marina, boat launch, or boater destination site has one hundred twenty-five slips or more and there is a lack of sewage pumpouts within one-fourth mile.

(3) The commission may at its discretion designate a marina, boat launch, or boater destination as eligible to apply for funding for the

installation of a sewage pumpout and/or sewage dump station if it meets the following criteria:

(a) There is a demonstrated need for a sewage pumpout or sewage dump station at the marina, boat launch, or boater destination based on professionally conducted studies undertaken by federal, state, or local government, or the private sector; and

(b) The marina, boat launch, or boater destination provides commercial services, such as sales of food, fuel or supplies, or overnight or live-aboard moorage opportunities; and

(c) The marina, boat launch, or boater destination site is located at a heavily used boater destination or on a heavily traveled route as determined by the commission; or

(d) There is a lack of adequate sewage pumpout station capacity within a reasonable distance.

(4) The commission may make exceptions to the eligibility to apply for funding for the installation of sewage pumpout and/or sewage dump station requirements under subsections (2)(a) and (b) of this section if the marina, boat launch, or boater destination lacks available sewer, septic, water, or electrical services.

(5) State parks shall notify owners or operators of marinas, boat launches and destination sites of the availability of funding to support installation of appropriate sewage pumpouts or sewage dump stations. State parks shall also notify such operators or owners of which waters of the state have been designated as environmentally sensitive or polluted for the purpose of this program.)) Contracts entered into with the commission shall be under the guidelines of RCW 88.36.050 and this chapter. Each contract shall include but not be limited to the following provisions:

- (1) Term and acceptance of contract.
- (2) Scope of project and maximum project costs.
- (3) Maximum project costs and budget adjustments.
- (4) Design and construction.
- (5) Reimbursement.
- (6) Governing law.
- (7) Severability.
- (8) Dispute resolution.
- (9) Negotiation period.
- (10) Termination.
- (11) Survival.
- (12) Ownership.

AMENDATORY SECTION (Amending WSR 90-10-052, filed 4/30/90, effective 5/31/90)

WAC 352-75-090 ((GENERAL CONTRACT REQUIREMENTS)) SPILL REPORTING AND CLEANUP. ((Contracts entered into with the commission shall include the following terms:

(1) Eligible costs, as deemed reasonable by the commission, may be reimbursed. Eligible costs include purchase, installation, or major renovation of the sewage pumpout or sewage dump stations, including sewer, water, electrical connections, and those costs attendant to the purchase, installation, and other necessary appurtenances, such as required pier space, as determined by state parks.

(2) For privately owned marinas, boat launches, or boater destination sites ownership of the sewage pumpout or sewage dump station will be retained by the commission. For publicly owned marinas, boat launches, or boater destination sites ownership of the sewage pumpout or sewage dump station will be retained by the public entity.

(3) Operation, normal and expected maintenance, and ongoing utility costs will be the responsibility of the marina, boat launch, or boater destination site owner.

(4) The marina, boat launch, or boater destination site owner agrees to allow the installation, existence, and use of the sewage pumpout or sewage dump station by granting an easement at no cost for such purposes:

(5) Contracts awarded shall be subject to the following conditions for a period of at least ten years:

(a) That the applicant allow the boating public access to the sewage pumpout or sewage dump station during marina operating hours;

(b) That the applicant agree to monitor the use of sewage pumpout and/or sewage dump station by installing a use counter mechanism;

(c) That the applicant agree to encourage the use of the sewage pumpout or sewage dump station by installing a "pumpout station" and/or "dump station" sign, and an instruction decal developed or approved by state parks, and by providing instruction in proper use to anyone requesting assistance;

(d) That the applicant agree to cooperate in any related boater environmental education program administered or approved by state

parks. Such educational programs will include but not be limited to distribution of brochures developed or approved by state parks, and installation of interpretive signage developed or approved by state parks;

(e) That the applicant agree not to charge a fee for the use of the sewage pumpout or sewage dump station;

(f) That the applicant agree to arrange and pay a reasonable fee for a periodic inspection of the sewage pumpout facility by the local health department or appropriate authority. The local health department or appropriate authority will set the fee and the interval of inspection; and

(g) That the funding recipient agrees to allow State Parks access to inspect the pumpout facility.)) In the event that materials from the boat sewage pumpout and dump station spill in the marina, boat launch, or boat destination areas, the financial recipient shall promptly commence and complete cleanup of the area and shall notify state parks within forty-eight hours of any spill which is otherwise required to be reported to any federal, state, or local regulatory agency.

## WSR 91-11-059

### PERMANENT RULES

### WILDLIFE COMMISSION

[Order 495—Filed May 16, 1991, 11:36 a.m.]

Date of Adoption: March 8, 1991.

Purpose: To amend the game management units (GMUs) including special game areas for boundary descriptions to correct boundary errors and add boundary descriptions for sheep, goat, moose, cougar, and lynx.

Citation of Existing Rules Affected by this Order: Amending WAC 232-28-022.

Statutory Authority for Adoption: RCW 77.12.040 and 77.04.055.

Pursuant to notice filed as WSR 91-03-130 on January 23, 1991.

Changes Other than Editing from Proposed to Adopted Version: The adopted version of WAC 232-28-022, Game management units (GMUs)—Special game areas—Boundary descriptions, differs from the proposed version filed with the code reviser in the following specifics: In GMU 472 (White River) the boundary was changed to read: "...then down White River to the first set of Bonneville Power Transmission lines..."; in GMU 478 (Mashel) the origin is changed to read: "Beginning where the Bonneville Transmission line crosses the Orville Road at the Puyallup River bridge; then northerly along the Bonneville Power Transmission line to the Carbon River..." and the ending "to the point of beginning at the junction of the Bonneville Power Transmission line and the Orville Road; GMU 484 (Puyallup) the boundary was changed to read "...then north along the Orville Road to the Puyallup River bridge where it intersects the Bonneville Power Transmission line;..." and "...then down White River to the first set of Bonneville Power Transmission lines..."; Goat Unit 4-1 Ruth Creek boundary changed to read: "Whatcom County within the Mt. Baker Wilderness of the Mt. Baker-Snoqualmie National Forest north of the North Fork Nooksack River; Cougar Unit 11 (Olympic Peninsula) was changed to include GMU 663; Cougar Unit 12 (Rainier) was changed to include GMU 666; and Cougar Unit 13 (Capitol)—GMUs 663, 666 was not adopted; GMU 663 was added to Cougar Unit 11 (Olympic Peninsula) and GMU 666 was added to Cougar Unit 12 (Rainier).

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

May 14, 1991

Curt Smitch

Director

for John C. McGlenn

Chairman

**AMENDATORY SECTION** (Amending Order 463, filed 10/19/90, effective 11/19/90)

WAC 232-28-022 GAME MANAGEMENT UNITS (GMUS)—SPECIAL GAME AREAS—BOUNDARY DESCRIPTIONS.

REGION ONE

GMU 100—Curlw (Ferry and Okanogan counties): Beginning at Republic; then south along Highway 21 to the northern boundary of the Colville Indian Reservation; then east along the Reservation boundary to the Stall Creek Road, USFS #310; then north on #310 to USFS Road #250; then north to the Kettle Crest Trail #13; then north on Trail #13 to the Deer Creek—Boulder Creek Road; then west on the Deer Creek—Boulder Creek Road to the Kettle River at Curlw; then north along the Kettle River to the Canadian Border near Danville; then west along the border to the Kettle river near the Ferry Customs Office; then south along the Kettle River to the mouth of Toroda Creek and the Toroda Creek Road; then southwest along the Toroda Creek Road to Wauconda and Highway 20; then southeast on Highway 20 to Republic to the point of beginning. (See Colville National Forest map)

GMU 103—Boulder (Ferry County): Beginning at Lake Roosevelt at the mouth of the Kettle River; then south along Lake Roosevelt to the north boundary of the Colville Indian Reservation; then west along the Reservation boundary to the Stall Creek Road, USFS Road #310; then north on #310 to USFS Road #250; then north on #250 to the Kettle Crest Trail #13; then north on Trail #13 to the Deer Creek Boulder Creek Road; then west on the Deer Creek—Boulder Creek Road to the Kettle River at Curlw; then north along the Kettle River to the Canadian Border near Danville; then east along the border to the Kettle River near Laurier then south along the Kettle River to its mouth to the point of beginning. (See Colville National Forest map)

GMU 105—Kelly Hill (Stevens County): Beginning at the Kettle River on the Canadian border near Laurier; then south along the Kettle River to its mouth at Lake Roosevelt; then northeast along Lake Roosevelt to the Canadian border; then west along the border to the Kettle River near Laurier to the point of beginning. ((See ~~Colville National Forest map~~)) (See Washington Atlas and Gazetteer)

GMU 108—Douglas (Stevens County): Beginning at the bridge over Lake Roosevelt near Northport; then southwest along Lake Roosevelt to the bridge over Lake Roosevelt near Kettle Falls (Highway 395); then south east on Highway 395 into Colville and Highway 20; then east on Highway 20 the edge of town and the Colville—Aladdin—Northport Road; then north and west on the

Colville—Aladdin—Northport Road to the town of Northport and Highway 25; then through town to the Lake Roosevelt bridge to the point of beginning. (See Washington Atlas & Gazetteer)

GMU 111—Aladdin (Stevens and Pend Oreille counties): Beginning at Lake Roosevelt at the Canadian Border; then south along Lake Roosevelt to the bridge over the lake near Northport (Highway 25); then into Northport on Highway 25 to the Colville—Aladdin—Northport Road; then east and south along the Colville—Aladdin—Northport Road to Highway 20 near Colville; then east on Highway 20 to the Pend Oreille River near Tiger; then north along the Pend Oreille river to the Canadian border; then west along the border to Lake Roosevelt to the point of beginning. (See Washington Atlas & Gazetteer)

GMU 113—Selkirk (Pend Oreille County): Beginning on the Pend Oreille River at the Canadian border; then south along the Pend Oreille River to the Idaho border near Newport; then north along the Idaho—Washington border to the Canadian border; then west along the Canadian border to the Pend Oreille River to the point of beginning. (See Washington Atlas & Gazetteer or Colville National Forest map)

GMU 118—Chewelah (Stevens and Pend Oreille counties): Beginning at Colville; then east on Highway 20 to the Pend Oreille River near Tiger; then south along the Pend Oreille River to the bridge over the river at Usk; then west on the McKenzie Road to the West Side Calispell Road and the Flowery Trail Road; then west on the Flowery Trail Road to Chewelah and Highway 395; then north on Highway 395 to Colville to the point of beginning. (See Washington Atlas & Gazetteer)

GMU 119—Boyer (Stevens and Pend Oreille counties): Beginning on the Pend Oreille River at the bridge near Usk; then west on the McKenzie Road to the Westside Calispell Road and the Flowery Trail Road; then west on the Flowery Trail Road to Chewelah and Highway 395; then south on Highway 395 to Highway 231; then south on Highway 231 to Springdale; then east on Highway 292 to Highway 395 at Loon Lake; then south on Highway 395 to Deer Park; then east on the Deer Park—Milan Road to Highway 2, then northeast on Highway 2 to the Idaho border at Newport; then north along the Idaho border to the Pend Oreille River; then north along the Pend Oreille River to the bridge at Usk and point of beginning. (See Washington Atlas & Gazetteer)

GMU 121—Huckleberry (Stevens County): Beginning at the bridge over Lake Roosevelt near Kettle Falls; then south on Highway 395 to Highway 231; then south on Highway 231 to the northeast corner of the Spokane Indian Reservation; then west along the north boundary of the Reservation to Lake Roosevelt; then north along Lake Roosevelt to the Highway 395 bridge near Kettle Falls to the point of beginning. (See Washington Atlas & Gazetteer)

GMU 124—Mount Spokane (Spokane, Stevens and Pend Oreille counties): Beginning at the Idaho—Washington

border at Newport; then south on Highway 2 to the Deer Park-Milan Road; then west on the Deer Park-Milan Road to Deer Park and Highway 395; then north on Highway 395 to Highway 292 at Loon Lake; then west on Highway 292 to Springdale and Highway 231; then south on Highway 231 to the northeast boundary of the Spokane Indian Reservation; then south along the east boundary of the Indian Reservation (Chamokane Creek) to the Spokane River; then east along the Spokane River to the Washington-Idaho border; then north along the border to Newport and point of beginning. (See Washington Atlas & Gazetteer)

GMU 127-Mica Peak (Spokane County): Beginning at Spokane; then south along State Highway 195 to the Spokane-Whitman County line; then east along Spokane-Whitman County line to the Washington-Idaho line; then north along the Washington-Idaho line to the Spokane River; then west along the Spokane River to the point of beginning. (See Washington Atlas & Gazetteer)

GMU 130-Cheney (Spokane and Lincoln counties): Beginning at Spokane; then south along State Highway 195 to the Spokane-Whitman County line; then west along the north boundary of Whitman and Adams counties to U.S. Highway No. 395; then northeast along U.S. Highway 395 to Sprague; then north along State Highway No. 231 to its junction with U.S. Highway No. 2; then east along U.S. Highway No. 2 to Reardan; then north along state Highway No. 231 to the Spokane River; then up the Spokane River to Spokane to the point of beginning. (See Washington Atlas & Gazetteer)

GMU 133-Roosevelt (Lincoln County): Beginning at Reardan; then north along State Highway 231 to the Spokane River; then west along the Spokane River to Lake Roosevelt; then west along Lake Roosevelt to Coulee Dam; then southeast on State Highway 174 to Wilbur and U.S. Highway 2; then east along Highway 2 to Reardan and the point of beginning. (See Washington Atlas & Gazetteer)

GMU 136-Harrington (Lincoln County): Beginning at the town of Grand Coulee; then southeast along State Highway No. 174 to its junction with U.S. Highway No. 2 at Wilbur; then east along U.S. Highway No. 2 to its junction with U.S. Highway No. 231 three miles west of Reardan; then south along Highway No. 231 to its junction with U.S. Highway No. 395; then southwest along U.S. Highway No. 395 to the Adams County line at Sprague Lake; then west along the Adams-Lincoln County line to the Grant County line; then north along the Grant-Lincoln County line to Grand Coulee and the point of beginning. (See Washington Atlas & Gazetteer)

GMU 139-Steptoe (Whitman County): Beginning at Colfax; then west along State Highway 127 to Dusty and continuing west along State Highway No. 26 through LaCrosse to the west Whitman County line (Palouse River); then north along the west Whitman County line, east along the north Whitman County line and south along the east Whitman County line to the

Moscow-Pullman Highway; then west along the Moscow-Pullman-Colfax Highway to Colfax and the point of beginning. (See Washington Atlas & Gazetteer)

GMU 142-Almota (Whitman County): Beginning at Clarkston; then down the Snake River to the mouth of the Palouse River; then up the Palouse River to the Washtucna-LaCrosse Highway (State Highway No. 26); then east along the highway through LaCrosse to State Highway 127 to Dusty; then continuing east along State Highway 127 to Colfax; then southeast along the Colfax-Pullman-Moscow Highway to the Washington-Idaho line; then south along the state line to Clarkston and the point of beginning. (See Washington Atlas & Gazetteer)

GMU 145-Mayview (Garfield and Asotin counties): Beginning at the mouth of Alpowa Creek and its junction with U.S. Highway No. 12; then west along U.S. Highway No. 12 to its junction with State Highway 127 (Central Ferry Highway); then north along the Highway to the Snake River; then east up the Snake River to the mouth of Alpowa Creek and the point of beginning. (See Washington Atlas & Gazetteer)

GMU 148-Starbuck (Walla Walla, Columbia, and Garfield counties): Beginning at Central Ferry; then south along State Highway No. 127 to Dodge Junction; then southwest along U.S. Highway No. 12 to the town of Waitsburg and the Touchet River; then west along the river to its junction with the Ayer Road at Harsha; then north along the Ayer Road to the Snake River at Ayer; then east along the Snake River to Central Ferry and the point of beginning. (See Washington Atlas & Gazetteer)

GMU 151-Eureka (Walla Walla County): Beginning at the Washington-Oregon State line on the Columbia River (near Wallula Junction); then north up the Columbia River to the Snake River; then northeast up the Snake River to Ayer; then south along the Ayer Road to State Highway No. 124 and the Touchet River at Harsha; then east up the river to Waitsburg and U.S. Highway 12; then southwest along Highway 12 to Walla Walla and State Highway No. 125; then south along State Highway No. 125 to the Washington-Oregon State line; then west along the state line to the Columbia River and the point of beginning. (See Washington Atlas & Gazetteer)

GMU 154-Blue Creek (Walla Walla and Columbia counties): Beginning at the Washington-Oregon State line on State Highway No. 125 (south of Walla Walla); then north along State Highway No. 125 to U.S. Highway No. 12; then northeast along Highway 12 to the Payne Hollow Road at Long Station; then south along the Payne Hollow-Jasper Mountain-Mt. Pleasant Road to the Lewis Peak Road; then south along the Lewis Peak Road to its termination at the Mill Creek Watershed Intake Trail; then southwest along the trail to the Washington-Oregon State line; then west along the state line to State Highway No. 125 and the point of beginning. (See Washington Atlas & Gazetteer)

GMU 157-Watershed, Mill Creek Watershed area (Walla Walla, Columbia counties): Starting at the Mill Creek Watershed Intake Trail (No. 3211) on the Washington-Oregon State line; then northeast along the Intake Trail to the Skyline Drive Road (No. 64); then south along the road to the Washington-Oregon State line; then due west to the point of beginning. (See Umatilla Forest map)

GMU 160-Touchet (Walla Walla, and Columbia counties): Beginning at Dayton; then south along the North Touchet River Road to its junction with the Skyline Drive Road at Manila Springs; then southwest along the Skyline Road to its junction with the Mill Creek Watershed Intake Trail (No. 3211); then west along the Intake Trail to the Lewis Peak Trail; then north along the Lewis Peak-Mt. Pleasant-Jasper Mountain-Payne Hollow Road to U.S. Highway 12 at Long Station; then north along said highway to Dayton and the point of beginning. (See Washington Atlas & Gazetteer and Umatilla National Forest map)

GMU 161-Eckler (Columbia County): Beginning at Dayton; then east along the Patit Creek Road to its junction with the Hartsock-Maloney Mountain Road; then south and west along the Maloney Mountain Road (No. 4625) to the Skyline Drive Road (No. 46); then south along the Skyline Drive Road to its junction with the North Touchet River Road at Manila Springs; then north along the North Touchet River Road to Dayton and the point of beginning. (See Washington Atlas & Gazetteer and Umatilla National Forest map)

GMU 163-Marengo (Columbia, and Garfield counties): Beginning at Dayton; then east along the Main Patit Road to its junction with the Hartsock-Maloney Mountain Road; then north down the Hartsock Grade Road to the Tucannon Road; then south along the Tucannon Road to the Blind Grade Road; then east up the Blind Grade Road to the Linville Gulch Road; then north down the Linville Gulch Road to U.S. Highway No. 12; then west and south along Highway 12 to Dayton and the point of beginning. (See Washington Atlas & Gazetteer)

GMU 166-Tucannon (Columbia, and Garfield counties): Beginning on the Tucannon River Road at its junction with the Hartsock Grade Road; then south up the Hartsock Grade Road to its junction with the Maloney Mountain Road; then southwest along the Maloney Mountain Road (No. 4625) to the Skyline Drive Road (No. 46); then south along the Skyline Drive Road to its junction with the Teepee Road (No. 4608); then east along the Teepee Road to Teepee Camp; then east along the Teepee Oregon Butte-Bullfrog Springs Diamond Peak Trail to Diamond Peak; then east along the Diamond Peak Road (No. 4030) to the Mountain Road (No. 40); then north along the Mountain Road to its junction with the elk drift fence at the Forest Boundary; then north and west along the fence to the Tucannon Road; then north along the Tucannon Road to the Hartsock Grade Road and the point of beginning. (See Washington Atlas & Gazetteer and Umatilla National Forest map)

GMU 169-Wenaha (Columbia, Garfield and Asotin counties): Beginning on the Skyline Drive Road at the Washington-Oregon State line; then north along the road to Godman Springs and the Teepee Road (No. 4608); then east along the Teepee Road to Teepee Camp; then east along the Teepee Oregon Butte-Bullfrog Springs Diamond Peak Trail to Diamond Peak; then east on the Diamond Peak Road (No. 4030) to the Mountain Road (No. 40); then south along the Mountain Road to the South Boundary Road (No. 4039); then west along the road to the Three Forks Trail (No. 3133); then west down said trail to Crooked Creek; then south on Crooked Creek to the Washington-Oregon State line; then due west along the line to Skyline Road and the point of beginning. (See Umatilla National Forest map)

GMU 172-Mountview (Garfield and Asotin counties): Beginning at the junction of State Highway 129 and Mill Road at Anatone; then southwest on the Mill Road & Bennett Ridge Road-West Mountain Road (No. 1290) to the Big Butte-Mt. Misery Road (No. 4304); then west along the road to the Mountain Road (No. 40); then south on the road to the South Boundary Road (No. 4039); west along the South Boundary Road to the Three Forks Trail (No. 3133); then down said trail to Crooked Creek; then down the creek to the Washington-Oregon State line; then east along the line to State Highway No. 129; then north on Highway 129 to Anatone and the point of beginning. (See Washington Atlas & Gazetteer and Umatilla National Forest map)

GMU 175-Lick Creek (Garfield and Asotin counties): Beginning at the junction of the Mountain Road (No. 40) and National Forest Boundary (south of Pomeroy); then south along the Mountain Road to its junction with the Wenatchee Guard Station-Anatone Road; then east along the road to the National Forest Boundary at Big Butte; then northwest along the boundary fence to the Cloverland-Wenatchee Guard Station Road; then northeast along the Cloverland Road to the Campbell Grade Road; then down the Campbell Grade Road to the South Fork Asotin Creek Road; then down South Fork Asotin Creek Road to Asotin Creek; then down Asotin Creek to Charley Creek; then up Charley Creek to the elk drift fence; then west along the elk fence to its junction with the Mountain Road (No. 40) and the point of beginning. (See Umatilla National Forest map)

GMU 178-Peola (Garfield and Asotin counties): Beginning on the Snake River at the mouth of Asotin Creek; then up Asotin Creek to Charley Creek; then up Charley Creek to the elk drift fence; then northwest along the fence to the Tucannon Road; then down the Tucannon Road to the Blind Grade Road; then up Blind Grade to the Linville Gulch Road; then down the Linville Gulch Road to U.S. Highway No. 12; then east along Highway 12 to the mouth of Alpowa Creek on the Snake River; then up the Snake River to the mouth of Asotin Creek and the point of beginning. (See Washington Atlas & Gazetteer)

GMU 181-Couse (Asotin County): Beginning at the mouth of Asotin Creek on the Snake River; then south

along the Snake River to the Grande Ronde River; then west up the Grande Ronde River to State Highway No. 129; then northeast along Highway 129 to Anatone; then west and south along the Mill Road-Bennett Ridge Road-West Mountain Road to the National Forest Boundary at Big Butte (Road No. 4304); then northwest along the Forest Boundary fence to the Cloverland Road; then northeast on that road to the Campbell Grade Road; then down that road to the South Fork Asotin Creek Road; then down that road to Asotin Creek; then down Asotin Creek to the Snake River and the point of beginning. (See Washington Atlas & Gazetteer)

GMU 184-Joseph (Asotin County): Beginning at the mouth of the Grande Ronde River; then west along the river to the mouth of Joseph Creek; then south up Joseph Creek to the first Joseph Creek bridge and the Joseph Creek Road; then south up said road to the Washington-Oregon State line; then east along the line to the Snake River; then north down the Snake River to the Grande Ronde River and the point of beginning. (See Washington Atlas & Gazetteer)

GMU 185-Black Butte (Asotin County): Beginning at State Highway No. 129 on the Washington-Oregon State line; then north along Highway 129 to the Grande Ronde River; then east down the river to the mouth of Joseph Creek; then south up Joseph Creek to the first Joseph Creek bridge and the Joseph Creek Road; then south up said road to the Washington-Oregon State line; then west along the line to State Highway No. 129 and the point of beginning. (See Washington Atlas & Gazetteer)

#### REGION TWO

GMU 200-Tunk (Okanogan and Ferry counties): Beginning at Tonasket, then south along the Okanogan River to the north boundary of the Colville Indian Reservation, then east along the Reservation boundary to State Route 21 south of Republic, then north along State Route 21 to Republic and State Route 20, then west along State Route 20 to Tonasket to the point of beginning. (See Okanogan National Forest Travel Plan)

GMU 203-Pasayten (Okanogan and Whatcom counties): Beginning at the eastern boundary of the Pasayten Wilderness and its junction with the Canadian border, then south along the wilderness boundary to Trail #341, then west along Trail #341 to the Iron Gate Road and Trail #343, then west along Trail #343 to its junction with the Pasayten Wilderness boundary, then west along the wilderness boundary to the Hidden Lakes Trail (#477) then west along Hidden Lakes Trail to Drake Creek, then southwest down Drake Creek and the Lost River to the Pasayten Wilderness boundary and the Robinson Creek Trail #478, then north up the Robinson Creek Trail to the junction of the Ferguson Lake Trail, then west to Silver Lake, then west to the West Fork Trail crossing of the West Fork of the Pasayten River, then west to Oregon Basin and the Pasayten Wilderness boundary, then west and north along the boundary to the Canadian border, then east along the border to the

point of beginning. (See Okanogan National Forest Travel Plan)

GMU 206-Bonaparte (Okanogan and Ferry counties): Beginning at the town of Tonasket, then north along the Okanogan River and the east shore of Osoyoos Lake to the Canadian border, then east along the Canadian border to the Kettle River near the Ferry Customs office, then south along the Kettle River to the mouth of Toroda Creek, then southwest along Toroda Creek to Toroda Creek Road (#502 and #9495), then southwest along Toroda Creek Road to its junction with State Route 20 at Wauconda, then west along State Route 20 to Tonasket and the point of beginning. (See Okanogan National Forest Travel Plan)

GMU 209-Wannacut (Okanogan County): Beginning at the Canadian border on Lake Osoyoos, then south along the west shore of Lake Osoyoos and the Okanogan River to the bridge at Tonasket, then south on County Road #7 (#9437) to the North Pine Creek-Aeneas Lake Road (#9400) junction, then southwest on that road to the Horse Springs Coulee Road (#4371) junction, then northwest on that road to the Loomis-Nighthawk Highway (#9425) junction near Spectacle Lake, then west on Loomis-Nighthawk Highway to Loomis, then north on the Loomis-Nighthawk Highway (#9425) past Palmer Lake to the Canadian border station near Nighthawk, then east on the U.S.-Canada boundary to Lake Osoyoos and the point of beginning. (See Okanogan National Forest Travel Plan)

GMU 215-Sinlahekin (Okanogan County): Beginning at the Canadian border station near Nighthawk, then south through Nighthawk and past Palmer Lake on the Nighthawk-Loomis Highway (#9425) to Loomis, then east on the Loomis-Tonasket Highway (#9425) to the Horse Springs Coulee Road (#4371) junction near Spectacle Lake, then south on that road to the North Pine Creek-Aeneas Lake Road (#9400), then east on that road to the Okanogan River, then south along the Okanogan River to the town of Riverside, then north on U.S. Highway 97 to its junction with the South Pine Creek Road (#9410), then west on South Pine Creek Road to its junction with the Conconully-Loomis Road (#4015), then south on Road #4015 to Conconully, then north on the North Fork Salmon Creek Road (#2361, Road 38 and 2820) over Lone Frank Pass to the junction with Road #39, then north on Road #39 to Long Swamp, then east along the Middle Fork Toats Coulee Road (#39) to the junction with the Iron Gate Road (#500), then northwest along the Iron Gate Road to its end, then north and east along trails #533 and #341 to the Pasayten Wilderness boundary, then north along that boundary to the Canadian border, then east along the border to the Nighthawk border station and the point of beginning. (See Okanogan National Forest Travel Plan)

GMU 218-Chewuch (Okanogan County): Beginning at the junction of the Iron Gate Road (#500) and the Pasayten Wilderness boundary, then southeast on the Iron Gate Road to the Middle Fork Toats Coulee Creek Road (#39), then west and south on the Middle Fork

Toats Coulee Creek Road past Long Swamp to the Boulder Creek Road (#37), then southwest down Boulder Creek Road to the East Chewuch River Road (#9137) then south to Winthrop and State Route 20, then northwest on State Route 20 to the Okanogan County line, then northwest along the Okanogan County line through Harts Pass to Oregon Basin, then east to Silver Lake, then due east to the intersection of Ferguson Lake Trail and Middle Fork Trail #478, then south on Trail #478 to the Pasayten Wilderness boundary, then northeast along that boundary to Lost River, then northeast up Lost River and Drake Creek to Hidden Lake Trail #477, then east along Trail #477 to the Pasayten Wilderness boundary at Eight-Mile Pass, then east along the wilderness boundary to its junction with Trail #342 near Hicky Hump, then north along Trail #342 to its junction with Trail #343 at Two Bear camp, then east along Trail #343 to the Iron Gate Road to the point of beginning. (See Okanogan National Forest Travel Plan)

GMU 224-Pearrygin (Okanogan County): Beginning at the town of Conconully, then north along County Road 2361, and the N. Fork Salmon Creek Road (#38) to its junction with Road 39, SW along Road 39 to the Boulder Creek Road (#37), then southwest along the Boulder Creek Road to the East Chewuch River Road (#9137), then south down the East Chewuch River Road to Winthrop, then south and east along State Route 20 to the Loup Loup summit, then north along the North Summit Road (#42) and County Road 2017 to Conconully and the point of beginning. (See Okanogan National Forest Travel Plan)

GMU 231-Gardner (Okanogan County): Beginning at the town of Twisp, then northwest along State Route 20 to the Okanogan County line, then south along the county line to Copper Pass and the North Fork Twisp River Trail #426, then southeast along Trail #426 to the Twisp River Road, then southeast along the Twisp River Road to the town of Twisp and the point of beginning. (See Okanogan National Forest Travel Plan)

GMU 233-Pogue (Okanogan County): Beginning at the town of Riverside, then north along U.S. Highway 97 to the South Pine Creek Road (#9410), then west on South Pine Creek Road to the Conconully-Loomis Road (#4015), then south along Road #4015 to Conconully, then south along County Road 2017 and the North Summit Road (#42) to State Route 20 near Loup Loup summit, then east on State Route 20 to the town of Okanogan and the Okanogan River, then north up the Okanogan River to Riverside and the point of beginning. (See Okanogan National Forest Travel Plan)

GMU 239-Chiliwist (Okanogan County): Beginning at the town of Okanogan, then west on State Route 20 to State Route 153, then south along State Route 153 to Pateros and the Columbia River, then north up the Columbia and Okanogan rivers to Okanogan and the point of beginning. (See Okanogan National Forest Travel Plan)

GMU 242-Alta (Okanogan County): Beginning at Pateros, then northwest on State Route 153 to Twisp,

then west on the Twisp River Road (County Road 9114 and Forest Road #4440) to Roads End Campground, then northwest on the North Fork Twisp River Trail #426 to Copper Pass and the Okanogan County line, then southeast along the county line to the junction of South Fork Gold Creek Road (#4330) and the South Navarre Road (#8200), then southeast along Road (#8020) to the Antoine Creek Road (#8140), then southeast along Road (#8140) to U.S. Highway 97, then north on U.S. Highway 97 to Wells Dam, then upriver to Pateros and the point of beginning. (See Okanogan National Forest Travel Plan)

GMU 248-Big Bend (Douglas and Grant counties): Beginning at Mansfield; then west along State Route 172 to Road B N.E.; then north on B N.E. and the West Foster Creek Road to State Route 17; then east along State Route 17 to the Chalk Hills Road (Road K N.W.); then north along the Chalk Hills Road (K & L N.E.) to Road 28 N.E.; then north along Road L N.E. for 4 miles to the east boundary of Range 26 E; then north to the Columbia River; then up the Columbia River to Grand Coulee Dam; then south along the Feeder Canal and the west side of Banks Lake to a point due east from Road 9 N.E.; then west from that point and along Road 9 N.E. through Mold to State Route 17; then north along State Route 17 to Sim's Corner (Jct. State Routes 17 & 172); then west on State Route 172 to Mansfield and the point of beginning. (See official road map of Douglas County)

GMU 254-Saint Andrews (Douglas and Grant counties): Beginning at Sim's Corner (Jct. of State Routes 17 and 172); then south on State Route 17 to Road 9 N.E.; then east on Road 9 N.E. (through Mold) to a point due east on the west shore of Banks Lake; then south along the west shore of Banks Lake to State Route 2; then west along State Route 2 to State Route 172; then north and east along State Route 172 through Mansfield to Sim's Corner and the point of beginning. (See official road map of Douglas County)

GMU 260-Foster Creek (Douglas County): Beginning at Bridgeport; then down the Columbia River to Bonita Flat; then east along the Bonita Flat Road to the town site of Dyer; then south along the Dyer Hill Road and the N. Division Road to Road 20 N.E.; then east along Road 20 N.E. (Dyer Hill Rd.) to the W. Foster Creek Rd.; then north along the West Foster Creek Road to State Route 17; then east along State Route 17 to the Chalk Hills Road (K N.E.); then north along the Chalk Hills Road (K & L N.E.) to Road 28 N.E.; then north along Road L N.E. for 4 miles to the east boundary of Range 26 E; then north to the Columbia River; then down the Columbia River to Bridgeport and the point of beginning. (See official road map of Douglas County)

GMU 262-Withrow (Douglas County): Beginning at Orondo; then up the Columbia River to the Bonita Flat Road; then east along the Bonita Flat Road to the town site of Dyer; then south along the Dyer Hill Road and the N. Division Road to Road 20 N.E. (Dyer Hill Rd.); then east along Road 20 N.E. to Road B N.E. (W. Foster Ck. Rd.); then south on Road B N.E. to State Route



172; then west and south on State Route 172 to State Route 2; then west along State Route 2 to Orondo and the point of beginning. (See official road map of Douglas County)

GMU 266-Badger (Douglas County): Beginning at Orondo; then down the Columbia River to the Rock Island Grade Road (includes Turtle Rock Island); then north along the Rock Island Grade Road to the Titchenal Canyon Road; then northeast along the Titchenal Canyon Road to the Alstown Road; then east to Alstown; then north and east along the Alstown Road to Road K S.W.; then north along Road K to State Route 2; then west along State Route 2 to Orondo and the point of beginning. (See official road map of Douglas County)

GMU 269-Moses Coulee (Douglas and Grant counties): Beginning near Rock Island Dam at the junction of State Route 28 and the Rock Island Grade Road; then north along the Rock Island Grade Road to the Titchenal Canyon Road; then northeast along the Titchenal Canyon Road to the Alstown Road; then east to Alstown; then north and east along the Alstown Road to Road K S.W.; then north along Road K to State Route 2; then east along State Route 2 to the Moses Coulee Road; then south along the Moses Coulee Road to the Grant & Douglas County line; then south along the Sagebrush Flat Road to Road J N.W.; then south along Road J N.W. to the Overen Road (Road 20 N.W.); then west along the Overen Road to the Baird Springs Road; then southwest along the Baird Springs Road across State Route 28 to the Crescent Bar Road; then south along the Crescent Bar Road to the Columbia River; then up the Columbia River to the Rock Island Grade Road and the point of beginning. (See official road maps of Douglas and Grant counties)

GMU 272-Beezley (Grant and Douglas counties): Beginning at the town of Grand Coulee, then southwest along the west shore of Banks Lake to State Route 2, then west along State Route 2 to Moses Coulee Road, then south along Moses Coulee Road to the Grant-Douglas County line; then south along the Sagebrush Flats Road to Road J N.W.; then south along Road J N.W. to the Overen Road, (Road 20 N.W.); then west along the Overen Road to the Baird Springs Road, then southwest along Baird Springs Road across State Route 28 to the Crescent Bar Road, then southwest along Crescent Bar Road to the Columbia River, then down the Columbia River to Interstate 90, then northeast along Interstate 90 to the Beverly Burke Road (Road R S.W.), then south along Beverly Burke Road to Frenchman Hills Road, then east along Frenchman Hills Road to O'Sullivan Dam Road, then east along O'Sullivan Dam Road to State Route 17, then south along State Route 17 to the Grant-Adams County line (Road 12 S.E.), then east and north along the Grant County line to the town of Grand Coulee and the point of beginning. (See official road maps of Grant and Douglas counties)

GMU 278-Wahluke (Grant and Adams counties): Beginning at the Columbia River at Interstate 90, then

northeast along Interstate 90 to the Beverly Burke Road (Road R S.W.); then south along Beverly Burke Road to Frenchman Hills Road; then east along Frenchman Hills Road to O'Sullivan Dam Road; then east along O'Sullivan Dam Road to State Route 17, then south along State Route 17 to State Route 26; then east along State Route 26 to State Route 24 at Othello; then south and west along State Route 24 to the Columbia River at Vernita Bridge; then up the Columbia River to Interstate 90 and the point of beginning. (See Washington Atlas & Gazetteer)

GMU 281-Ringold (Franklin, Adams, and Grant counties): Beginning at the Columbia River and U.S. Highway 395 at Pasco, then up the Columbia River (including all islands) to State Route 24 at Vernita Bridge; then east and north along State Route 24 to State Route 26 at Othello; then east along State Route 26 to State Route 17; then south along State Route 17 to U.S. Highway 395; then south along U.S. Highway 395 to the Columbia River at Pasco and the point of beginning. The Hanford Nuclear Site and the Saddle Mountain National Wildlife Refuge are closed to unauthorized public entry. (See Washington Atlas & Gazetteer)

GMU 284-Kahlotus (Adams and Franklin counties): Beginning at the Columbia River and U.S. Highway 395 at Pasco; then north along U.S. Highway 395 to State Route 17; then north along State Route 17 to the Grant & Adams County line (Road 12 S.E.); then east and north along the Grant & Adams County line to the Lincoln County line; then east along the Adams-Lincoln County line to the Whitman County line; then south along the Adams-Whitman County line to the Palouse River; then down the Palouse River to the Snake River; then down the Snake River to the Columbia River; then up the Columbia River to U.S. Highway 395 and the point of beginning. (See Washington Atlas & Gazetteer)

#### REGION THREE

GMU 300-Manson (Chelan County): Beginning at the town of Chelan; then down the Chelan River Gorge to the Columbia River; then north along the Columbia River to Wells Dam; then southwest along Highway 97 to the Antoine Creek Road (USFS #8140); then west along Antoine Creek Road to Forest Road #8020 near Cooper Mountain; then northwest along Road #8020 to junction of Road #4330 near Fox Peak; then northwest along the ridge separating the Chelan and Methow-Twisp drainages (Sawtooth Ridge) to McAlester Mountain; then southeast along the ridge between Rainbow Creek and Boulder Creek to the Stehekin River; then south along Lake Chelan shore to the town of Chelan to the point of beginning. (See Wenatchee National Forest Recreation map)

GMU 301-Clark (Chelan County): That portion of Chelan County that lies within the Glacier Peak Wilderness Area and that portion of the Lake Chelan National Recreation Area west of McAlester Mountain and running southwest along the ridge between Rainbow Creek and Boulder Creek to the Stehekin River; then



continuing south along Lake Chelan to the south boundary of the National Recreation Area. (See Wenatchee National Forest Recreation map)

GMU 302-Alpine (Kittitas and Chelan counties): Those lands within Kittitas and Chelan counties east of the Pacific Crest Trail that lie within the Alpine Lakes Wilderness Area. (See Wenatchee National Forest Recreation map)

GMU 304-Chiwawa (Chelan County): Beginning at Coles Corner on Highway 2; then north along Highway 207 to Highway 209 near Lake Wenatchee; then south on Highway 209 to the Eagle Creek Road #7520; then northeast on Road #7520 to French Corral and Forest Road #5800; then east along Roads #5800 and #5700 to the Entiat River near Ardenvoir; then north along the Entiat River to the Glacier Peak Wilderness Boundary; then south and west along the Glacier Peak Wilderness Boundary to the Pacific Crest Trail; then south to Highway 2 at Stevens Pass; then east on Highway 2 to Coles Corner. (See Wenatchee National Forest Recreation map)

GMU 306-Slide Ridge (Chelan County): Beginning on the Entiat River at the Glacier Peak Wilderness Boundary (near the mouth of Larch Lakes Creek); then south along the Entiat River to the mouth of Fox Creek; then east on Fox Creek to Fourmile Ridge Trail #1445; then east on Trails #1445 and #1448 to the Slide Ridge Road #8410 at Stormy Mountain; then north on Road #8410 to Twenty-five Mile Creek; then north on Twenty-five Mile Creek to Lake Chelan; then north and west along the south shore of Lake Chelan to the Lake Chelan National Recreation Area Boundary near Riddle Creek; then south and west along the Recreation Area and Glacier Peak Wilderness Boundaries to the Entiat River. (See Wenatchee National Forest Recreation map)

GMU 308-Entiat (Chelan County): Beginning at the mouth of the Entiat River near the town of Entiat; then northwest along the Entiat River to the mouth of Fox Creek; then east along Fox Creek to the Fourmile Ridge Trail #1445 then east along Trail #1445 and #1448 to the Slide Ridge Road #8410 at Stormy Mountain; then north along Road #8410 to Twenty-five Mile Creek; then North along Twenty-five Mile Creek to Lake Chelan; then southeast along Lake Chelan and the Chelan River Gorge to the Columbia River; then southwest along the Columbia River to the mouth of the Entiat River. (See Wenatchee National Forest Recreation map)

GMU 314-Mission (Kittitas and Chelan counties): Beginning at the mouth of the Colockum Creek on the Columbia River; then west along Colockum Creek and the Colockum Pass Road (#10) to the Naneum Ridge Road (#9); then northwest along Naneum Ridge Road and Mission Ridge to the Liberty-Beehive Road #9712; then northwest along Road #9712 to Road #9716; then north along Road #9716 to Highway 97 at Swauk Pass; then northwest along the Kittitas-Chelan County line and Trail #1226 to the Alpine Lakes Wilderness Boundary at Navaho Peak, then north along the Alpine Lakes Wilderness Boundary to Icicle Creek near Black Pine

Horse Camp; then east along Icicle Creek to the Wenatchee River; then south and east along the Wenatchee and Columbia Rivers to the mouth of Colockum Creek. (See Wenatchee National Forest Recreation map)

GMU 316-Swakane (Chelan County): Beginning at the mouth of the Wenatchee River; then north along the Columbia River to the Entiat River; then north along the Entiat River to Road #5700 near Ardenvoir; then west along Roads #5700 and #5800 to French Corral; then west along the Eagle Creek Road #7520 to Highway 209; then north along Highway 209 to Highway 207 near Lake Wenatchee; then south along Highway 209 to Highway 2 at Coles Corner; then west along Highway 2 to Stevens Pass; then south along the Chelan-King County Line to the Alpine Lakes Wilderness Boundary; then east and south along the Alpine Lakes Wilderness Boundary to Icicle Creek; then east along Icicle Creek to the Wenatchee River; then east along the Wenatchee River to its mouth on the Columbia River. (See Wenatchee National Forest Recreation map)

GMU 328-Naneum (Kittitas and Chelan counties): Beginning at the intersection of Highway 97 and Lower Green Canyon Road; then north along Lower Green Canyon Road to the East Highline Canal (T19N, R18E, S28); then east along the canal to the Colockum Pass Road #10; then northeast along the Colockum Pass Road to the Naneum Ridge Road #9; then northwest along the Naneum Ridge Road and Mission Ridge to the Liberty Beehive Road #9712; then northwest along Road #9712 to Road #9716; then north along Road #9716 to Highway 97 at Swauk Pass; then south along Highway 97 to the Lower Green Canyon Road. (See Wenatchee National Forest Recreation map & Department of Wildlife map)

GMU 329-Quilomene (Kittitas and Chelan counties): Beginning on Interstate 90 at the Columbia River near Vantage; then north along the Columbia River to the mouth of Tekieson Creek; then up Tekieson Creek to Road #14; then north along Roads 14, 14.17 and 14.14 to the top of Cape Horn cliffs; then north along the cliff top to the northern point of Cape Horn; then southwest along the stock fence to Road #14.14; then west (~~and north along Road #14.14 and Road #14~~) on Road 14.14 to the switch backs in Sections 19 and 20; then north from the boundary sign on the section lines between Sections 17, 18, 19 and 20; T20N, R28 E.W.M. to the boundary sign on Road 14 in the northwest corner of Section 17; then north and west to Davies Canyon; then ((northeast)) east along Davies Canyon to the Columbia River; then north along the Columbia River to mouth of Colockum Creek; then southwest along Colockum Creek and Colockum Road (Road #10) to the East Highline Canal (T18N, R20E, S17); then east along the canal and Interstate 90 to the Columbia River at Vantage. (See Department of Wildlife map)

GMU 330-West Bar (Kittitas County): Beginning at the mouth of Tekieson Creek on the Columbia River; then up Tekieson Creek to Road #14; then north on

Road 14, 14.14 and 14.17 to the top of the Cape Horn Cliffs; then north along the cliff top to the north end of Cape Horn; then southwest along the stock fence to Road 14.14; then west ~~((and north along))~~ on Road ~~((s))~~ #14.14 ~~((and #14))~~ to the switch backs in Sections 19 and 20; then north from the boundary sign on the section lines between Sections 17, 18, 19, and 20, T20N, R21 E.W.M. to the boundary sign on Road 14 in the northwest corner of Section 17; then north and west to Davies Canyon; then east along Davies Canyon to the Columbia River; then south along the Columbia River to the mouth of Tekieson Creek. (See Department of Wildlife map)

GMU 334-Ellensburg (Kittitas County): Beginning at the intersection of Highway 97 and Lower Green Canyon Road; then north along the Lower Green Canyon Road to the East Highline Canal (Sec. 28, Twp. 19N., R. 18E); then east and south along the canal past Interstate 90 to the pump station; then south and west along the upper most branch of the canal to Highway 821 and the Yakima River (a point about one mile south of Thrall); then north along the Yakima River to Damon Road; then south on Damon Road and Shushuskin Canyon to the South Branch Extension Canal; then west along the canal to where it crosses Manastash Road; then north along the South Branch Canal to Taneum Creek; then east along Taneum Creek to the Yakima River; then northeast along the river to Thorp Highway; then east along the Thorp Highway and Highway 10 to Highway 97; then north along Highway 97 to Lower Green Canyon Road. (See Wenatchee National Forest Recreation map & Department of Wildlife map) (This is a Kittitas County Closure area for high power rifle hunting of both deer and elk. Contact Kittitas County for more details)

GMU 335-Teaway (Kittitas County): Beginning at Swauk Pass on Highway 97; then northwest along the Kittitas-Chelan County line and Trail #1226 to the Alpine Lakes Wilderness Boundary at Navaho Peak; then west along the Alpine Lakes Wilderness Boundary to the King-Kittitas County line at Kendal Peak; then south along the King-Kittitas County line to Interstate 90; then east along Interstate 90 to Cle Elum; then east along Highway 10 to Highway 97; then northeast on Highway 97 to Swauk Pass. (See Wenatchee National Forest Recreation map)

GMU 336-Taneum (Kittitas County): Beginning at Cle Elum; then west along Interstate Highway 90 to the Pacific Crest Trail at Snoqualmie Pass; then southeast along the Pacific Crest Trail to Blowout Mountain; then southeast along the divide between the Naches and Yakima River drainages and Trail #1388 to Peaches Ridge and Trail #1363; then north along Trail #1363 to Trail #1367; then east along Trail #1367 to South Fork Taneum Creek; then east along Taneum Creek to the Yakima River; then north (downstream) on the Yakima River to the Thorp Highway Bridge; then northwest along the Thorp Highway, State Highway 10 and State Highway 903 to Cle Elum. (See Wenatchee National Forest Recreation map)

GMU 340-Manastash (Kittitas County): Beginning at the junction of Taneum Creek and the South Branch Highline Canal; then west up Taneum Creek and South Fork Taneum Creek to USFS Trail ~~((#1363 (Peaches Ridge Trail)))~~ #1367; then west on Trail ~~((#1363))~~ #1367 to Trail #1363 (Peaches Ridge Trail), to the Naches-Yakima River Divide; then southeast along Trail #1388 and the ridge top dividing the Manastash and Wenas-Umtaneum drainages to the junction of the Observatory Road, (Twp. 17 N., R. 17 E.W.M., Section 20) then south on the Observatory Road to the Wenas ~~((&))~~ Ellensburg Road; then east on the Wenas-Ellensburg Road to Umtaneum Creek; then down Umtaneum Creek to the Yakima River; then up the Yakima River to the Damon Road; then south to the Wenas-Ellensburg Road; then south on the Wenas-Ellensburg Road to the South Branch Highline Canal; then along the canal to Taneum Creek and the beginning. (See Wenatchee National Forest Recreation map)

GMU 342-Umtaneum (Kittitas and Yakima counties): Beginning at Yakima then north along the Yakima River to Umtaneum Creek; then up Umtaneum Creek to the Wenas-Ellensburg Road; then west along the Wenas-Ellensburg Road to the Observatory Road; then north along the Observatory Road to the Road junction at the top of the ridge (Section 20, T17N, R.17 E.W.M.); then west and north along the top of the ridge dividing Manastash and Umtaneum-Wenas drainages to USFS Trail #1388 and Forest Road 1701; then along Road 1701 to Highway 410 to the junction of I-82 and the Yakima River. (See Wenatchee National Forest map and Washington Atlas & Gazetteer)

GMU 346-Little Naches (Yakima & Kittitas counties): Beginning at the Junction of Highway 410 and Forest Road 1701; then north on Road 1701 to Trail #1388; then northwest along Trail #1388 to the Pacific Crest Trail at Blowout Mountain; then south along the Pacific Crest Trail to State Highway 410 at Chinook Pass; then east along State Highway 410 to point of beginning. (See Wenatchee National Forest Recreation map)

GMU 352-Nile (Yakima County): Beginning at Highway 410 at its junction with Forest Road 1500 (Eagle Rock); then west along the 1500 Road to the McDaniel Lake Road (USFS Road #1502); then west along the McDaniel Lake Road to the junction of the North Fork and the South Fork of Rattlesnake Creek; then up the North Fork of Rattlesnake Creek to Richmond Mine Trail #973; then north along Richmond Mine Trail to the Bumping Lake Road; then north along Bumping Lake Road to Highway 410; then east along Highway 410 to Eagle Rock and the point of beginning. (See Wenatchee National Forest Recreation map)

GMU 356-Bumping (Yakima County): Beginning at the intersection of Highway 12 and USFS Road #1500; then north along Road #1500 to McDaniel Lake Road (USFS Road #1502); then west on McDaniel Lake Road to the junction of North Fork and South Fork of Rattlesnake Creek; then up the North Fork of Rattlesnake Creek to Richmond Mine Trail #973; then north along Richmond Mine Trail to the Bumping Lake Road;

then north along the Bumping Lake Road to Highway 410; then west along Highway 410 to the Pacific Crest Trail at Chinook Pass; then south along the Pacific Crest Trail to Highway 12 at White Pass; then east along Highway 12 to the point of beginning. (Lands within the boundary of Mt. Rainier National Park along the Pacific Crest Trail are not open to hunting). (See Wenatchee National Forest Recreation map)

GMU 360-Bethel (Yakima County): Beginning at the junction of Highway 410 and Highway #12; then west along Highway 12 to the junction with USFS Road #1500; then north and east along Road #1500 to its junction with Highway 410 at Eagle Rock; then southeast along Highway 410 to its junction with Highway 12 and the point of beginning. (See Wenatchee National Forest Recreation map)

GMU 364-Rimrock (Yakima County): Beginning at the junction of Highway 12 and Jump-off Road (USFS Road #1302); then southwest along Jump-off Road to Divide Ridge Trail #1127 at Jump-off Lookout; then southeast along Divide Ridge Trail #1127 to Strobach Springs; then west to Blue Slide Lookout; then south on jeep trail to Blue Lake; then south along jeep trail to the Darland Mountain Road and the north boundary of the Yakima Indian Reservation; then west along the reservation boundary to the Pacific Crest Trail; then north along the Pacific Crest Trail to Highway 12 at White Pass; then east along Highway 12 to the junction with Jump-off Road and the point of beginning. (See Wenatchee National Forest Recreation map)

GMU 366-Rimrock-Cowiche (Yakima County): GMUs 364 (Rimrock) and 368 (Cowiche) (See Wenatchee National Forest Recreation map)

GMU 368-Cowiche (Yakima County): Beginning at the junction of Highway 12 and Jump-off Road (USFS Road #1302); then southwest along Jump-off Road to Divide Ridge Trail #1127 at Jump-off Lookout; then southeast along Divide Ridge Trail #1127 to Strobach Springs; then west to Blue Slide Lookout; then south on jeep trail to Blue Lake; then south along jeep trail to the Darland Mountain Road and the north boundary of the Yakima Indian Reservation; then east along the reservation boundary to the Yakima River and Highway 12; then north and west along Highway 12 to the point of beginning. (See Wenatchee National Forest Recreation map & Washington Atlas & Gazetteer)

GMU 370-Priest Rapids (Kittitas, Yakima and Benton counties): Beginning at the Interstate 90 bridge at Vantage; then west along Interstate 90 to the East Highline Canal (which is approximately 1/4 mile west of Boylston Road); then southwest along the canal to Highway 821 and the Yakima River, at a point about one mile south of Thrall; then southeast along the Yakima River to the Mabton-Sunnyside Road; then south along the Mabton-Sunnyside Road; then south along the Yakima Indian Reservation Boundary to the Yakima-Klickitat county line; then east along the county line to the Alderdale Road; then south along the Alderdale Road to Highway 14 and the Columbia River; then upstream along the Columbia River to the point of

beginning at Vantage. (See Washington Atlas & Gazetteer)

#### REGION FOUR

GMU 405-Chuckanut (Whatcom and Skagit counties): Beginning at the Canadian border and the Silver Lake Road; then south along the Silver Lake Road to the Mount Baker Highway; then southwest along the Mount Baker Highway to the Mosquito Lake Road; then south along the Mosquito Lake Road to the Blue Mountain Road; then east to Peterson Creek and the Musto Marsh Road; then south to Skookum Creek; then west down Skookum Creek to its mouth; then northwest down the South Fork Nooksack River to Saxon Bridge; then west on the Saxon Bridge Road to Highway 9; then south along Highway 9 through Sedro Woolley to the town of Arlington and the Stillaguamish River; then down the Stillaguamish River through Stanwood and West Pass to Skagit Bay; then west and north through Skagit Bay, Deception Pass, Rosario Strait and Bellingham Channel to Samish Bay and Edison; then north along the shoreline to the Whatcom County line; then west and north along the Whatcom County line to the Canadian border; then east along the Canadian border to the point of beginning. (See Washington Atlas & Gazetteer; this description is not easily found on base maps. Contact the Region 4 office for more information.)

GMU 410-Islands (San Juan, Island counties): All islands in San Juan County as well as Whidbey and Camano islands and Cypress and Sinclair islands in Skagit County. (See Washington Atlas & Gazetteer)

GMU 418-Nooksack (Whatcom and Skagit counties): Beginning at the point where Jackman Creek meets State Highway 20 (east of Concrete); then northeast up Jackman Creek to the range line between Range 9 and 10E; then north along this range line to the boundary of the North Cascades National Park; then north along the North Cascades Park boundary to the Canadian border; then west along the Canadian border to the Silver Lake Road; then south along the Silver Lake Road to the Mount Baker Highway; then southwest along the Mount Baker Highway to the Mosquito Lake Road; then south along the Mosquito Lake Road to the Blue Mountain Road; then east to Peterson Creek and the Musto Marsh Road; then south to Skookum Creek; then west down Skookum Creek to its confluence with the South Fork Nooksack River; then west down the South Fork Nooksack River to the Saxon Bridge; then west on the Saxon Bridge Road to Highway 9; then south along Highway 9 to its intersection with State Highway 20 (east of Sedro Woolley); then east along Highway 20 to Jackman Creek (east of Concrete) and the point of beginning. (See Washington Atlas & Gazetteer or Mt. Baker/Snoqualmie National Forest map)

GMU 426-Diablo (Skagit and Whatcom counties): The Ross Lake National Recreation Area and the adjoining corridor between the Pasayten Wilderness Area and the northeast boundary of the south segment of North Cascades National Park. (See Washington Atlas & Gazetteer)

GMU 433-Cavanaugh (Skagit and Snohomish counties): Beginning at the intersection of State Highway 20 and State Highway 9 at Sedro Woolley; then south along State Highway 9 to Arlington; then east along the Arlington-Darrington Highway 530 to Darrington; then north along the Sauk Valley Road to Rockport; then west along the State Highway 20 to Sedro Woolley and the point of beginning. (See Washington Atlas & Gazetteer)

GMU 440-Suiattle (Skagit and Snohomish counties): Beginning at the intersection of State Highway 20 and the Sauk Valley Road at Rockport; then south along the Sauk Valley Road to Darrington and the Sauk River to the Suiattle River; then along that river to the Glacier Peak Wilderness Area boundary; then north and east along that boundary to the line between Ranges 12 and 13 E.; then north on that range line to the North Cascades National Park boundary; then west and north along the North Cascades Park boundary and the Ross Lake National Recreation Area boundary to the range line between range 9 and 10 E; then south along this range line to the Jackman Creek drainage; then southwest down the Jackman Creek drainage to State Highway 20; then east along State Highway 20 to Rockport and the point of beginning. (See Washington Atlas & Gazetteer)

GMU 442-Tulalip (Snohomish and King counties): Beginning at the mouth of the Stillaguamish River; then up the Stillaguamish River to Arlington; then northeast along the Arlington-Darrington Highway to the Trafton School at Trafton; then southeast along the Jim Creek-Trafton Road (242nd St. N.E.) to the City of Seattle power transmission line; then southwest along the transmission line to the point where it crosses the Jordan Road in Sec. 20, T31N, R6E; then southeast along the Jordan Road to Granite Falls; then south along the Menzel Lake-Lake Roesiger Roads to the Woods Creek Road; then south on Woods Creek Road to Highway 203 to the Snoqualmie River at Duvall; then north down the Snoqualmie River to the Snohomish River and down the Snohomish River to Puget Sound; then north along the shore of Puget Sound to the mouth of the Stillaguamish River and the point of beginning. (See Washington Atlas & Gazetteer or Mt. Baker/Snoqualmie National Forest map)

GMU 448-Stillaguamish (Snohomish and Skagit counties): Beginning at Sultan; then east along U.S. Highway 2 to Stevens Pass; then north along the Cascade Crest Trail to the headwaters of the Rapid River originating in Sec. 34, T27N, R13E; then north and west down said river to its junction with Meadow Creek in Sec. 14, T27N, R12E; then north up that creek to its junction with the headwaters of Cady Creek in Sec. 36, T28N, R12E; then north and west down Cady Creek to its junction with an unnamed creek in Sec. 21, T28N, R12E; then north up that unnamed creek to its headwaters at Excelsior Mountain and the Quartz Creek Trail (#1050); then north up the Quartz Creek Trail to Curry Gap; then east along USFS Trail #650 along the crest between Sloan Creek and the North Fork Skykomish River drainages to June Mountain and the Glacier Peak

Wilderness Area boundary; then north along that boundary to the Suiattle River; then along the river to the Sauk River; then south up the Sauk River to Darrington; then west along the Darrington-Arlington Highway to the Trafton School at Trafton; then southeast along the Jim Creek-Trafton Road (242nd St. N.E.) to the City of Seattle power transmission lines; then southwest along the transmission line to the point where it crosses the Jordan Road in Sec. 20, T31N, R6E; then southeast along the Jordan Road to Granite Falls; then south along the Menzel Lake-Lake Roesiger Roads to the Woods Creek Road; then south on Woods Creek Road to Highway 2 (Skykomish-Monroe Highway); then east along Highway 2 to Sultan to the point of beginning. (See Washington Atlas & Gazetteer or Mt. Baker/Snoqualmie National Forest map)

GMU 450-Cascade (Skagit and Snohomish counties): That part of Skagit County east of the range line between Ranges 12 and 13 E. that is south and west of the North Cascades National Park; and, in addition, those lands west of the range line between Ranges 12 and 13 E. that lie within the Glacier Peak Wilderness Area. That part of Snohomish County commencing at the Skagit County line and the Glacier Peak Wilderness Area boundary; then south along said boundary to June Mountain; then west along the 650 trail along the crest between Sloan Creek and the North Fork of the Skykomish River drainages past Long John and Bald Eagle Mountains to Curry Gap; then south along the Quartz Creek Trail (No. 1050) and across the North Fork of the Skykomish River to Excelsior Mountain Trail (No. 1054); then south and east to the headwaters of an unnamed creek in Sec. 16, T28N R12E; then south along said creek through Sections 16 and 21 to West Cady Creek; then up (easterly) said creek to its junction with the headwaters of Meadow Creek in Sec. 36 T28N R12E; then south down Meadow Creek to its junction with the Rapid River in Sec. 14 T27N R12E; then east up the Rapid River to the headwaters of its south and east branch in Sec. 34 T27N R13E near the Cascade Crest and the Chelan County line. (See Washington Atlas & Gazetteer and Mt. Baker/Snoqualmie National Forest map)

GMU 454-Issaquah (King and Snohomish counties): Beginning at the mouth of the Snohomish River near Everett; then southeast up the Snohomish River to Duvall; then south along State Highway 203 to Fall City; then southwest along the Fall City-Preston Road to Interstate 90; then east on Interstate 90 to State Highway 18; then southwest along State Highway 18 to its intersection with the Raging River; then south up that river to its junction with the posted boundary of the City of Seattle Cedar River Watershed; then along that posted boundary to its junction with the boundary of the City of Tacoma Green River Watershed (CTGRW); then south along the CTGRW posted boundary to Weyerhaeuser Road 5200 near Lynn Lake; then down the 5200 Road for approximately 7.6 miles to its junction with U.S. Highway 410; then west along U.S. Highway 410 and State Highway Nos. 164 and 18 through Auburn to U.S. Highway 99; then north along

Highway 99 to the Redondo Beach junction; then due west to Puget Sound; then north along Puget Sound to the mouth of the Snohomish River and the point of beginning. (See Mt. Baker/Snoqualmie National Forest map and Washington Atlas & Gazetteer)

GMU 460-Snoqualmie (King and Snohomish Counties): Beginning at the intersection of State Highway 203 and U.S. Highway 2; then east along U.S. Highway 2 to Stevens Pass and the Pacific Crest Trail; then south along the Pacific Crest Trail to its junction with the City of Seattle Cedar River Watershed posted boundary; then west along the posted boundary to its intersection with the headwaters of the Raging River; then down the Raging River to its intersection with State Highway 18; then along State Highway 18 to its junction with Interstate Highway 90 (I-90); then west along I-90 to its junction with the Preston-Fall City Road; then north along the Preston-Fall City Road to State Highway 203; then north on State Highway 203 to the point of beginning. (See Mt. Baker/Snoqualmie National Forest map and Washington Atlas & Gazetteer)

GMU 466-Stampede (King County): Beginning at intersection of the Pacific Crest Trail (USFS Trail 2000) and the posted boundary for the City of Seattle Cedar River Watershed; then south along the Pacific Crest Trail to its junction with the Naches Pass Trail at Pyramid Peak; then west on the Naches Pass Trail to Twin Camps and USFS Road 7035; then along USFS Road 7035 to USFS Trail 1172 and its intersection with USFS Road 7012 (Champion Creek Rd.); then down Road 7012 to the posted boundary of the City of Tacoma Green River Watershed; then east and north along that boundary and the City of Seattle Cedar River Watershed posted boundary to the point of beginning. (See Mt. Baker/Snoqualmie National Forest map and Washington Atlas & Gazetteer)

GMU 472-White River (King and Pierce counties): Beginning at the junction of State Highway 410 and the north boundary of Mount Rainier National Park; then west along the north park boundary to the Carbon River; then down the Carbon River to its intersection with the Bonneville Power Transmission line; then up the powerline to South Prairie Creek; then up South Prairie Creek to New Pond Creek; then up New Pond Creek to its intersection with Champion 923 Road; then north on Champion 923 Road to Champion 92 Road; then east on Champion 92 Road to Champion 93 Road; then northwest on Champion 93 Road to Champion 931 Road; then east on Champion 931 Road to Champion 9 Road; then northeast on Champion 9 Road to Champion 96 Road; then east on Champion 96 Road to Champion 9601 Road; then east on Champion 9601 Road to Old Pond Creek to the White River; then down White River to the ~~((second))~~ first set of Bonneville Power Transmission lines; then up the powerline to where it intersects State Highway 410; then east along State Highway 410 to Weyerhaeuser Road 5200; then up that road for approximately 7.6 miles to its junction with the City of Tacoma Green River Watershed posted boundary; then east along that posted boundary and USFS Trail 1172 to

USFS Road 7035; then east along that road to its intersection with the Naches Pass Trail at Twin Camps; then east along the Naches Pass Trail to the Pacific Crest Trail (USFS Trail 2000) near Pyramid Peak; then south along the Pacific Crest Trail to the Mount Rainier National Park boundary near Sourdough Gap; then north and west along the park boundary to the point of beginning. (See Washington Atlas & Gazetteer and Mt. Baker/Snoqualmie National Forest map)

GMU 478-Mashel (Pierce County): Beginning where ~~((State Highway 162 crosses the Carbon River (near Crocker); then southeast up))~~ the Bonneville Power Transmission line crosses the Orville Road at the Puyallup River Bridge; then northerly along the Bonneville Power Transmission line to the Carbon River to the west boundary of Mt. Rainier National Park; then south along the park boundary to the Nisqually River; then west down the Nisqually River to Alder Lake; then continuing west down Alder Lake and the Nisqually River to the Weyerhaeuser 1000 (Main) Line (Vail-Eatonville Truck Trail) Bridge; then east on the 1000 line to its junctions with Highway 7 (Mountain Highway) and Highway 161 (Eatonville-LaGrande Road); then east and north along Highway 161 through Eatonville to its junction with Orville Road E. (Kapowsin-Eatonville Road); then north along that road through Kapowsin ~~((to its junction with Highway 162 just east of Orting at Crocker; then east along that highway to the Carbon River))~~ to the point of beginning at the junction of the Bonneville Power Transmission line and the Orville Road. (See Mt. Baker/Snoqualmie National Forest map or Washington Atlas & Gazetteer)

GMU 480-South Islands (Pierce County): Anderson and Ketron ~~((1))~~ islands. ~~((Note special firearm restrictions in effect for these islands. Hunting is closed on McNeil Island.))~~ (See Washington Atlas & Gazetteer)

GMU 484-Puyallup (Pierce and King counties): Beginning at the mouth of the Nisqually River; then up the Nisqually River to its junction with the Weyerhaeuser 1000 line, then east along the Weyerhaeuser 1000 line to its intersection with State Highways 7 and 161; then north along State Highway 161 to its intersection with the Orville Road; then north along the Orville Road ~~((through the town of Kapowsin to the intersection of State Route 162; then northeast along State Route 162 to its intersection with the Carbon River; then east along the Carbon River))~~ to the Puyallup River Bridge where it intersects the Bonneville Power Transmission line; then up the powerline to South Prairie Creek; then up South Prairie Creek to New Pond Creek; then up New Pond Creek to its intersection with Champion 923 Road; then north on Champion 923 Road to Champion 92 Road; then east on Champion 92 Road to Champion 93 Road; then northwest on Champion 93 Road to Champion 931 Road; then east on Champion 931 Road to Champion 9 Road; then northeast on Champion 9 Road to Champion 96 Road; then east on Champion 96 Road to Champion 9601 Road; then east on Champion 9601 Road to Old Pond Creek; then down Old Pond Creek to the White River; then down White River to the ~~((second))~~ first set of Bonneville Power Transmission lines;

then up the powerline to where it intersects State Highway 410; then ((east)) west along State Highway 410 to where it intersects State Highway 164; then west along State Highway 164 through Auburn to Old Highway 99; then north along Old Highway 99 to Redondo Junction; then due west to Puget Sound; then south along the shoreline of Puget Sound to the mouth of the Nisqually River and the point of beginning. (See Washington Atlas & Gazetteer or Mt. Baker/Snoqualmie National Forest map)

GMU 485-Green River (King County): Beginning at the junction of the Green River and the west boundary of the Tacoma Watershed; then south and east along the watershed boundary to the USFS 7012 Road (Champion Creek Road); then northwest along that road and the posted GMU 485 boundary to where it meets USFS Road 5063; then east, then north along that road to its junction with the USFS 5060 Road near the headwaters of Friday Creek; then north along that road to the Tacoma Watershed boundary; then west along the Tacoma Watershed boundary to the Green River and the point of beginning. (See Mt. Baker/Snoqualmie National Forest map and Washington Atlas & Gazetteer)

GMU 490-Cedar River (King County): Beginning at the junction of the Cedar River and the western posted boundary of the City of Seattle Cedar River Watershed; then north and east along said posted boundary to Yakima Pass; then continue south and west along that posted boundary and to the point of beginning. Note that the City of Seattle enforces trespass on lands owned or controlled by the city. (See Mt. Baker/Snoqualmie National Forest map and Washington Atlas & Gazetteer)

#### REGION FIVE

GMU 501-Lincoln (Lewis, Thurston, Pacific and Grays Harbor counties): Beginning at the intersection of Interstate 5 and State Highway 6, then west on State Highway 6 to the Stevens Road, then northwest on Stevens Road to Elk Creek Road (Doty), then west on Elk Creek Road to the 7000 Road, then west on the 7000 Rd. to the 7800 Rd., then west on the 7800 Rd. to the 720 Rd., then northeast on the 720 Rd. to Garrard Creek Road, then northeast on the Garrard Creek Road to Oakville and U.S. Highway 12, then east on U.S. 12 to Interstate 5, then south on Interstate 5 to State Highway 6 and point of beginning. (See Washington Atlas & Gazetteer)

GMU 504-Stella (Cowlitz County): Beginning at the mouth of the Cowlitz River at the Columbia River, then west down the Columbia to the mouth of Germany Creek, then north up Germany Creek to State Highway 4, then east on Highway 4 to Germany Creek Road, then north on Germany Creek Road to IP 1000 Road, then north on IP 1000 to the IP 1050 Road, then east on IP 1050 Road to the 2200 Rd., then east and south to the 2000 Rd., then south on the 2000 Rd. to the Delameter Road (Woodside Road), then east on Delameter Road to State Highway 411, then north on Highway 411 to PH 10 Road (Four Corners), then east to Cowlitz River, then south down the Cowlitz River to the

Columbia River and point of beginning. (See Washington Atlas & Gazetteer)

GMU 505-Mossyrock (Lewis County): Beginning on Interstate 5 and the Cowlitz River, then northeast up the Cowlitz River to Mayfield Lake and the U.S. Highway 12 bridge, then east on Highway 12 to Winston Creek Road, then south and east to Longbell Road and Perkins Road, then northeast on Perkins Road to Swofford Road, then north on Swofford Road to Ajlune Road, then east on Ajlune Road to Riffe Lake, then east along the south shore to the Cowlitz River and up the Cowlitz River to the USFS 23 Road (Cispus Road) Bridge, then south and east to the C line Road, then east to the Bennet Road, then east to U.S. Highway 12, then west on Highway 12 to State Highway 7 (Morton), then north on State Highway 7 to State Highway 508, then west on Highway 508 to Centralia/Alpha Road, then west and north on Centralia/Alpha Road to Salzer Valley Road, then west to Summa Street and Kresky Road, then north on Kresky Road to Tower Street, then on Tower Street to State Highway 507, then west on Highway 507 Cherry, Alder and Mellen streets to Interstate 5, then south on Interstate 5 to the Cowlitz River and point of beginning. (See Washington Atlas & Gazetteer)

GMU 506-Willapa Hills (Wahkiakum, Pacific, Lewis counties): Beginning in Cathlamet on the State Highway 407 bridge across the Cathlamet Channel (Columbia River), then west down the Columbia River to the mouth of Deep River, then up Deep River to State Highway 4, then northwest to Salmon Creek Road, then northeast on Salmon Creek Road to the Bonneville Powerline Road, then north on the Bonneville Powerline Road to State Highway 6, then east on State Highway 6 to the town of ((PeEH)) Pe Ell and the Muller Road, then south on Muller Road to the 1000 Road, then south on the 1000 Road to the 1800 Road, then south on the 1800 Road to the 500 Road, then southeast on the 500 Road to State Highway 407, then south on State Highway 407 to Cathlamet and point of beginning. (See Washington Atlas & Gazetteer)

GMU 510-Stormking (Lewis County): Beginning on U.S. Highway 12 at the Silver Creek Bridge; then north up Silver Creek to Silverbrook Road, then east to USFS 47 Rd., then north on USFS 47 to USFS 85, then west on USFS 85 to Silver Creek, then southwest on Silver Creek to Lynx Creek, then north on Lynx Creek and its northern most tributary to USFS 85 Rd., then northwest on the USFS 85 Rd. to Catt Creek, then north on Catt Creek to the Nisqually River, then west down the Nisqually River to State Highway 7, then south on Highway 7 to U.S. Highway 12 (Morton), then east on Highway 12 to Silver Creek and point of beginning. (See Gifford Pinchot National Forest map)

GMU 512-Sawtooth (Lewis County): Beginning on U.S. Highway 12 at the Silver Creek bridge, then north up Silver Creek to Silverbrook Road, then east to USFS 47 Rd., then north on USFS 47 Rd. to USFS 85 Rd., then west on USFS 85 to Silver Creek, then southwest on Silver Creek to Lynx Creek, then north on Lynx Creek and its northern most tributary to USFS 85 Rd.,

then north on 85 Rd. to Catt Creek, then northwest down Catt Creek to the Nisqually River, then east up the Nisqually River to Horse Creek, then east up Horse Creek to USFS 52 Rd. (Skate Creek Road), then southeast on USFS 52 to the Cowlitz River, then southwest down the Cowlitz River to Smith Creek, then up Smith Creek to U.S. Highway 12, then west on U.S. Highway 12 to Silver Creek and point of beginning. (See Gifford Pinchot National Forest map and/or Washington Atlas & Gazetteer)

GMU 514-Tatoosh (Lewis County): Beginning at USFS 52 Rd. (Skate Creek) and the Cowlitz River (at Packwood), then northwest on USFS 52 Rd. to Horse Creek, then down Horse Creek to the Nisqually River and the southern boundary of Mt. Rainier National Park, then north and east along the Nisqually River and south park boundary to the Cascade Crest Trail, then south along the Cascade Crest Trail to U.S. Highway 12, then northwest and southwest on Highway 12 To USFS 1270 Rd., then north on USFS 1270 to the Cowlitz River, then southwest down the Cowlitz River to the USFS 52 Rd. and point of beginning. (See Gifford Pinchot National Forest map)

GMU 516-Packwood (Lewis and Skamania counties): Beginning at the mouth of Cispus River, then east up the Cispus River to the USFS 56 Rd. (Midway G.S. Road), then east on the USFS 56 Rd. to the USFS 5603 Rd., then east on the USFS 5603 to the Yakima Indian Reservation boundary and the Cascade Crest; then north along the Reservation boundary to Cispus Pass and the Cascade Crest Trail, then north along the Cascade Crest Trail to the U.S. Highway 12 (White Pass), then northwest and southwest on Highway 12 to USFS 1270 Rd. (Sec. 31, T14N, R10E), then north on USFS 1270 to the Cowlitz River, then southwest down the Cowlitz River to the mouth of Smith Creek, then south up Smith Creek to U.S. Highway 12, then southwest down Highway 12 to Bennet Road, then west on the Bennet Road to the C line Road, then west to the USFS 23 Rd. (Cispus Road), then west and north to the Cowlitz River, then west down the Cowlitz River to the mouth of the Cispus River and point of beginning. (See Gifford Pinchot National Forest map)

GMU 520-Winston (Cowlitz, Lewis and Skamania counties): Beginning at the intersection of Interstate 5 and the Cowlitz River, then south down the Cowlitz River to the Toutle River, then east up the Toutle River to the North Fork Toutle River, then up the North Fork Toutle River to the Green River, then east up the Green River to USFS 2612 Rd., then east on 2612 to USFS 26 Rd. (Ryan Lake Road), then north on USFS 26 Rd. to the Cispus River, then west down the Cispus to the Cowlitz River, then west down the Cowlitz River to Riffe Lake, then west along the south shore to Ajlune Road, then west to Swofford Road, then south on Swofford Road to Perkins Road, then southwest and northwest on Perkins Road and Longbell Road to Winston Creek Road, then northwest on Winston Creek Road to State Highway 12, then west on State Highway 12 to the Mayfield Lake bridge, then southwest down

Mayfield Lake and the Cowlitz River to Interstate 5 and point of beginning. (See Washington Atlas & Gazetteer)

GMU 522-Loo-wit (Cowlitz and Skamania counties): Beginning on the North Fork Toutle River at the mouth of Hoffstadt Creek, then southeast up the North Fork Toutle River to the Weyerhaeuser 3001 Rd., then southeast along the 3001, 3000, and 3090 roads to the headwaters of the South Fork Castle Creek, then due south to the South Fork Toutle River, then east along South Fork Toutle to its headwaters and Mount St. Helens crater edge; then east along the crater edge to the headwaters of Ape Canyon, then down Ape Canyon ~~((to Smith)) Creek((, then north along))~~ to the USFS Smith Creek ((and following the eastern main branch to its headwaters, then due west)) Trail then north up USFS Smith Creek Trail to ~~((the))~~ USFS 99 Rd., then north along USFS 99 to USFS 26, then north to Strawberry Lake Creek, then west down Strawberry Lake Creek to the Green River, then across the Green River to Grizzly Creek, then up Grizzly Creek to Grizzly Lake, then west up the western inlet to its headwaters, then west to the headwaters of Coldwater Creek, then west down Coldwater Creek to Coldwater Lake, then southwest along the northwest shore to the old Weyerhaeuser 3500 Rd., then west along the 3500, 3530, 3540, 3130, 3120 roads to the intersection with Hoffstadt Creek, then down Hoffstadt Creek to the North Fork Toutle River and point of beginning. (See Gifford Pinchot National Forest map)

GMU 524-Margaret (Cowlitz, Skamania and Lewis counties): Beginning on the North Fork Toutle River at the mouth of the Green River, then southeast up the North Fork Toutle River to the mouth of Hoffstadt Creek, then up Hoffstadt Creek to the 3120 Rd., then east along the 3120, 3130, 3540, 3530 and 3500 roads to Coldwater Lake, then northeast along the northwest shoreline to Coldwater Creek, then up Coldwater Creek to its headwaters and east to the headwaters of Grizzly Lake, then east down the west inlet creek to Grizzly Lake, then down Grizzly Creek to the Green River and the mouth of Strawberry Lake Creek, then up Strawberry Lake Creek to the USFS 26 Rd. (Ryan Lake Road), then north on the USFS 26 Rd. to the USFS 2612 Rd., then west on USFS 2612 Rd. to the Green River, then down the Green River to its mouth and point of beginning. (See Gifford Pinchot National Forest map)

GMU 530-Ryderwood (Cowlitz, Lewis, Wahkiakum counties): Beginning in the town of ~~((PeEH))~~ Pe Ell (intersection of State Highway 6 and Muller Road), then south on Muller Road to the 1000 Rd., then south on the 1000 Rd. to the 1800 Rd., then south on the 1800 Rd. to the 500 Rd., then southeast on the 500 Rd. to State Highway 407, then south on State Highway 407 to the Columbia River Bridge (Cathlamet Channel), then east up the Columbia River to the mouth of Germany Creek, then north up Germany Creek to State Highway 4, then east on Highway 4 to Germany Creek Road, then north on Germany Creek Road to IP 1000 Road, then north on IP 1000 to IP 1050 Road, then east on IP 1050 Road to the 2200 Road, then east and south on the 2200 Road to the 2000 Road, then south on the 2000



Road to Delameter Road (Woodside Drive), then east on Delameter Road to State Highway 411, then north on State Highway 411 to PH 10 Road (4 Corners), then east to the Cowlitz River, then north up the Cowlitz River to the Interstate 5 bridge, then north on Interstate 5 to State Highway 6, then west on State Highway 6 to ~~((PeEH))~~ Pe Ell and point of beginning. (See Washington Atlas & Gazetteer)

GMU 550-Coweeman (Cowlitz County): Beginning at the mouth of the Cowlitz River, then north to the Toutle River, then east along the Toutle River to the South Fork Toutle River, then up the South Fork Toutle to the 4950 Rd., then south and east on the 4950 Rd. to the 235 Rd., then south on the 235, 200, 245, 134, 133, 130 and 1680 roads to the 1600 Rd., then southeast along the 1600 and 1400 roads to the Kalama/Coweeman summit, then south along the 1420 Rd. to the 1425 Rd., then southwest along the 1425 Rd. to the 6400 Rd., then southwest down the 6400 Rd. to the 6000 Rd., then east to the 6450 Rd., then southeast approximately one mile on the 6450 Rd. to the Arnold Creek Road, then southeast on Arnold Creek Road to Dubois Road, then to State Highway 503, then west on State Highway 503 to Cape Horn Creek, then down Cape Horn Creek to Merwin Reservoir and the Lewis River, then down the Lewis River to the Columbia River, then down the Columbia River to the mouth of the Cowlitz River and point of beginning. (See Washington Atlas & Gazetteer)

GMU 554-Yale (Cowlitz County): Beginning on State Highway 503 at its crossing of Cape Horn Creek, then east on Highway 503 to 6690 Rd. (Rock Creek Road), then northeast on the 6690 and 6696 roads to West Fork Speelyai Creek, then down Speelyai Creek to State Highway 503, then northeast on Highway 503 to Dog Creek, then down Dog Creek to Yale Reservoir, then south and west down Yale reservoir, Lewis River, and Merwin Reservoir to Cape Horn Creek, then up Cape Horn Creek to State Highway 503 and point of beginning.

GMU 556-Toutle (Cowlitz County): Beginning on State Highway 503 (Lewis River Road) and USFS 81 Rd. (Merril Lake Road) intersection, then north on USFS 81 Rd. to Weyerhaeuser 7200 Rd., then northeast on the 7200 Rd. to the 7400 Rd., then northwest on the 7400 Rd. to the 5500 Rd., then east and north on the 5500 and 5670 roads to the South Fork Toutle River, then east up the South Fork Toutle River to a point due south of the headwaters of the South Fork Castle Creek (Sec. 1, TWP 8N R4E), then north to the headwaters of South Fork Castle Creek, then down South Fork Castle Creek to Weyerhaeuser 3092 Rd., then west on the 3092 Rd. to 3090 Rd., then northwest on the 3090, 3000 and 3001 roads to the North Fork Toutle River, then down the North Fork Toutle River to the South Fork Toutle River, then south-east up the South Fork Toutle River to the 4950 Rd., then south on the 4950, 235, 200, 245, 243A, 134, 133, 130, and 1680 roads to the 1600 road, then southeast on the 1600 and 1400 roads to the Kalama/Coweeman summit, then south on the 1420 Rd. to the 1425 Rd., then southwest along the 1425 Rd. to the 6400 Rd., then southwest on the 6400 Rd. to the

6000 Rd., then east up the 6000 Rd. to the 6450 Rd., then southwest on the 6450 Rd. approximately one mile to the Arnold Creek Road, then southeast on Arnold Creek and Dubois roads to State Highway 503, then east on State Highway 503 to the 6690 Rd. (Rock Creek Road); then northeast on the 6690 and 6696 roads to the West Fork Speelyai Creek, then down Speelyai Creek to State Highway 503, then northeast on State Highway 503 to USFS 81 Rd. and point of beginning. (See Washington Atlas & Gazetteer)

GMU 558-Marble (Cowlitz and Skamania counties): Beginning on State Highway 503 (Lewis River Road) and USFS 81 Rd. intersection, then north on USFS 81 Rd. to Weyerhaeuser 7200 Rd., then northeast on the 7200 Rd. to the 7400 Rd., then northwest on the 7400 Rd. to the 5500 Rd., then east and north on the 5500 and 5670 roads to the South Fork Toutle River, then east up the South Fork Toutle River to Mount St. Helens crater and along crater to headwaters of Ape Canyon, then east down Ape Canyon Creek to Smith Creek~~((:))~~ Trail then north up USFS Smith Creek ~~((along the East Fork to its headwaters and))~~ Trail to USFS 99 Rd., then northeast on USFS 99 Rd. to USFS 25 Rd., then south on USFS 25 Rd. to the Muddy River, then south down the Muddy River to the North Fork Lewis River, then west down the North Fork Lewis River, Swift Reservoir to Yale Reservoir and Dog Creek, then north up Dog Creek to State Highway 503, then southwest to USFS 81 Rd. and point of beginning. (See Gifford Pinchot National Forest map)

GMU 560-Lewis River (Skamania, Klickitat, Yakima and Lewis counties): Beginning at Trout Lake, north to the USFS 80 Rd., then north to the USFS 82 Rd., then northeast on the USFS 82 Rd. to the Yakima Indian Reservation boundary, then north along boundary (Cascade Crest) to USFS 5603 Rd., then west to the USFS 56 Rd., then west to the Cispus River, then northwest down the Cispus River to the USFS 26 Rd. (Ryan Lake Road), then west and south on the USFS 26 Rd. to USFS 99 Rd., then northeast to the USFS 25 Rd., then south to Muddy River, then south down the Muddy River to the North Fork Lewis River, then west to the USFS 90 Rd. bridge (Eagle Cliff), then east on USFS 90 Rd. to USFS 51 Rd., then southeast to USFS 30 Rd., then northeast on the USFS 30 Rd. to USFS 24 Rd., then southeast to the State Highway 141, then northeast to Trout Lake and point of beginning. (See Gifford Pinchot National Forest map)

GMU 564-Battle Ground (Clark ~~((County))~~ and Skamania Counties): Beginning at Merwin Dam on the Lewis River, then on a southeast line to the power line, then southeast to County Rd. 20, then south to Pup Creek Road, then southeast to County Rd. 16, then southeast through Amboy and Yacolt to Moulton and County Rd. 12, then ~~((west to Hartwick Road, south to Basket Flat Road, west to 197th Ave., south to 279th Street, west to 182nd Ave., south to 249th Street, and east to Crawford Road, then southeast on Allworth to 229th Street, then southeast on 229th Street to Berry Road, then southeast on Berry Road to DNR 1410 Rd., then southeast on the 1410 Road to DNR 1400 Rd.,~~



then west on 1400 Rd. to Rawson and Powell roads to 212th Ave., then south to 83rd Street, east to 217th Ave., south to 68th Street, east to 232nd Ave., and south to State Highway 500, then south and east to Blair)) southeast on County Road 12 to Dole Valley Road, south on Dole Valley Road, Rock Creek Road, and Skamania Mines Road in Skamania County to Skye Road, east on Skye Road to Washougal River Road, then southeast ((to)) on State Highway 140((, then north and east)) to State Highway 14 and Cape Horn Road, then south on Cape Horn Road to the Columbia River, then down the Columbia River to the Lewis River and up the Lewis River to Merwin Dam and point of beginning. (See Washington Atlas & Gazetteer)

GMU 568-Washougal (Clark and Skamania counties): Beginning at Merwin Dam on the Lewis River, then on a southeast line to the powerline crossing on County Rd. 20, then south to Pup Creek Road, then east to County Rd. 16, then southeast through Amboy and Yacolt to Moulton and County Rd. 12, then ((west to Hartwick Road, south to Basket Flat Road, west to 197th Ave., south to 279th St., west to 182nd Ave., south to 249th St., and east to Crawford Road, then southeast on Allworth to 229th St., to Berry Road and the DNR 1410 Rd., to DNR 1400 Rd., then west to Rawson and Powell roads to 212th Ave., then south to 83rd St., east to 217th Ave., south to 68th St., east to 232nd Ave., and south to State Highway 500, then south and east to Blair)) southeast on County Road 12 to Dole Valley Road, south on Dole Valley Road, Rock Creek Road, and Skamania Mines Road in Skamania County to Skye Road, east on Skye Road to Washougal River Road, then southeast ((to)) on State Highway 140((, then north and east)) to State Highway 14, and Cape Horn Road, then south on Cape Horn Road to the Columbia River, then east up the Columbia to the mouth of Rock Creek at Stevenson; then northwest up Rock Creek to the south boundary of Gifford Pinchot National Forest, then due west approximately 0.5 miles to USFS Rd. 406; then northwest on USFS Rd. 406 to USFS 41, then west to Sunset Work Center and Forest Rd. 42 (Green Fork Road), then east to USFS 4205 Rd., then north and east to the USFS 53 Rd., then northwest to the USFS 37 Rd., and USFS 54 Rd., then northwest on USFS 54 Rd (N.E. Healy Rd.) to International Paper Road; then north to Canyon Creek, down Canyon Creek to Merwin Reservoir and west to Merwin Dam and point of beginning. (See Washington Atlas & Gazetteer)

GMU 572-Siouxon (Skamania and Clark counties): Beginning at the intersection of the Wind River Road and USFS 65 Rd. (Panther Creek Road); then north on the USFS 65 Rd, USFS 60 Rd. (Carson-Guler Road); then northwest to Peterson Prairie and USFS 24 Road, then north to the USFS 30, then southwest to the USFS 51 Rd. (Curly Creek Road), then northwest to the USFS 90 Rd. (Lewis River Road), then west to the Eagle Cliff bridge on the North Fork Lewis River; then down the North Fork Lewis River through Swift and Yale reservoirs to Merwin Reservoir and the mouth of Canyon Creek; then south up Canyon Creek to International Paper Road, then south to USFS 54 Rd. (N.E. Healy

Road); then southeast to the USFS 37 Rd. and the USFS 53 Rd., then east and south to the USFS 4205 Rd., then south and west to the USFS 42 Rd. (Green Fork Road); then west to the USFS 41 Rd. at Sunset Falls; then east on the USFS 41 Rd. (Sunset Hemlock Road) to the U.S. Forest Service District Headquarters and the Hemlock Road; then east on the Hemlock Road to the Wind River Road (Stabler); then south on the Wind River Road to USFS 65 Rd. and point of beginning. (See Gifford Pinchot National Forest map)

GMU 574-Wind River (Skamania County): Beginning at the mouth of Rock Creek (Stevenson), then northwest up Rock Creek to the south boundary of Gifford Pinchot National Forest, then due west approximately 1/2 mile to USFS 406 Rd., then northwest on USFS 406 Rd. to USFS 41 Rd., then east to U.S. Forest Service District Headquarters (Wind River) and Hemlock Road, then east to the Wind River Road (Stabler), then south to USFS 65 Rd. (Panther Creek Road), then north to USFS 60 Rd. (Carson-Guler Road), then northeast to USFS 24 Rd. and 141 Rd. to USFS 86 Rd., then south on USFS 86 Rd. to USFS 1840 Rd. to the USFS 18 Rd. (Oklahoma Road) to Willard and the Little White Salmon River, then down the Little White Salmon River to the Columbia River, then west down the Columbia River to the mouth of Rock Creek and point of beginning. (See Gifford Pinchot National Forest map)

GMU 576-White Salmon (Klickitat, Yakima, and Skamania counties): Beginning at the mouth of the Klickitat River (Lyle) to the Fisher Hill Bridge, then north along the Fisher Hill Road (P-2000) to the Gravel Pit Road, then west to the B-Z Corners-Glenwood Road, then southwest to Highway 141 (B-Z Corners), then north to Trout Lake, then west on Highway 141 to USFS 86 Rd., then south to the USFS 1840 Rd., then south on the USFS 1840 Rd. to the USFS 18 Rd. (Oklahoma Road), then south on the 18 Rd. to Willard and the Little White Salmon River, then south down the Little White Salmon River to the Columbia River, then east up the Columbia River to the Klickitat River and point of beginning. (See Washington Atlas & Gazetteer)

GMU 580-Sixprong (Klickitat and Yakima counties): Beginning on State Highway 14 at Sundale, then east to the Goldendale-Goodnoe Hills Road; then northwest along Goldendale-Goodnoe Hills Road to Dot Road; then north along the Dot Road to Cleveland; then along the Goldendale-Bickleton Road to the Yakima County line; then east along the Yakima County line to Alderdale Road; then southeast along the Alderdale Road to State Highway 14 and Columbia River; then west along the state line to Sundale and the point of beginning. (See Washington Atlas & Gazetteer)

GMU 584-Goodnoe (Klickitat County): Beginning at the U.S. Highway 97 bridge on the Columbia River (Maryhill), then north on Highway 97 to Satus Pass and the Yakima Indian Reservation, then east along south Reservation boundary to the Yakima County line, then east to Goldendale/Bickleton Road, then southwest to Cleveland and Dot Road, then south to Goldendale/Goodnoe Hills Road, then southeast to

State Highway 14, then west to Sundale and mouth of Chapman Creek, then west down the Columbia River to U.S. Highway 97 bridge and point of beginning. (See Washington Atlas & Gazetteer)

GMU 586-Glenwood (Klickitat County): Beginning at B-Z Corners and State Highway 141, then north to Trout Lake and the USFS 80 Rd., then to the USFS 82 Rd., then north to the Yakima Indian Reservation boundary, then east along the south Reservation boundary to Summit Creek Primary Road, then south to the Klickitat River and the Truck Cut Road, then west to the Glenwood/Goldendale Road, then northwest to the Gravel Pit Road, then south to the B-Z Corners/Glenwood Road, then southwest to B-Z Corners and point of beginning. (See Washington Atlas & Gazetteer)

GMU 588-Grayback (Klickitat County): Beginning at Highway 97 bridge across Columbia River (Maryhill), then west down the Columbia River to Lyle and the mouth of the Klickitat River, then up the Klickitat River to the Fisher Hill Bridge, then north along the Fisher Hill Road (P-2000) to the Gravel Pit Road, then north to the Glenwood/Goldendale Road, then east to the Truck Cut Road, then north to the Summit Creek Primary Road, then to the Yakima Indian Reservation boundary, then east along the southern boundary of the Reservation to Highway 97 (Satus Pass Highway), then south on Highway 97 to Maryhill and point of beginning. (See Washington Atlas & Gazetteer)

#### REGION SIX

GMU 601-Hoko (Clallam County): Beginning at the mouth of the Hoko River, then up the river to State Highway 112((:)); then southeast along State Highway 112 to its junction with the Hoko-Ozette Road; then southeast along the Hoko-Ozette Road to the Olympic National Park boundary; then north along the Olympic National Park boundary to the Makah Indian Reservation boundary; then east and north along the Makah Indian Reservation boundary to the Strait of Juan de Fuca; then southeast along the shore of the Strait of Juan de Fuca to the mouth of the Hoko River and the point of beginning. (See updated Olympic National Forest and Olympic National Park map and Washington Atlas & Gazetteer)

GMU 602-Dickey (Clallam County): Beginning at the mouth of the Clallam River, then up the river to State Highway 112; then south along State Highway 112 to its junction with the Burnt Mountain Road; then southwest along the Burnt Mountain Road to its junction with U.S. Highway 101; then southwest along U.S. Highway 101 to the junction with the LaPush Road; then southwest along LaPush Road to the Olympic National Park boundary; then north along the Olympic National Park boundary to the Hoko-Ozette Road; then northeast along the Hoko-Ozette Road to its junction with State Highway 112; then northwest along State Highway 112 to the Hoko River; then down the Hoko River to its mouth and the Strait of Juan de Fuca; then east along the shore of the Strait of Juan de Fuca to the mouth of

the Clallam River and the point of beginning. (See updated Olympic National Forest and Olympic National Park map and Washington Atlas & Gazetteer)

GMU 603-Pysht (Clallam County): Beginning at the mouth of the Clallam River; then up the river to the State Highway 112; then south along State Highway 112 to its junction with the Burnt Mountain Road; then southwest along the Burnt Mountain Road to its junction with U.S. Highway 101; then east along U.S. Highway 101 to the point where the highway enters the Olympic National Park, about one mile west of Lake Crescent; then north and east along the Olympic National Park boundary to the Elwha River; then north down the Elwha River to its mouth and the Strait of Juan de Fuca; then west along the shore of the Strait of Juan de Fuca to the mouth of the Clallam River and the point of beginning. EXCEPT that part of the Lower Elwha Indian Reservation within this boundary. (See updated Olympic National Forest and Olympic National Park map and Washington Atlas & Gazetteer)

GMU 607-Soleduck (Clallam County): Beginning at Forks, then south along U.S. Highway 101 to the Bogachiel River; then east up the Bogachiel River to the Olympic National Park boundary; then north and east along the Olympic National Park boundary to its intersection with U.S. Highway 101; then west and south along U.S. Highway 101 to Forks to the point of beginning. (See updated Olympic National Forest and Olympic National Park map and Washington Atlas & Gazetteer)

GMU 612-Goodman (Jefferson and Clallam counties): Beginning at LaPush on the Pacific Ocean, then east along the LaPush Road to its junction with U.S. Highway 101 north of Forks; then south along U.S. Highway 101 to the Pacific Ocean below the mouth of the Hoh River; then north along the Pacific Ocean to LaPush and the point of beginning; EXCEPT that part of the Hoh Indian Reservation and the Olympic National Park within this boundary. (See updated Olympic National Forest and Olympic National Park map and Washington Atlas & Gazetteer)

GMU 615-Clearwater (Jefferson County): Beginning at the junction of Bogachiel River and U.S. Highway 101, then east up the Bogachiel River to the Olympic National Park boundary; then south, east and west along the Olympic National Park boundary to where it meets the boundary of the Quinalt Indian Reservation; then west along the Quinalt Indian Reservation boundary to U.S. Highway 101; then north and east along U.S. Highway 101 to the Bogachiel River and point of beginning; EXCEPT that part of the Olympic National Park within this boundary. (See updated Olympic National Forest and Olympic National Park map and Washington Atlas & Gazetteer)

GMU 618-Matheny (Jefferson and Grays Harbor counties): Those lands between the Queets and Quinalt Rivers that are outside the Olympic National Park and outside the Quinalt Indian Reservation. (See Olympic National Forest map)

GMU 621-Olympic (Jefferson, Clallam and Mason counties): Beginning at the junction of U.S. Highway 101 and the Elwha River, then south up the Elwha River to the Olympic National Park boundary; then east and south along Olympic National Park boundary to the North Fork of the Skokomish River; then south down the North Fork of the Skokomish River to Lake Cushman; then southeast along the west shore of Lake Cushman to Cushman Upper Dam; then east along the Power Dam Road to its intersection with Lake Cushman-Hoodsport Road; then southeast on Lake Cushman-Hoodsport Road to U.S. Highway 101 and Hood Canal; then north along Hood Canal to Dabob Bay and Quilcene Bay to East Quilcene Road at the north end of Quilcene Bay; then west along East Quilcene Road to its junction with Chimacum Center Road; then south along Chimacum Center Road to Quilcene and U.S. Highway 101; then north and west along U.S. Highway 101 to the Elwha River and the point of beginning. EXCEPT that part of the Lower Elwha Indian Reservation within this boundary. (See updated Olympic National Forest and Olympic National Park map and Washington Atlas & Gazetteer)

GMU 624-Coyle (Clallam and Jefferson counties): Beginning at the mouth of the Elwha River, then south up the Elwha River to U.S. Highway 101; then east and south along U.S. Highway 101 to Quilcene; then north on the Chimacum Center Road to its junction with East Quilcene Road; then east on the East Quilcene Road to Quilcene Bay; then south along the east shore of Quilcene Bay to Dabob Bay and Hood Canal; then north along the shore of Hood Canal to Puget Sound; then north through Admiralty Inlet to Port Townsend and Juan de Fuca Straits (including Marrowstone Island); then west along the south shore line of Juan de Fuca Straits to the mouth of the Elwha River and the point of beginning; EXCEPT all of Indian Island in Jefferson County. (See updated Olympic National Forest and Olympic National Park map and Washington Atlas & Gazetteer)

GMU 625-Indian Island (Jefferson County): Indian Island in Jefferson County. (See Washington Atlas & Gazetteer)

GMU 627-Kitsap (Kitsap, Mason, Pierce and King counties): Beginning at the town of Allyn on State Highway 3; then north along Highway 3 to Belfair; then north up the "Old Belfair Highway" to its junction with the Bear Creek-Dewatto Road; then west on Bear Creek-Dewatto Road to the Mason-Kitsap County line; then west along the Mason-Kitsap county line to Hood Canal; then north along the shoreline of Hood Canal to Puget Sound at Hansville; then south through Puget Sound to Nisqually Reach and Case Inlet; then north up Case Inlet to the town of Allyn and the point of beginning; also Vashon Island. (See Washington Atlas & Gazetteer)

GMU 633-Mason (Mason County): Beginning at the Mason-Thurston County Line on U.S. Highway 101 at Oyster Bay; then north and east through Oyster Bay, Totten Inlet-Dana Passage and Case Inlet to the town

of Allyn on State Highway 3; then north along Highway 3 to Belfair; then north up the "Old Belfair Highway" to its junction with the Bear Creek-Dewatto Road; then west on the Bear Creek-Dewatto Road to its junction with the Dewatto-Holly Road; then west along the Mason-Kitsap County Line to Hood Canal; then south through Hood Canal to Hoodsport and U.S. Highway 101; then south along Highway 101 to the Mason-Thurston County Line and the point of beginning. (See the Washington Atlas & Gazetteer)

GMU 636-Skokomish (Grays Harbor and Mason counties): Beginning at the junction of the Lake Cushman-Hoodsport Road and U.S. Highway 101 at Hoodsport; then south down U.S. Highway 101 to its junction with the Shelton Dayton-Matlock Road (County Road 9010); then west to the town of Matlock; then west on the Matlock-Deckerville Road and Middle Satsop Road to the Kelly Road (C-500 Line); then north on the Kelly Road to its junction with the L-600 Line (Canyon Road, Road ((2153)) 2260); then west on the L-600 line to USFS Road 22 (Montesano-Gridale Road); then north on USFS Road 22 through Gridale; then west and south on USFS Road 22 to where it crosses the East Fork of the Humptulips River; then upstream on the East Fork Humptulips River to the most northern point crossed by the range line 7W.W.M. and 8W.W.M., then north on this range line to its junction with Road 2302 (USFS Road 2204-200); then east and north on Road 2302 to the Olympic National Park Boundary; then east along the Olympic Park boundary to the North Fork of the Skokomish River; then south down the North Fork of the Skokomish River to Lake Cushman; then southeast along the west shore of Lake Cushman to Cushman Upper Dam; then east along the Power Dam Road to its intersection with Lake Cushman-Hoodsport Road; then southeast on Lake Cushman-Hoodsport Road to U.S. Highway 101 and the point of beginning. (See Washington Atlas & Gazetteer)

GMU 638-Quinault Ridge (Grays Harbor and Jefferson counties): Beginning at the Olympic National Park boundary at the northwest corner of Lake Quinault; then southwest along the south shore of Lake Quinault to the boundary of the Quinault Indian Reservation; then southwest along this boundary to U.S. Highway 101; then south along U.S. Highway 101 to Quinault Ridge Road (Forest Service Road #2258); then northeast along the Quinault Ridge Road to the Forest Service Road #2280; then east along Forest Service Road #2280 to the Forest Service Road #2220; then north and south along that road to the Forest Service Road #2204; then northeast along Forest Service Road #2204 to the 2204-200 Spur Road; then north along this spur road to the boundary of the Olympic National Park; then west along the Olympic National Park Boundary to Lake Quinault and the point of beginning. (See Olympic National Forest map)

GMU 639-Humptulips (Grays Harbor County): Beginning at the junction of U.S. Highway 101 and the Quinault Ridge Road (Forest Service Road #2258); then northeast along Quinault Ridge Road to the Forest Service Road #2280; then east along Forest Service Road

#2280 to the Forest Service Road #2220; then north and south along Forest Service Road #2220 to the Forest Service Road #2204; then northeast along Forest Service Road #2204 and the 2204-200 Spur Road to a point crossed by the range line between range 7W.W.M. and 8W.W.M.; then south on this range line to the most northern point crossed by the East Fork of the Humptulips River; then downstream on the East Fork of the Humptulips to the USFS 22 Road; then west and south along USFS 22 Road to its junction with the Donkey Creek Road; then southwest along the Donkey Creek Road (Forest Service Road #22) to its junction with U.S. Highway 101; then north along U.S. Highway 101 to its junction with the Quinault Ridge Road (Forest Service Road #2258) and the point of beginning. (See Olympic National Forest map)

GMU 642-Copalis (Grays Harbor County): Beginning at the U.S. Highway 101 bridge crossing the Hoquiam River in the City of Hoquiam; then north along U.S. Highway 101 to the boundary of the Quinault Indian Reservation; then southwest along the Quinault Indian Reservation boundary to the Pacific Ocean; then south along the shore of the Pacific Ocean to Grays Harbor; then east along the north shore of Grays Harbor to the mouth of the Hoquiam River; then north along the Hoquiam River to U.S. Highway 101 and the point of beginning. (See Washington Atlas & Gazetteer)

GMU 648-Wynoochee (Grays Harbor County): Beginning at the junction of U.S. Highway 101 and the Donkey Creek Road; then northeast along the Donkey Creek Road (Forest Service Road #22) to its junction with the Donkey Creek-Grisdale Road; continuing east on this road (Forest Service Road #22) to Camp Grisdale (south of Wynoochee Lake); then south along the Grisdale-Montesano Road (Forest Service Road #22) to the junction with the L-600 line (Canyon River Road, Road 2153); then east along the L-600 line to the concrete bridge over the West Fork of the Satsop River in Sec. 15, T.21N., R.7W.W.M.; then south down the West Fork and the main stream of the Satsop River to U.S. Highway 12; then west along U.S. Highway 12 to its junction with U.S. Highway 101 in Aberdeen; then west and north along U.S. Highway 101 to its junction with the Donkey Creek Road and the point of beginning. (See Washington Atlas & Gazetteer)

GMU 651-Satsop (Grays Harbor, Mason and Thurston counties): Beginning at the U.S. Highway 12 Bridge on the Satsop River, then upstream on the Satsop River to its junction with the West Fork of the Satsop River; then up the West Fork of the Satsop to the concrete bridge on the L-600 Road (Canyon River Road, Road 2153); then east on the L-600 Line to its junction with the Kelly Road; then south on the Kelly Road to the Middle Satsop Road; then east on the Middle Satsop and Matlock-Deckerville Roads to the town of Matlock; then east on the Shelton-Matlock Road (County Road 9010) to its junction with U.S. Highway 101; then south on U.S. Highway 101 to its junction with State Route #8, then west on State Route 8 to its junction with U.S. Highway 12; then west along Highway 12 to the Satsop

River and the point of beginning. (See Washington Atlas & Gazetteer)

GMU 658-North River (Grays Harbor and Pacific counties): Beginning at the U.S. Highway 101 bridge across the Chehalis River in Aberdeen; then west along the Chehalis River to the river mouth; then west along the southern shore of Grays Harbor to the Pacific Ocean; then south along the Pacific Ocean to Willapa Bay; then east in Willapa Bay to the mouth of the Willapa River; then east up the Willapa River to U.S. Highway 101 in the City of Raymond; then north along U.S. Highway 101 to the Chehalis River Bridge and the point of beginning; also Rennie Island. (See Washington Atlas & Gazetteer)

GMU 660-Minot Peak (Grays Harbor and Pacific counties): Beginning at the junction of U.S. Highway 101 and U.S. Highway 12 in Aberdeen; then south along U.S. Highway 101 to the Smith Creek Road; then east along the Smith Creek Road to its junction with the North River Road; then east along the North River Road through Brooklyn and continuing east along the Brooklyn-Oakville Road to the town of Oakville; then north along U.S. Highway 12 to Elma; then west along U.S. Highway 12 to U.S. Highway 101 and the point of beginning(, also Rennie Island)). (See Washington Atlas & Gazetteer)

GMU 663-Capitol Peak (Grays Harbor and Thurston counties): Beginning at the intersection of Highway 8 and Highway 12 near Elma; then southeast along U.S. Highway 12 to its junction with the Moon Road; then north on the Moon Road to the Gate-Mima Road; then northeast on Gate-Mima Road to Waddell Creek Road; then northeast and then northwest on Waddell Creek Road to Delphi Road; then north on the Delphi Road to U.S. Highway 101; then west on Highway 101 to Highway 8; then west on Highway 8 to Elma and Highway 12 and the point of beginning. (See Washington Atlas & Gazetteer)

GMU 666-Deschutes (Thurston County): Beginning at the mouth of the Nisqually River; then south on the Nisqually River to old Pacific Highway (Mounts Road); then southwest on old Pacific Highway (Mounts Road) to Highway 510; then southeast on Highway 510 to Yelm Highway; then southwest and west on the Yelm Highway to Spurgeon Creek Road; then south on the Spurgeon Creek Road to Rainier Road; then northwest on Rainier Road to Stedman Road; then west and south on Stedman Road to Waldrick Road; then west on Waldrick Road to Pacific Highway S.E. (Old Highway 99); then north on Pacific Highway S.E. (Old Highway 99) to McCorkle Road; then west on McCorkle Road to 113th Avenue; then west on 113th Avenue to Littlerock Road; then north on Littlerock Road to 110th Avenue ((Bloom Road))); then west on 110th Avenue to Delphi Road; then north on Delphi Road to U.S. Highway 101; then northwest on Highway 101 to the Mason-Thurston county Line at Oyster Bay; then northeast and southeast through Totten Inlet, Dana Passage and Nisqually Reach to the mouth of the Nisqually River and the point of beginning. (See Washington Atlas & Gazetteer)

GMU 667-Skookumchuck (Thurston and Lewis counties): Beginning at the old Pacific Highway (Mounts Road) Bridge on the Nisqually River; then upstream on the Nisqually River to Alder Lake; then along the north shore of Alder Lake to the town of Elbe and Highway 7; then south on Highway 7 to Highway 508 at Morton; then west on Highway 508 to the Centralia-Alpha Road; then west on the Centralia-Alpha Road(;) and Salzer (~~and Summa~~) Road(s) to Pearl Street; then north on Pearl Street to Highway 507; then northwest on Highway 507 to Interstate 5 then north on Interstate 5 to U.S. Highway 12; then west on Highway 12 to Moon Road; then north on Moon Road to the Gate-Mima Road; then northeast on the Gate-Mima Road to Waddell Creek Road; then northeast on the Waddell Creek Road to the Delphi Road; then south on the Delphi Road to 110th Avenue; then east on 110th Avenue to Littlerock Road; then south on Littlerock Road to 113th Avenue; then east on 113th Avenue to McCorkle Road; then east on McCorkle Road to Pacific Highway S.E. (Old Highway 99); then south on Pacific Highway S.E. (Old Highway 99) to Waldrick Road; then east on Waldrick Road to Stedman Road; then north and east on Stedman Road to Rainier Road; then southeast on Rainier Road to Spurgeon Creek Road; then north on Spurgeon Creek Road to the Yelm Highway; then east and northeast on Yelm Highway to Highway 510; then northwest on Highway 510 to Pacific Highway; then northeast on Pacific Highway to the Nisqually River and the point of beginning. (See Washington Atlas & Gazetteer)

GMU 669-Palix (Pacific County): Beginning at the U.S. Highway 101 Bridge across the Willapa River in Raymond; then west along the Willapa River to Willapa Bay; then south along the east shore of Willapa Bay to the mouth of the North Nemah River; then northeast up the North Nemah River and Williams Creek to the North Nemah Road Crossing (or North Nemah A Line); then east on the North Nemah A Line to the Williams Creek A Line; then northeast on the Williams Creek A Line to the C2000 Line to the Trap Creek A Line; then east on the Trap Creek A Line (on the north side of the Trap Creek Lookout) to the Bonneville Power Line Road; then north on the Bonneville Powerline Road to its junction with State Highway 6; then northwest along Highway 6 to its junction with U.S. Highway 101 in the City of Raymond; then north along U.S. Highway 101 to the bridge across the Willapa River and the point of beginning. (See Washington Atlas & Gazetteer)

GMU 672-Fall River (Pacific, Lewis and Grays Harbor counties): Beginning at the junction of U.S. Highway 101 and State Highway 6 in Raymond; then east along State Highway 6 to Doty Road (Stevens Road); then northwest on Stevens Road to the Elk Creek Road (in Doty); then west on the Elk Creek Road to the 7000 Road; then west on the 7000 Road to the 7800 Road; then west on the 7800 Road to the 720 Road; then northeast on the 720 Road to Garrard Creek Road; then north on the Garrard Creek Road to the Brooklyn-Oakville Road; then east along the Brooklyn-Oakville Road, North River Road, to the Smith Creek Road;

then southwest along the Smith Creek Road to U.S. Highway 101; then south on U.S. Highway 101 to its junction with State Highway 6 and the point of the beginning. (See Washington Atlas & Gazetteer)

GMU 678-Nemah (Pacific and Wahkiakum counties): Beginning at the mouth of the North Nemah River on Willapa Bay; then northeast up the North Nemah River and Williams Creek to the North Nemah Road Crossing (or North Nemah A Line); then east on the North Nemah A Line to the Williams Creek A Line to the C2000 line to the Trap Creek A Line; then east along the Trap Creek A Line (north side of Trap Creek Lookout) to the Bonneville Powerline Road; then south along the Powerline Road to the Salmon Creek Road; then southwest along the Salmon Creek Road to State Highway 4; then west along State Highway 4 to its junction with U.S. Highway 101 at Johnson's Landing and continuing west along U.S. Highway 101 to the Naselle River bridge; then down the Naselle River to Willapa Bay; then north along the shore of Willapa Bay to the mouth of the North Nemah River and the point of beginning. (See Washington Atlas & Gazetteer)

GMU 681-Bear River (Pacific and Wahkiakum counties): Beginning at the Deep River Bridge on State Highway 4; then down the Deep River to the Columbia River; then west along the Columbia River to the mouth of the Wallacut River; then up the Wallacut River to U.S. Highway 101; then northwest on U.S. Highway No. 101, north on Alternate U.S. Highway No. 101 and northeast on U.S. Highway 101 to the Bear River; then down the Bear River to Willapa Bay; then north along the shore of Willapa Bay to the mouth of the Naselle River and up the Naselle River to U.S. Highway 101; then east along U.S. Highway 101 to its junction with State Highway 4 at Johnson's Landing; then southeast along State Highway 4 to the Deep River Bridge and the point of beginning. (See Washington Atlas & Gazetteer)

GMU 684-Long Beach (Pacific County): The Long Beach Peninsula and those lands west of the following line; beginning at the mouth of Bear River; then up the Bear river to U.S. Highway 101; then southwest along U.S. Highway 101 to Alternate U.S. Highway 101; then south along Alternate U.S. Highway 101 to U.S. Highway 101; then southeast along U.S. Highway 101 to the Wallacut River; then down the Wallacut River to the Columbia River. (See Washington Atlas & Gazetteer)

#### DEER AREA DESCRIPTIONS

Deer Area No. 001 Champion North (Pierce County): Beginning at the point where the Bonneville Power Transmission Line crosses the Carbon River (about 14 miles northwest of Carbonado); then south and west up the Carbon River to where it intersects State Highway No. 165; then south and east along State Highway No. 165 to where it intersects the Mt. Rainier National Park boundary; then south along said boundary to where it intersects the North Fork Puyallup River; then north and west down the North Fork Puyallup River and the Puyallup River to where it intersects the Bonneville Power Transmission Line (about three miles south of

Orting); then north and east along said power transmission line to the point of beginning. (See Washington Atlas & Gazetteer)

Deer Area No. 002 Champion South (Pierce County): Beginning at the point where Champion's 1 Road crosses the Puyallup River (approximately 1 1/2 miles NE of Kapowsin) then southeast up the Puyallup River to the confluence with Deer Creek; then south up Deer Creek to where it intersects the 243 Road; then northwest along the 243 Road to where it intersects the 24 Road; then southwest along the 24 Road to where it intersects the 3270 Road; then west along the 3270 Road to where it intersects the 327 Road; then southwest along the 327 Road to where it crosses Busy Wild Creek (near Lake Lorraine); then west down the Busy Wild Creek to its confluence with the North Fork Mashel River; then up the North Fork Mashel River (about 1 mile) to the point nearest the southernmost extension of the 311 Road (T16N, R6E, Sec. 19, SW 1/2 of SW 1/2); then in a line to the 311 Road; then along 311 Road to where it intersects the 3113 Road; then north along the 3113 Road to where it intersects the 843 Road; then along the 843 Road to where it intersects the 84 Road; then along the 84 Road to where it intersects the 8 Road; then north along the 8 Road to where it intersects the 82 Road; then along the 82 Road to where it intersects the township line between Townships 16 & 17 North, W.M.; then west on said line to where it intersects the range line between Ranges 4 & 5 East, W.M.; then north on said line to northwest corner of Sec. 31, T17N, R5E; then east on section line between sections 30 and 31, T17N, R5E to 1/4 corner (Champion ownership); then north from said corner along ownership line to the point closest to the southernmost extension of the 0-100 Road (approx. 3/4 mile); then in a northwest line to the 0-100 Road, then along the 0-100 Road to where it intersects with Ohop Creek; then northwest along Ohop Creek to where it empties into Lake Kapowsin; then northeast along the east shore of Lake Kapowsin to the point closest to the start of the 1 Road; then along the 1 Road to point of beginning. (See Washington Atlas & Gazetteer)

Deer Area No. 010 Pyramid (Chelan County): That part of GMUs 306 and 304 beginning at the Glacier Peaks Wilderness and Lake Chelan; then south along Lake Chelan to Corral Creek Campground; then west to the intersection of trail #1433 and Butte Trail #1440; then northwest along Butte Trail #1440 to South Pyramid Trail #1439; then southwest to intersection of trail #1437; then due west to Trail #1434; then northwest to Trail #1435; then south to Trail #1400; then southeast to Garland Creek; then west to Garland Peak; then north along trail #1408 to Trail #1515; then south to Trail #1530; then west to trail #1509; then south to Trail #1527; then north to Estes Butte and continuing along the Glacier Peaks Wilderness boundary to beginning. (See Wenatchee National Forest map)

Deer Area No. 040 Foss River (King County in the Alpine Lakes Wilderness Area): Beginning at the intersection of the Dingford Creek Trail (USFS Trail 1005) and the Alpine Lakes Wilderness Area boundary; then north along USFS Trail 1005 to Little Myrtle Lake; then in a

northeast line approximately one-half mile to Marlene Lake; then down the tributary from Marlene Lake to its intersection with USFS Trail 1072 near Lake Dorothy; then north along USFS Trail 1072 to its intersection with the Alpine Lakes Wilderness Area boundary; then north and east along the wilderness boundary to the Pacific Crest Trail at Hope Lake; then south along the Pacific Crest Trail to the headwaters of Burntboot Creek about Iceberg Lake at Overcoat Peak; then down Burntboot Creek to the Alpine Lakes Wilderness Area boundary; then north and west along the wilderness area boundary to the point of beginning. (See Washington Atlas and Gazetteer)

Deer Area No. 060 Olympic Wilderness (Clallam, Jefferson, Grays Harbor and Mason counties): The Buckhorn, Colonel Bob, Mt. Skokomish, the Brothers and Wonder Mountain Wilderness areas of Olympic National Forest. (See Olympic National Forest map for these primitive roadless areas)

Deer Area No. 061 Marrowstone Island (Jefferson County): Marrowstone Island in Jefferson County. (See Washington Atlas and Gazetteer)

#### ELK AREA DESCRIPTIONS

Elk Area No. 001 Trinidad (Grant and Douglas counties): All of Douglas and Grant counties except closed in the corridor described as follows: Beginning at East Wenatchee and following a line parallel to and one-half mile north and east of Highway No. 28 from East Wenatchee to a point in Grant County one-half mile north of SR 28 on Road "U" N.W.; then south on Road "U" N.W. to Road "9" N.W.; then west on Road "9" N.W. to the Ancient Lake Road; then south on the Ancient Lake Road to the northwest corner of Sec. 8, T19N, R23E W.M. (yellow cattle guard); then west to midstream of the Columbia; then north up midstream of the Columbia River to East Wenatchee and the point of beginning. (See official road map of Douglas and Grant counties)

Elk Area No. 002 Caribou (Kittitas County): Beginning at the Highline Canal; then north along the Reecer Creek Road and USFS 35 Road to the junction at the USFS 3517 Road; then east and south along USFS 3517 Road and Lillard Hill Road to the Bonneville Powerlines; then east along the Bonneville Powerlines to the Colockum Pass-Brushy Road (cattle guard); then east along the Brushy Road to the Crossover Road; then south along the Crossover Road to the Perkins/Caribou junction; then east along the Perkins Road to the Beacon Ridge Road; then south along the Beacon Ridge Road to the Old Vantage Highway; then south along a county service road to Interstate #90; then west along Interstate #90 to the Highline Canal near the Stevens Road; then northwest along the Highline Canal to the point of beginning. (See Department of Wildlife map)

Elk Area No. 003 Kingsbury (Chelan, Kittitas counties): That portion of GMU 314 which lies east of the Stemilt Creek, Stemilt Creek Road, Stemilt Hill Road, Stemilt Loop Road and Jump Off Ridge Road. (See Washington Atlas & Gazetteer)

Elk Area No. 004 Wenatchee (Chelan, Kittitas and Okanogan Counties): GMUs 300, 304, 306, 308, 316, that portion of 302 which lies in Chelan County; and that portion of 314 which lies west of the following boundaries: Beginning at the mouth of the Stemilt Creek at the Columbia River, south up Stemilt Creek to the Stemilt Creek Road to the Stemilt Hill Road; then east and south along the Stemilt Hill Road to the Stemilt Loop Road; then east along the Jump Off Road to the Jump Off Ridge Road (Bonnevill Powerlines); then south along the Jump Off Ridge Road to the Naneum Ridge Road. (See Washington Atlas & Gazetteer)

Elk Area No. 025 Backbone (Lewis County): Beginning at State Highway No. 12 at the Pacific Crest Trail; then northwest and southwest along State Highway No. 12 to Coal Creek in Sec. 1, Twp. 13N., R 9 E.W.M.; then north along the range line between Ranges 9 and 10 E.W.M., across the Cowlitz River to the Gifford Pinchot National Forest boundary in the NE corner of Sec. 1, Twp. 13N., R 9 E.W.M.; then southwest along the National Forest Boundary to the Skate Creek Road (first contact) in Sec. 9, Twp. 13N., R 9 E.W.M.; then northwest along the Skate Creek Road to the mouth of Horse Creek and the south boundary of Mt. Rainier National Park; then east along the south Park boundary to the Pacific Crest Trail; then south along the Pacific Crest Trail to State Highway No. 12 and the point of beginning. (See Gifford Pinchot National Forest map)

Elk Area No. 029 Toledo (Lewis County): Beginning at the Cedar Creek Bridge along State Highway No. 505; then northeast up Cedar Creek approximately 4 miles to the Weyco 1970 line; then north and west along the Weyco 1970 line approximately 3.5 miles to the Weyco 1800 line; then north along the Weyco 1800 line approximately 1 mile to the Evans Road; then southwest along the Evans Road to the Layton Road; then south along the Layton Road to State Highway No. 505; then east and southeast along State Highway No. 505 to Cedar Creek Bridge and the point of beginning. (See Washington Atlas & Gazetteer)

Elk Area No. 030 Reecer Creek (Kittitas County): Beginning at the Highline Canal; then north along the Reecer Creek Road and USFS 35 Road to the junction of the USFS 3517 Road; then east and south along the USFS 3517 Road and Lillard Hill Road to the Wilson Creek Road to the Highline Canal; then west along the Highline Canal to the point of beginning. (See Wenatchee National Forest map)

Elk Area No. 031 Shushuskin (Kittitas County): Beginning at Damon Road and the Yakima River; then west along Damon Road to Manastash Road; then west on Manastash Road to Cove Road; then south on Cove Road ((and Mellegaard Road)) to Umtaneum Creek; then east (downstream) along Umtaneum Creek to the Yakima River; then north along the Yakima River to the point of beginning. (See Washington Atlas and Gazetteer)

Elk Area No. 032 Malaga (Kittitas(;) and Chelan Counties): Beginning at ((Powerlines on the Columbia River (approximately 3/4 mile downstream from

~~Colockum Creek); then west and south along the Powerline Road #12 to Colockum Pass Road, then south along the Colockum Pass Road to the section line between Sections 8 and 9 (T20N, R21E); then west along the section line to the Mose Carr Road; then north and west on the Mose Carr Road to the Jump Off Road; then north and west on Jump Off Road to the Shaller Road and Upper Basin Loop Road; then north and east on the Upper Basin Loop Road and Wenatchee Heights Road; then northeast on the Wenatchee Heights Road and Squilchuck Road to the Columbia River; then down the)) the power line on the Columbia River (approximately 3/4 mile downstream from Colockum Creek); west and south along the power line to where power line crosses North Fork Tarpiscan Creek Road (in Section 16, T20N, R31E); north and west along North Fork of Tarpiscan Creek Road to Colockum Pass Road (Section 9, T20N, R21E); south and west on Colockum Pass Road to section line between Section 8 and Section 9 (T20N, R21E); north on that section line to point of intersection with Mose Carr Road; west and north on Mose Carr Road to Jumpoff Road; south and west along Jumpoff Road to Shaller Road; north and west along Shaller Road to Upper Basin Loop Road; north and east on Upper Basin Loop Road to Loop Road (pavement) in Section 10; north on Loop Road to Wenatchee Heights Road; down Wenatchee Heights Road and Squilchuck Road to Columbia River; along west bank of ((the)) Columbia River to ((the)) point of beginning. (See Washington Atlas and Gazetteer)~~

Elk Area No. 033 Peshastin (Chelan County): Beginning at Crawford Street and the Columbia River in Wenatchee; then west on Crawford Street and Number Two Canyon Road to USFS #7101 Road (Peavine Canyon); then west on USFS #7101 Road to Mission Creek Road; then north on Mission Creek Road to USFS #7104 Road ((Poison Canyon)) (Sand Creek); then ((northwest)) west on USFS #7104 Road ((and along the northeast edge of Camas Meadow; then west along this dirt road to the)) (Sand Creek) to Camas Creek; then west up Camas Creek to where Camas Creek crosses USFS #7200 Road, T22N, R18E, Section 4; then north along USFS #7200 Road to Highway #97; then north on Highway #97 to USFS #7300 Road (Mountain Home Road); then north on the USFS #7300 Road to the Wenatchee River at Leavenworth; then down the Wenatchee River and Columbia River to the point of beginning. (See Washington Atlas and Gazetteer)

Elk Area No. 039 Backbone (Lewis County): Legal description same as Elk Area No. 025 (Backbone) (See Gifford Pinchot National Forest Map)

Elk Area No. 051 Doty (Lewis and Pacific Counties): Beginning on State Highway 6 at the town of Adna, then west on Highway 6 to Stevens Road, then northwest on Stevens Road to Elk Creek Road (Doty), then west on Elk Creek Road to the 7000 Road, then west on the 7000 Road to the 7800 Road, then west on the 7800 Road to the 720 Road, then northeast on the 720 Road to Garrard Creek Road, east on Garrard Creek Road to Manners Road, then south on Manners Road to Lincoln



Creek Road, then east along Lincoln Creek Road to Ingalls Road, then south and east on Ingalls and Bunker Creek roads to the town of Adna and point of beginning. (See Washington Atlas & Gazetteer)

Elk Area No. 052 Mayfield (Lewis County): Beginning at the junction of Highway 12 and the Winston Creek Road; then southeast and north along the Winston Creek Road, Longbell, Perkins, Green Mountain roads to Riffe Lake; then west and northwest along the shoreline of Riffe Lake to the Cowlitz River; then west along the Cowlitz River to Highway 12; then west along Highway 12 to the Winston Creek Road and the point of beginning. (See Washington Atlas & Gazetteer)

Elk Area No. 053 Randle (Lewis County): Beginning at State Highway 12 and the Cispus Road in the town of Randle; then east along Highway 12 to the Bennett Road approximately one (1) mile east of Cora Bridge; then west on Bennett and C line roads to the Cispus Road; then north on said road to the town of Randle and the point of beginning. (See Gifford Pinchot National Forest map)

Elk Area No. 054 Boistfort (Lewis County): Beginning at the town of Vader; then west along State Highway 506 to the Wildwood Road; then north along the Wildwood Road to the Abernathy 500 line gate (Sec. 20, T11N, R3W, Willamette Meridian); then northwest along the 500, 540, and 560 lines to the Weyerhaeuser 813 line; then northwest along the 813, 812, 5000J, 5000 and 4000 lines to the Pe Ell/McDonald Road (Sec. 15, T12N, R4W[]); then west along the Pe Ell/McDonald Road to the Lost Valley Road; then northeast along the Lost Valley Road to the Boistfort Road; then north along the Boistfort Road to the King Road; then east along the King Road to the town of Winlock and State Highway 603; then south along Highway 603 to the Winlock/Vader Road; then south along said road to the town of Vader and the point of beginning. (See Washington Atlas & Gazetteer)

Elk Area No. 055 East Valley (Wahkiakum County): Within one mile on either side of the line beginning at Wilson Creek Park on East Valley Road; then west on East Valley Road to the junction with Middle Valley Road (4.5 miles); then north along Middle Valley Road to the junction of Oat Field Road (2.5 miles). (See Washington Atlas & Gazetteer)

Elk Area No. 057 Carlton (Lewis County): That part of unit 514 (Tatoosh) lying east of Highway No. 123 and north of Highway No. 12. (See Gifford Pinchot National Forest map)

Elk Area No. 058 West Goat Rocks (Lewis County): Goat Rocks Wilderness west of the Cascade Crest Trail. (See Gifford Pinchot National Forest map)

Elk Area No. 059 Mt. Adams Wilderness (Skamania and Yakima counties): The Mt. Adams Wilderness (See Gifford Pinchot National Forest map)

Elk Area No. 061 Mt. Tebo (Mason County): Beginning at the junction of the North Fork and South Fork of the Skokomish River; then northwest along the South Fork

to the boundary of Olympic National Park; then east along the National Park boundary to the North Fork of the Skokomish River; then southeast down the North Fork of the Skokomish River through Lake Cushman; then south down the North Fork of the Skokomish River to the South Fork of the Skokomish River and the point of beginning. (See Olympic National Forest Map)

Elk Area No. 065 Willapa Valley (Pacific County): That part of Pacific County within two miles of State Highway 6 between Menlo and the eastern most junction of Elk Prairie Road and State Highway 6. (See Washington Atlas & Gazetteer)

Elk Area No. 066 Twin Valley (Grays Harbor County): Beginning in the City of Hoquiam at the junction of U.S. Highway No. 101 and the East Hoquiam Road; then north on the East Hoquiam Road to its junction with the East Hoquiam Cutoff Road in Sec. 21, T19N, R9 W.W.M.; then east on the East Hoquiam Cutoff Road to its junction with the Wishkah Road; then south on the Wishkah Road to its junction with the Wishkah-Wynoochee Crossover Road in Sec. 35, T19N, R9 W.W.M.; then east on the Wishkah-Wynoochee Crossover Road to its junction with the Donovan Corkey A line; then north on the A line to its junction with the A 2200; then east on the A 2200 Road to its junction with the A 2210; then south on the A 2210 Road to a point crossed by the township line between Twp 20N and 19N; then east on the township line to its junction with the Wynoochee River Road; then south along the Wynoochee River Road to U.S. Highway No. 12; then west along U.S. Highway 12 to its junction with U.S. Highway No. 101 in the City of Aberdeen, then west on U.S. Highway 101 to the City of Hoquiam and junction with the East Hoquiam Road and the point of beginning. (See Washington Atlas & Gazetteer)

Elk Area No. 067 South Willapa (Pacific County): Beginning in the City of South Bend at the junction of U.S. Highway 101 and the Skidmore Slough C-line; then south on the Skidmore Slough C-line to its junction with the B-line in Sec. 11, T13N, R9 W.W.M.; then southeast on the B-line to its junction with the A-line in Sec. 18, T13N, R8 W.W.M.; then east and north on the A-line to its junction with the South Fork Willapa Road; then east along the South Fork Willapa Road to State Highway No. 6, Sec. 10, Twp. [Twp.] 13 N., R. 8 W.W.M.; then northwest on State Highway No. 6 to its junction with U.S. Highway 101; then southwest on U.S. Highway 101 to its junction with the Skidmore Slough C-line and the point of beginning. (See Washington Atlas & Gazetteer)

Elk Area No. 069 Chinook (Pacific County): Beginning at the junction of U.S. Highway 101 and ~~((the Prest Road (approximately 4 miles))~~ Lingenfelter Road west of the town of Chinook((?)); then northwest on Prest Road to its junction with Chinook Valley Road; then west on Chinook Valley Road to its intersection with the east branch of the Wallicut River; then north along the Wallicut River to its intersection with Highway 101; then west on Highway 101 to the junction of Highway 101 alternate; then south on Highway 101 alternate to



Highway 101; then east on Highway 101 to Prest Road and the point of beginning. (See Washington Atlas & Gazetteer)

#### BOW AND ARROW AREA DESCRIPTIONS

Bow Area No. 802 Long Island (Pacific County): Long Island in Pacific County. (See Washington Atlas & Gazetteer map)

Bow Area No. 806 Rattlesnake (Yakima County): Beginning at the point where USFS Road #1500 crosses Little Rattlesnake Creek, near Hanging Tree Campground; then southwest up Little Rattlesnake Creek to USFS Road #1500; then north along Road #1500 to USFS Trail #1101 (MJB Trail); then northwest along MJB Trail to USFS Trail #1114; then north along Trail #1114 to USFS Trail #981; then west along Trail #981 to USFS Trail #982; then northeast along Trail #982 to USFS Trail #973; then northwest along Trail #973 to the North Fork of Rattlesnake Creek; then down the North Fork to the junction with South Fork of Rattlesnake Creek; then up the South Fork to USFS Road #1502; then east on Road #1502 to USFS Road #1500; then east on Road #1500 to Little Rattlesnake Creek and the point of beginning. (See Wenatchee National Forest map)

Bow Area No. 807 Ahtanum (Yakima County): That part of GMU 368 which lies west of the following boundary; beginning at the junction of the North and South fork of Ahtanum Creek; then northwest up North Fork of Ahtanum Creek to Nasty Creek; then north up Nasty Creek to the Nasty Creek-Cowiche Road (DNR Road #C1050); then north on Road #C1050 to South Fork of Cowiche Creek; then east down South Fork Cowiche Creek to the power line which crosses near the mouth of Reynolds Creek; then northwest along the powerline to Jump-off (USFS Road #1302). Except closed east of a north south line drawn between the South Fork and North Fork of Ahtanum Creek two miles west of the Tampico Store. (See Wenatchee National Forest map)

Bow Area No. 808 Acme (Whatcom County): Beginning at the town of Acme; then north on Highway No. 9 to the junction of the Strand Road; then east on the Strand Road and over the Van Zandt Dike following the south boundaries of Sections 21, 22 and 23 of Twp. 38 N, R 5 E to the Mosquito Lake Road; then south along the Mosquito Lake Road to the Blue Mountain Road; then east to Peterson Creek and the Musto Marsh Road; then south to Skookum Creek; then west along Skookum Creek to the South Fork Nooksack River; then continue west along the South Fork Nooksack River to the mouth of Christy Creek; then south along Christy Creek to its source; then west to Ennis Creek; then west along Ennis Creek to the Ennis Creek Road; then west along Ennis Creek Road to the Wickersham Road; then west along the Wickersham Road to Highway No. 9; then north along Highway No. 9 to Acme and the point of beginning. (See Washington Atlas & Gazetteer)

Bow Area No. 820 Malott (Okanogan County): Beginning south of the town of Riverside, then south down the

Okanogan River to Highway 97 bridge at mouth of river, then west on Highway 97 through the town of Brewster to the Indian Dan Canyon Road, then north to Paradise Hill Road; then east and south along the Paradise Hill Road to the Hanford Cutoff (approximately 1/2 mile south of Rat Lake Road), then west on Hanford Cutoff to the North Star Road, then north on North Star Road to junction with Chiliwist Road then east on Chiliwist Road to junction with Olema/Cook Mt. Road, then north on Olema/Cook Mt. Road to its junction with Highway 20, then east on Highway 20 to the junction with Buzzard Lake Road, then north on Buzzard Lake Road to the junction with Windy Hill Road, then east on Windy Hill Road to its junction with Spring Coulee/Salmon Creek Road, then north on Spring Coulee/Salmon Creek Road to the junction with Green Lake Road, then north on Green Lake Road to the Conconully Highway then northwest on the Conconully Highway to the junction with the Riverside Cutoff Road, then northeast of the Riverside Cutoff Road to the town of Riverside and the Okanogan River and the point of beginning. (See Washington Atlas & Gazetteer)

Bow Area No. 831 Hamilton (Skagit County): Beginning at the point where State Highway No. 20 crosses Child's Creek approximately one mile west of Lyman; then east along Highway No. 20 to the Burpee Hill Road at Concrete; then north along said road to the Baker Lake Highway; then west along said highway to the DNR Road N. 2400; then continue west along said line to the DNR 2000 line; then north along said line to the DNR 2800 line; then west along said line to the DNR 2900 line; then west along said line to the Scott Paper Mainline; then north along said line to the Scott Paper 110 line; then continue west along said line to where it crosses Child's Creek; then south down said creek to State Highway No. 20 and point of beginning. (See Washington Atlas & Gazetteer)

#### MUZZLELOADER AREA DESCRIPTIONS

Muzzleloader Area No. 908 Acme (Whatcom County): Same as Bow Area No. 808. (See Washington Atlas & Gazetteer)

Muzzleloader Area No. 910 Cle Elum (Kittitas County): Beginning at Easton; then southeast along the main BPA Powerlines to the Fowler Creek Road (4517); southeast on Spur Road 117 to Granite Creek Trail #1326; then south on Trail #1326 to the top of South Cle Elum Ridge; then east along the ridge on Trail #1326 to Spur Road 119; then north on Road 119 to the Peoh Point Road (3350); then south on Road 3350 to the junction with Road 3352; then east on the 3352 Road to the Cedar Creek Road; then north on the Microwave Road to Sky Meadows and Casassa Road to the BPA Powerlines; then east along the BPA Powerlines to Highway 10; then east along Highway 10 to the junction with Highway 97; then north on Highway 97 to the Lower Green Canyon Road; ~~((the [then]))~~ then north to Upper Green Canyon Road to the junction of the First Creek Road; then west on the First Creek Road to Highway 97; then north on Highway 97 to USFS 9738 (Blue Creek); then west on USFS 9738 to USFS 9702

(Dickey Creek); then southwesterly on Road 9702 to the Dickey Creek Road; then west on USFS 9702 to the North Fork Teanaway Road; then south to the junction with West Fork Teanaway Road; then south on Middle Fork Road to Bible Camp; then south up #17 Canyon Road to Cle Elum Ridge Road; then west on Cle Elum Ridge Road to the bottom of #5 Canyon Road; then south to Highway 903 and Bullfrog Road; then south on Bullfrog Road to Interstate Highway 90; then west on Interstate Highway 90 to Easton and point of beginning. (See Wenatchee National Forest map)

Muzzleloader Area No. 921 Baleville (Pacific County): Beginning at the junction of the Hammond Road and U.S. Highway 105; then north on the Hammond Road to the radio towers; continue north on the D 2100 line to its junction with the D-line; then northwest along the D-line (also known as the Rayonier 2720) to its junction with the Rayonier 2700 line, then southwest on the Rayonier 2700 line to its junction with Highway 105; then east on Highway 105 to the Hammond Road and point of beginning. (See Washington Atlas & Gazetteer.)

Muzzleloader Area No. 925 Ritzville (Adams County): Beginning at the junction of Interstate 90 and S.R. 261 near the town of Ritzville, then south along S.R. 261 to Washtucna, then east on S.R. 26 to the Whitman County line, then north along the Adams, Whitman County line to where it intersects the Lincoln, Adams County line, then north along the Adams, Lincoln County line to Interstate 90, then west along Interstate 90 to point of beginning. (See Washington Atlas & Gazetteer)

Muzzleloader Area No. 940 Coal Creek (Skagit County): Beginning at the point where State Highway No. 20 crosses Childs Creek approximately one mile west of Lyman; then north up said creek to Crown Pacific 110 Road; then west along said road to Crown Pacific 130 Road; then west along said road to Crown Pacific 132 Road; then continue west along said road to where it crosses Hansen Creek; then south down Hansen Creek to State Highway No. 20; then east along State Highway No. 20 to Childs Creek and point of beginning.

Muzzleloader Area No. 944 ((~~Clemen~~)) Clemen (Yakima County): That portion of GMU ((~~346~~)) 342 beginning at the junction of Highway #410 and USFS Road #1701 (Big Bald Mountain Road); then north to USFS Road #1712; then east on USFS Road #1712 (((~~Clemen~~)) Clemen Ridge Road) to the east edge of Meyster Canyon; then along the east side of Meyster Canyon to the elk fence; then west along the elk fence to Waterworks Canyon and Highway #410 and to point of beginning. (See Wenatchee National Forest map)

Muzzleloader Area No. 950 Toutle Mountain (Cowlitz County): Beginning at the confluence of the South Fork Toutle River and the North Fork Toutle River; then up the S.F. Toutle River to Johnson Creek; then up Johnson Creek to the Weyerhaeuser Company 4400 [440] Road; then northeast on the 440 [4400] Road to the 2421 Road; then north to the 2400 Road; then east on the 2400 Road to Alder Creek; then north down Alder Creek to the North Fork Toutle River; then west down

the North Fork Toutle River to the confluence with the South Fork Toutle River and point of beginning. (See Washington Atlas & Gazetteer)

Muzzleloader Area No. 961 Hoko River (Clallam County): Within one mile of the Hoko County Road between Highway 112 and the Olympic National Park boundary near Lake Ozette. (See Olympic National Forest Map)

Muzzleloader Area No. 962 Elwha (Clallam County): Beginning at the U.S. Highway 101 Bridge on the Elwha River; then south on the Elwha River to the Olympic National Park boundary; then along Olympic National Park boundary to the section line between Sections 32 and 33 of T 30 N, R 7 W. W. M.; then north on the section lines to U.S. Highway 101; then east on U.S. Highway 101 to Elwha River and point of beginning. (See Washington Atlas and Gazetteer)

#### Goat Unit 2-1 Mount Chopaka:

Permit Area: Okanogan County within the following described boundary: Beginning where the Similkameen River crosses the Canadian boundary near Mt. Chopaka; then south down said river and up Palmer Lake and Sinlahekin Creek to Toats Coulee Creek; then west up said creek and north up the North Fork Toats Coulee Creek to Snowshoe Mountain and the Canadian boundary; then east along the Canadian boundary to the Similkameen River and point of beginning; EXCEPT CLOSED in Township 39 North, Range 25EWM, which includes Grandview Mountain.

#### Goat Unit 2-2 Methow Area:

Permit Area: Okanogan County within the following described boundary: Beginning at the Town of Twisp, westerly along the Twisp River Road (County Road #4440) to roads end; westerly up the Twisp Pass Trail #432 to Twisp Pass and the Okanogan County line; northerly along the Chelan-Okanogan County line through Washington Pass to the Cascade Summit; northerly along the Cascade Summit and the Okanogan County line to Harts Pass; southeast down Harts Pass (Road #5400) to Lost River; then along the Lost River-Mazama Road to Mazama; then southeasterly along State Highway 20 to Twisp and the point of beginning.

#### Goat Unit 3-1 East Stevens Pass:

Permit Area: Chelan County within the following described boundary: Beginning at Stevens Pass; then north along the Cascades Summit to Cady Pass and the source of the Little Wenatchee River; then down the Little Wenatchee River, Lake Wenatchee and the Wenatchee River to U.S. Highway 2; then north and west along U.S. Highway 2 to Stevens Pass and point of beginning EXCEPT those lands within 1/2 mile of Alpine Lookout.

#### Goat Unit 3-2 North Wenatchee Mountains:

Permit Area: Chelan County south of the Stevens Pass Highway, west of the Blewett Pass Highway, and north of Ingalls Creek, and Kittitas County north of the following described line: Beginning at Ingalls Peak; then

down Fortune Creek to the Cle Elum River; then up the Cle Elum River to the Cascade Summit at Deception Pass.

Goat Unit 3-3 Goat and Davis Mountains:

Permit Area: Kittitas County west of the Cle Elum River, north of the Waptus River, and east and south of Trail Creek Trail.

Goat Unit 3-4 Snoqualmie:

Permit Area: Kittitas County within the following described boundary: Beginning at Snoqualmie Pass; then north along the Cascade Crest to Deception Pass and the headwaters of the Cle Elum River; then south along the Cle Elum River to the Trail Creek Trail #1322; then southwest along the Trail Creek Trail to the Waptus River Trail #1310; then southeast along the Waptus River Trail to the Cle Elum River at the Salmon la Sac campground; then south along the Cle Elum River to the Cooper Pass Road (USFS Road 4600); then west along the Cooper Pass Road, through Cooper Pass to the road end near the Kachess River; then south along the Kachess River and Kachess Lake to Interstate Highway 90; then west along Interstate Highway 90 to Snoqualmie Pass and point of beginning.

Goat Unit 3-5 Cle Elum:

Permit Area: Kittitas and Chelan counties within the following described boundary: Beginning at the point where Interstate Highway 90 crosses the Cle Elum River; then north along the Cle Elum River to Fortune Creek; then east along Fortune Creek to Ingalls Peak and the headwaters of Ingalls Creek; then south and east along Ingalls Creek to U.S. Highway 97; then south along U.S. Highway 97 and State Highway 970 to Interstate 90 at Cle Elum; then west along Interstate 90 to the Cle Elum River and point of beginning.

Goat Unit 3-6 Naches Pass:

Permit Area: Yakima and Kittitas counties within the following described boundary: Beginning at Chinook Pass; then north along the Pacific Crest Trail to Naches Pass; then east to USFS Road 19 and continuing to State Highway 410; then west along State Highway 410 to Chinook Pass and point of beginning.

Goat Unit 3-7 Bumping River:

Permit Area: Yakima County within the following described boundary: Beginning at White Pass and the Pacific Crest Trail; then north to Forest Trail #980; then north to USFS Road 18; then north to State Highway 410; then east to State Highway 12; then west along State Highway 12 and back to point of beginning; EXCEPT Timberwolf Mountain, which is closed.

Goat Unit 3-8 Bumping River:

Permit Area: Yakima County within the following described boundary: Beginning at White Pass and the Pacific Crest Trail; then north to Forest Trail #980; then north to USFS Road 18; then north to State Highway 410; then east to State Highway 12; then west along

State Highway 12 and back to point of beginning; EXCEPT Timberwolf Mountain, which is closed.

Goat Unit 3-9 Tieton River:

Permit Area: Yakima County within the following described boundary: Beginning at White Pass and Pacific Crest Trail; then south to the Yakima Indian Reservation boundary; then east to USFS Road 1137; then west to USFS Road 1000; then north to USFS Road 12; then north to State Highway 12; then west on State Highway 12 to point of beginning.

Goat Unit 4-1 Ruth Creek Area:

Permit Area: Whatcom County within the Mt. Baker Wilderness of the Mt. Baker-Snoqualmie National Forest north of the North Fork Nooksack River.

Goat Unit 4-3 Chowder Ridge:

Permit Area: Whatcom County within the following described boundary: Beginning where Wells Creek intersects the North Fork Nooksack River; then up Wells Creek to Bar Creek; then southwest up Bar Creek to the Mazama Glacier; then continue southwest up Mazama Glacier to the summit of Mt. Baker; then northwest between Roosevelt Glacier and Coleman Glacier to Kulshan Cabin and the headwaters of Kulshan Creek and Grouse Creek to Smith Creek; then north down Smith Creek to Glacier Creek; continue north down Glacier Creek to the North Fork Nooksack River; then east along the North Fork Nooksack River to Wells Creek and the point of beginning.

Goat Unit 4-4 Lincoln Peak:

Permit Area: Whatcom County within the following described boundary: Beginning where Glacier Creek intersects with the Mt. Baker Highway (State Highway 547); then south up Glacier Creek to Smith Creek; then south up Smith Creek to Grouse Creek; then continue up Grouse Creek in a south direction to Kulshan Creek; then southeast up Kulshan Creek to Kulshan Cabin; then continue southeast between Roosevelt Glacier and Coleman Glacier to the summit of Mt. Baker; then south down Eastern Glacier to Baker Pass and the Baker Pass Trail #603 (5,000 ft.); then west along Baker Pass Trail #603 to the Ridley Creek Trail (#690); then northwest on the Ridley Creek Trail to Ridley Creek; then down Ridley Creek to the Middle Fork Nooksack River; then west down the Middle Fork Nooksack River to the Mosquito Lake Road; then north on the Mosquito Lake Road to the Mt. Baker Highway (State Highway 542); then north and east on Mt. Baker Highway (State Highway 542) to Glacier Creek and the point of beginning.

Goat Unit 4-6 Dillard Creek:

Permit Area: Whatcom County within the following described boundary: Beginning at the intersection of USFS Road 3725 and the Baker Lake Road (USFS Road 394); then west along USFS Road 3725 to Sulphur Creek; then northwest up Sulphur Creek to the Baker Pass Trail (#603) to Baker Pass (5,000 ft. elevation); then northeast up Eastern Glacier to the summit of Mt.

Baker; then southeast down Park Glacier to the headwaters of Park Creek; then continue southeast down Park Creek to the Baker Lake Road (USFS Road 394); then south along the Baker Lake Road (USFS Road 394) to USFS Road 3725 and the point of beginning.

Goat Unit 4-7 Avalanche Gorge:

Permit Area: Whatcom County within the following described boundary: Beginning at the intersection of the Baker Lake Road (USFS Road 394) and Park Creek; then northwest up Park Creek to Park Glacier; then continue northwest up Park Glacier to the summit of Mt. Baker; then northeast down Mazama Glacier to the 6,500 ft. elevation; then east to the Portals; then continue east along the ridge line to Coleman Pinnacle; then northeast along the Camp Kiser Trail #683 (Ptarmigan Ridge) to the extreme southeast extension of Kulshan Ridge; then due east to the Lake Ann Trail #600; then east along the Lake Ann Trail #600 to the boundary of North Cascades National Park; then south and east along the Park boundary to the Baker River and down the Baker River to the Baker Lake Road (USFS Road 394); then west along the Baker Lake Road (USFS Road 394) to Park Creek and the point of beginning.

Goat Unit 4-8 East Ross Lake:

Permit Area: Whatcom County within the following described boundary: Beginning at the point the U.S.-Canada boundary meets the east boundary of North Cascades National Park; then south along the Park boundary to Stetattle Creek; then south down Stetattle Creek to Gorge Lake; then southwest along Gorge Lake to State Highway 20; then east and north along State Highway 20 to Ross Dam; then north along the east shoreline of Ross Lake (Note: Exclude Ruby Arm) to Devil's Creek; then east up Devil's Creek to a tributary extending south to ridge line between Jerry Lakes and a pinnacle of Jack Mountain (7,292 ft. elevation); continue south over this ridge line into the Crater Creek Basin and Crater Creek; then down Crater Creek to its confluence with Ruby Creek; then east up Ruby Creek to Granite Creek; then continue east up Granite to the Cascades Summit; then north along the Cascades Summit to the U.S.-Canada boundary; then west along the Canadian line to the east boundary of North Cascades National Park and the point of beginning. (Notice: Jack Mountain not included in Goat Unit 4-8, East Ross Lake. See description for Goat Unit 4-9, Jack Mountain.)

Goat Unit 4-9 Jack Mountain:

Permit Area: Whatcom County within the following described boundary: Beginning at the confluence of Ruby Creek and Crater Creek; then north up Crater Creek to the ridge line between Jerry Lakes and a pinnacle of Jack Mountain (7,292 ft. elevation); continue due north to Devil's Creek; then west down Devil's Creek to Ross Lake; then south along the east shoreline of Ross Lake to Ruby Arm; then easterly up Ruby Arm and Ruby Creek to the confluence of Crater Creek and the point of beginning.

Goat Unit 4-10 Majestic Mountain:

Permit Area: Whatcom and Skagit counties within the following described boundary: Beginning at the intersection of Pyramid Creek and State Highway 20; then south up Pyramid Creek to the North Cascades National Park boundary; then east along the Park boundary to the Cascades Summit; then north along the Cascades Summit to Granite Creek; then west down Granite Creek to Ruby Creek and Ruby Arm; then continue west along Ruby Arm to Ross Lake and Ross Dam; then southwest from Ross Dam to State Highway 20; then southwest and northwest along State Highway 20 to Pyramid Creek and the point of beginning.

Goat Unit 4-12 Mt. Tommy Thompson:

Permit Area: Skagit County within the following described boundary: Beginning at the confluence of Illabot Creek on the Skagit River; then east up Illabot Creek to its headwaters; then continue east over the ridge line to the northern-most extension of Buck Creek; then north over the ridge line at 6,921 foot elevation to the southern-most extension of Muchler Creek; then northeast down Muchler Creek to Kindy Creek; then north down Kindy Creek to the Cascade River; then north and west down the Cascade River to the Skagit River; then west down the Skagit River to Illabot Creek and the point of beginning.

Goat Unit 4-14 Mt. Buckindy:

Permit Area: Skagit and Snohomish counties within the following described boundary: Beginning at the confluence of Buck Creek on the Suiattle River; then east up the Suiattle River to Sulphur Creek; then continue east up Sulphur Creek to Dome Creek; then north to Sinister Mountain and the Cascades Summit; then north along the Cascades Summit to Mt. Formidable; continue north into the headwaters at the Middle Fork Cascade River; then west down the Middle Fork Cascade River to the main Cascade River; continue west along the Cascade River to Kindy Creek; then south up Kindy Creek to Muchler Creek; then southwest up Muchler Creek to its southern-most extension; then continue southwest over the ridgetop at 6,921 foot elevation to the northern-most extension of Buck Creek; then continue southwest down Buck Creek to the Suiattle River and the point of beginning.

Goat Unit 4-16 Glacier Peak:

Permit Area: Snohomish County within the following described boundary: Beginning at Tenpeak Mountain on the Cascades Crest; then northeast to three lakes (approximately 1.75 miles northeast of Tenpeak Mountain); then north and west down the Suiattle River to Mill Creek; then up the Mill Creek Trail (#790) and the Pacific Crest Trail (#2000) to Mica Lake, Fire Creek Pass, and Glacier Creek; continuing down Glacier Creek to the White Chuck River; then up the White Chuck River to White Mountain at the Cascade Crest, then northeast along Cascade Crest to Tenpeak Mountain and the point of beginning.

Goat Unit 4-18 Sauk River Area:

Permit Area: Snohomish County within the following described boundary: Beginning at the confluence of the Whitechuck River and Pugh Creek; then south up Pugh Creek to Round Lake; then south to USFS Trail #646; then west and south down this trail to the North Fork Sauk River; then east up said river to Sloan Creek; then up Sloan Creek to June Mountain; then due south to USFS Trail #1051; then east along said trail to the Pacific Crest Trail (#2000); then north along the Pacific Crest Trail to White Mountain; then down the Whitechuck River to the confluence with Pugh Creek and the point of beginning.

Goat Unit 4-21 Liberty Mountain:

Permit Area: Snohomish County within the following described boundary: Beginning at the Boulder River bridge on the Darrington-Arlington Highway (State Highway 530) to the town of Darrington; then east along said highway to the Darrington-Clear Creek Road (USFS Road 20); then southeast along that road to the bridge over Clear Creek; then south up Clear Creek to the confluence with Helena Creek and southeast up Helena Creek to Window Lake; then southeast over an unnamed ridge to Independence Lake and down USFS Trail #712 to intersection with USFS Road 4060; then south down said road to the South Fork Stillaguamish River; then west down said river to Canyon Creek; then northeast up Canyon Creek, North Fork Canyon Creek and Meadow Creek to Tupso Creek; then east up Tupso Creek to its easternmost point; then continue northeast to Boulder River; then north down Boulder River to the bridge on State Highway 530 and the point of beginning.

Goat Unit 4-23 Twin Peaks:

Permit Area: Snohomish County within the following described boundary: Beginning at the intersection of Falls Creek and the Mt. Loop Highway (USFS Road 322); then west up Falls Creek and along USFS Trail #645 to USFS Road 3006; then south down said road to the Mountain Loop Highway; then east and north on said highway to Falls Creek and the point of beginning.

Goat Unit 4-24 Sloan Peak:

Permit Area: Snohomish County with the following described boundary: Beginning at the confluence of the South Fork and the North Fork of the Sauk River; then east up to the North Fork Sauk River to Sloan Creek; then south and southeast up Sloan Creek to June Mountain; then due south to USFS Trail #1051; then southwest along said trail to USFS Road 63; then continue southwest on said road to Silver Creek; then north up Silver Creek to Silver Lake; then north on USFS Trail #708 to Glacier Creek; then west along said creek to the South Fork Sauk River; then north down the South Fork Sauk River to the confluence of the North Fork Sauk River and the point of beginning.

Goat Unit 4-25 Vesper Peak:

Permit Area: Snohomish County within the following described boundary: Beginning at the Mountain Loop

Highway bridge over Bear Creek (approximately three miles east of Verlot); then east up said highway to USFS Trail #707; then southwest on said trail (between Sperry Peak and Morning Star Peak) to the Sultan River; then west down said river and Spada Lake to Culmback Dam; then north up unnamed creek to the Pilchuck-Sultan divide; then northwest along said divide to Ritz Creek; then northeast down Ritz Creek to the Pilchuck River; then northwest down said river to Wilson Creek; then northwest up Wilson Creek to Ashland Lakes on the Pilchuck-Stillaguamish divide; then north down Black Creek and Bear Creek drainage to the Mountain Loop Highway bridge over Bear Creek and the point of beginning.

Goat Unit 4-30 Tolt River:

Permit Area: King and Snohomish counties within the following described boundary: Beginning at the point the Tolt River intersects the Weyerhaeuser Mainline Truck Road (approximately one mile west of the Tolt River South Fork Reservoir); then north along said road to the junction with State Highway 2; then east along said highway to the junction with the South Fork Skykomish River; then east and south up said river to the confluence of Money Creek; then west up Money Creek to Lake Elizabeth; then west to the headwaters of the South Fork Tolt River near Lake Elizabeth; then west down the South Fork Tolt River to the point of beginning. Except Closed: All of the Mount Index and Mount Persis as follows: Beginning at confluence of South Fork Skykomish River and Index Creek; then west up said creek and its northern fork to Ink Lake; then west up the ridge to the 4,915 elevation point; then southwest down the ridge (approximately one and one-half miles) to the confluence of Titacaeed Creek and the North Fork Tolt River; then west along said river to the Weyerhaeuser Mainline Truck Road; then north along said road to State Highway 2; then east along said highway to where it intersects the South Fork Skykomish River; then east along said river to the point of beginning.

Goat Unit 4-32 Foss River:

Permit Area: King and Snohomish counties within the following described boundary: Beginning at intersection of U.S. Highway 2 and the King County line at Stevens Pass; then south along the King County line to the headwaters of the Middle Fork Snoqualmie River near Dutch Miller Gap; then west and south down said river to the confluence with the Dingford Creek; then north and east up said creek to its headwaters intersection with USFS Trail #1005; then north up said trail to Little Myrtle Lake; then west and north to Marlene Lake (approximately 4 miles); then north down the stream outlet from Marlene Lake to the junction with USFS Trail #1002 near Dorothy Lake; then north along said trail to the junction with the East Fork Miller River headwaters; then north down said river to the confluence with the South Fork Skykomish River; then east up said river to the junction with U.S. Highway 2; then east along said highway to the point of beginning.

Goat Unit 4-34 Pratt River:

Permit Area: King County within the following described boundary: Beginning at the point where the Weyerhaeuser Mainline Truck Road intersects the Middle Fork Snoqualmie River (near the confluence of the North Fork and Snoqualmie Rivers); then northeast up the Middle Fork Snoqualmie to its headwaters near Dutch Miller Gap at the King County line; then south along the King County line to Snoqualmie Pass and the intersection with Interstate 90; then west along Interstate 90 to the point nearest the Middle Fork Snoqualmie River (approximately one mile east of North Bend); then north and east up the Middle Fork Snoqualmie River and to the point of beginning. Except closed: Snoqualmie Mountain and the watersheds of Denny Creek and South Fork of the Snoqualmie above Denny Creek.

Goat Unit 4-38 Corral Pass:

Permit Area: Pierce County within the following described boundary: Beginning where Goat Creek intersects the Corral Pass Road; then southeast up Goat Creek to the Cascade Crest; then north along the Crest to USFS Trail #1188; then northwest along said trail to USFS Trail #1176; then north along said trail to Corral Pass; then west along Corral Pass Road to its intersection with Goat Creek and the point of beginning.

Goat Unit 5-2 Tatoosh:

Permit Area: Lewis County within the following described boundary: Beginning at the junction of the southern Mount Rainier National Park boundary and State Highway 123; then south along State Highway 123 to U.S. Highway 12; then southwest along said highway to Skate Creek Road (USFS Road 52); then northwest along said road to the junction of Morse Creek Road (old road to Longmire Campground); then north along said road to the Mount Rainier National Park boundary; then east along the southern park boundary to the point of beginning.

Goat Unit 5-4 Goat Rocks:

Permit Area: Lewis County south of the White Pass Highway (U.S. Highway 12) and east of the Johnson Creek Road (USFS Road 1302).

Goat Unit 6-1 Elwha River:

Permit Area: Clallam and Jefferson counties outside Olympic National Park and west of the Dungeness River.

Goat Unit 6-2 Quilcene River:

Permit Area: Clallam and Jefferson counties outside Olympic National Park, east of the Dungeness River and north of the Dosewallips River.

Goat Unit 6-3 Hamma Hamma River:

Permit Area: Jefferson and Mason counties outside Olympic National Park and south of the Dosewallips River.

MOOSE

Moose Unit 1 Selkirk Mountains:

Permit Area: Pend Oreille County, east of the Pend Oreille River.

Moose Unit 2 Mt. Spokane:

Permit Area: Spokane County.

BIGHORN SHEEP

Sheep Unit 1 Okanogan:

Permit Area: Okanogan County west of the Okanogan River.

Sheep Unit 2 Vulcan Mountain:

Permit Area: Ferry County north of the Kettle River.

Sheep Unit 3 Tucannon River:

Permit Area: The Tucannon River drainage in Columbia and Garfield counties.

Sheep Unit 5 Umtaneum:

Permit Area: That part of Yakima County north of Wenas Creek and that part of Kittitas County south of Interstate 90.

Sheep Unit 6 Murray:

Permit Area: That part of Yakima County north of Wenas Creek and that part of Kittitas County south of Interstate 90.

Sheep Unit 9 Blackbutte:

Permit Area: That part of Asotin County within the following described boundary: All of GMU 184 (Joseph), 185 (Blackbutte), and that part of GMU 181 (Couse) that drains into the Grande Ronde River between the mouth of the Grande Ronde River and State Highway No. 129.

Sheep Unit 10 Mt. Hull:

Permit Area: That part of Okanogan County within the following described boundary: Beginning at Oroville; then south along Highway 97 to the Swanson's Mill Road (old Mt. Hull Road) near Lake Andrews, then east to the Dry Gulch Road; then north to the Molson Grade Road; then west to Oroville and the point of beginning.

Sheep Unit 11 Wenaha Wilderness:

Permit Area: The Crooked Creek drainage in Asotin, Garfield, and Columbia counties within the boundary of GMU 169.

LYNX

Permit Area: That part of Okanogan County west of the Okanogan River except closed within the following described boundary: Beginning at Okanogan, then west along State Highway 20 to Twisp; then north along the Methow River to the Chewuch River; then north along the Chewuch River to the Pasayten Wilderness boundary; then east and north along boundary to the U.S.-Canada border; then east along said border to U.S.

Highway 97; then south along U.S. Highway 97, to Okanogan and point of beginning.

COUGAR PERMIT AREA DESCRIPTIONS

Unit	Description
1	Pend Oreille—GMU 113
2	Colville—GMUs 108, 111, 118, and 119
3	Republic—GMUs 100, 103, 105, 200, and 206
4	Spokane—GMUs 121 and 124
5	Blue Mountains—GMUs 145 through 185
6	Okanogan—GMUs 203, 209-242, and 300
7	Wenatchee—GMUs 301-368
8	Nooksack—GMU 418
9	Skagit—GMUs 426, 433, 440-448, and 450
10	Snoqualmie—GMUs 454, 460, 466, 472, 490
11	Olympic Peninsula—GMUs 601-651, and 663
12	Rainier—GMUs 478, 484, 505, 510, 512, 514, 516, 666, and 667

**WSR 91-11-060**  
 ATTORNEY GENERAL OPINION  
 Cite as: AGO 1991 No. 19  
 [May 14, 1991]

SCHOOLS—DISTRICTS—EDUCATIONAL SERVICE DISTRICTS—INTERLOCAL COOPERATION ACT—INSURANCE—SHORT-TERM OBLIGATIONS—AUTHORITY OF ENTITY CREATED BY SCHOOL DISTRICTS AND EDUCATIONAL SERVICE DISTRICTS TO ISSUE REVENUE ANTICIPATION NOTES

- Chapter 48.52 RCW authorizes school districts and educational service districts to join together to create a risk management pool pursuant to chapter 39.34 RCW, the Interlocal Cooperation Act. The risk management pool thus created may take the form of a separate legal or administrative entity.
- The Interlocal Cooperation Act does not authorize the exercise of any new substantive powers by the public agencies that enter into interlocal cooperation agreements. Since educational service districts do not have the authority to issue short-term obligations, a separate legal entity created by educational service districts and school districts does not have the authority to issue short-term obligations.

Requested by:  
 Honorable Robert V. Graham  
 State Auditor  
 Legislative Building, AS-21  
 Olympia, Washington 98504-0421

**WSR 91-11-061**  
 PERMANENT RULES  
 DEPARTMENT OF  
 RETIREMENT SYSTEMS  
 [Filed May 16, 1991, 3:26 p.m.]

Date of Adoption: May 14, 1991.  
 Purpose: Assessment of interest charges on employers' overdue payments of obligations owed to the Department of Retirement Systems.

Statutory Authority for Adoption: Chapter 34.05 RCW, RCW 41.50.050, and 41.50.120.

Other Authority: RCW 41.50.120 (being implemented).

Pursuant to notice filed as WSR 91-06-089 on March 6, 1991.

Changes Other than Editing from Proposed to Adopted Version: WAC 415-114-020(4) was removed as part of a clarification made in how interest will be assessed, under WAC 415-114-040. This clarification is the result of public comment; WAC 415-114-040(1) was reworded for clarity. This clarification provides more detail on the formula to be used for the assessment of interest charges. This was done as a result of public comment; WAC 415-114-040(3) was reworded to clarify how interest is to be charged if employers do not submit timely contribution reports to Department of Retirement Systems; and WAC 415-114-040(4) was reworded to clarify that June 15, 1991, is the beginning period for the assessment of interest charges. The phrase "Beginning with May, 1991" is deleted to clarify this point.

Effective Date of Rule: Thirty-one days after filing.  
 May 14, 1991  
 George Northcroft  
 Director

CHAPTER 415-114

A Rule Relating to The Assessment of Interest Charges on Employers' Overdue Payments

NEW SECTION

WAC 415-114-010 PURPOSE. These rules relate to the implementation of RCW 41.50.120 which provides the Department of Retirement Systems the authority to assess interest charges on employers' overdue payments of obligations owed to the Department.

These rules are intended to encourage employers to pay obligations in a timely manner.

NEW SECTION

WAC 415-114-020 DEFINITIONS. As used in this chapter, unless a different meaning is plainly required by the context:

- Department - refers to the Department of Retirement Systems established pursuant to chapter 41.50 RCW as now existing or hereafter amended;
- Employers - refers to all employers within the retirement systems administered by the Department, as defined in RCW 41.50.030;



- 3. Obligations owed to the Department – include, but are not limited to, employer and employee contributions;
- 4. Close of business day – refers to 5:00 p.m. of a business day.

**NEW SECTION**

WAC 415-114-030 WHAT IS CONSIDERED AN OVERDUE PAYMENT OF AN OBLIGATION OWED TO THE DEPARTMENT. Payment for a calendar month, or any portion thereof, shall be made to the Department on or before the 15th day of the following calendar month. Payment is overdue if not received within three business days following the 15th day of the following calendar month. Payment must be received by the Department or credited to the Department's account before the close of business on the third business day following the 15th day of the following calendar month.

**NEW SECTION**

WAC 415-114-040 ASSESSMENT OF INTEREST CHARGE. 1. When a payment is overdue, interest will be charged in the following manner: An 1% simple interest charge will be assessed against the employer's balance due on account multiplied by the number of the days past due divided by 30.40 (annual average of days in a month). The balance due on the account is the total of the obligations owed to the Department, less payments received. The interest obligation shall not be compounded.

2. Interest charges of less than five dollars will not be billed.

3. Interest charges will be based upon the employer's monthly contribution report as received by the Department. If the employer's contributions have not been received in a timely manner as stated in WAC 415-114-030, interest charges will be based on the most recent contribution report processed from a prior month. Such interest charges will then be adjusted when the late contribution report is received and processed.

4. Interest will be charged for overdue obligations owed to the Department for reports and obligations which are due on June 15, 1991.

**NEW SECTION**

WAC 415-114-050 ASSESSMENT OF INTEREST CHARGE ON ACCRUED OBLIGATIONS. Employers will be given until June 15, 1991, to pay the total balance due to the Department on all obligations, including those accrued and owing to the Department prior to May 1991 obligations. Accrued obligations not paid by the close of business day on the third business day after June 15, 1991, will be assessed an interest charge in accordance with WAC 415-114-030.

**NEW SECTION**

WAC 415-114-060 BILLING OF INTEREST CHARGES. Interest charges assessed against an employer for overdue payments will appear on the employer's monthly accounts receivable statement. Interest

charges assessed on a monthly accounts receivable statement are due and payable by the close of the third business day after the 15th day of the following calendar month in accordance with WAC Section 415-114-030.

**WSR 91-11-062**

**EMERGENCY RULES**

**DEPARTMENT OF HEALTH**

[Order 167—Filed May 16, 1991, 3:44 p.m.; effective June 16, 1991]

Date of Adoption: May 10, 1991.

Purpose: To regulate and certify sex offender treatment providers.

Statutory Authority for Adoption: RCW 18.155.040.

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 18.155 RCW requires this program be implemented by July 1, 1991. Rules must be in place prior to that date.

Effective Date of Rule: June 16, 1991.

May 10, 1991

Pam Campbell Mead  
for Kristine M. Gebbie  
Secretary

**NEW SECTION**

WAC 246-930-075 SUPERVISION OF AFFILIATES. Supervision of affiliates is considerably different than consultation. Consultation is solely advisory; the consultant does not assume responsibility for those individuals to whom they consult. Supervision of affiliates requires that the provider take full ethical and legal responsibility for the professional work and for the quality of work of the affiliate. The following rules apply to providers and affiliates when service is being provided to SSOSA and SSODA clients: (1) Whether providing training, consultation or supervision, sex offender treatment providers shall avoid presenting themselves as having qualifications in areas where they do not have expertise.

(2) The supervisor shall provide sufficient training and supervision to the affiliate to insure the health and safety of the client and community. The supervisor shall have the expertise and knowledge to directly supervise the work of the affiliate.

(3) The supervisor shall insure that any person he or she supervises has sufficient education, background and preparation for the work they will be doing.

(4) Supervision of an affiliate shall require that the supervisor and supervisee enter into a formal written contract defining the parameters of the professional relationship. This supervision contract shall be submitted to the department for approval and will be renewed on a yearly basis. This document shall include, but is not limited to:

(a) The areas of professional activity for which supervision will occur.



(b) The amount of supervision time and frequency of supervisory meetings to be provided. This information can be presented as a ratio of supervisory time to clinical work conducted by the affiliate.

(c) The supervisory fees and business arrangements, when applicable.

(d) The nature of the supervisory relationship and the anticipated process of supervision.

(e) The manner in which clinical cases will be selected and reviewed.

(f) The methodology for record keeping, evaluation of the affiliate, and feedback.

(g) The manner in which the affiliate shall be represented to the public.

(5) Supervision of affiliates shall involve regular, direct, on-site supervision. Supervision shall include a reasonable degree of direct observation by means of the supervisor sitting in sessions, audio tape recording, videotape, etc. However, it is recognized that certain geographic locales do not have sufficient resources to enable immediate, direct supervision of affiliates. In these cases special flexible supervision arrangements which deviate from the standard are encouraged; these special supervision contracts shall be submitted to the department for approval.

(6) The level of supervision provided shall insure the affiliate's preparedness to conduct his or her professional work and provide adequate oversight. There shall be a minimum of one hour of supervision time for every ten hours of supervised professional work. Supervision meetings shall regularly occur at least every other week.

(7) A certified sex offender provider shall undertake no supervision which exceeds the provider's ability to comply with supervision standards. A supervisor shall not supervise more than thirty hours of SSOSA and SSODA case clinical work each week.

(8) Generally, a supervisor shall not provide supervision for more than two affiliates. However, the special needs of certain locales, particularly rural areas, are recognized. Where appropriate, deviation from the standards for amount of supervision time, frequency of supervision, and limitations on supervision by a supervisor are encouraged if quality of supervision can be maintained. Special supervisory arrangements shall be submitted for approval as part of the supervision contract to the department. As necessary, a supervisor can adjust a supervision plan, but shall notify the department of the amendment to the contract.

(9) The status of the affiliate's relationship to the supervisor is to be accurately communicated to the public, other professionals and to all clients served.

(10) An affiliate sex offender treatment provider shall represent themselves as an affiliate only when they are doing clinical work supervised by their contracted sex offender treatment provider. If the affiliate is providing unsupervised clinical services to clients who are not SSOSA or SSODA cases, the individual shall not utilize the title "affiliate" in that context.

(11) All written work conducted by the affiliate under SSOSA or SSODA shall be cosigned by the supervisor, indicating the supervisory relationship. The work will be

represented as conducted by the affiliate and with oversight provided by the supervisor.

(12) All work relating to SSOSA and SSODA clients, conducted by the affiliate will be the responsibility of the supervisor. The supervisor will have full authority over the practice of the affiliate involving SSOSA and SSODA clients.

(13) Supervision will include, but is not limited to:

(a) Discussion of services provided by the affiliate.

(b) Case selection, service plan and review of each case or work unit of the affiliate.

(c) Discussions regarding theory and practice regarding the work being conducted.

(d) Review of Washington statutes, rules and criminal justice procedures relevant to the work being conducted.

(e) Discussion of the standards of practice for providers as adopted by the department and the ethical issues involved in providing professional services for sex offenders.

(f) Discussion regarding coordination of work with other professionals.

(g) Discussion of relevant professional literature and research.

(h) Periodic review of the supervision itself.

(14) Both the supervisor and affiliate shall maintain full documentation of the work done and supervision provided.

(15) Timely evaluation of the affiliate's work and professional progress shall be provided by the supervisor.

(16) If the work of the supervisee does not meet sufficient standards to protect the best interests of the clients and the community, it is the responsibility of the supervisor to remediate the problems or terminate the supervision contract. If a supervision contract is terminated, the supervisor shall notify the department and provide the department with a letter of explanation.

(17) Supervision is a power relationship and the supervisee-supervisor relationship is not to be exploited. This standard in no way precludes reasonable compensation for supervisory services.

(18) It is the responsibility of the supervisor to provide, on request, accurate and objective letters of reference and work documentation regarding the affiliate, when requested by affiliate.

(19) If a supervisee is in the employ of a provider it is the responsibility of the supervisor to provide:

(a) Appropriate working conditions.

(b) Opportunities to further their skills and professional development.

(c) Consultation in all areas of professional practice appropriate to their employment.

### WSR 91-11-063

#### PERMANENT RULES

#### DEPARTMENT OF HEALTH

[Order 168—Filed May 16, 1991, 3:49 p.m.]

Date of Adoption: May 9, 1991.

Purpose: To regulate and certify sex offender treatment providers.

Statutory Authority for Adoption: RCW 18.155.040.  
Pursuant to notice filed as WSR 91-06-091 on March 6, 1991.

Changes Other than Editing from Proposed to Adopted Version: In response to both written and oral testimony at the April 18th rules hearing, changes were made to WAC 246-930-499 to expand the provisional section and allow practitioners without the diverse experience requirements to apply for a provisional certification with one year expansion if approved.

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

May 9, 1991

Pam Campbell Mead  
for Kristine M. Gebbie  
Secretary

## Chapter 246-930 WAC SEX OFFENDER TREATMENT PROVIDER

### NEW SECTION

WAC 246-930-010 GENERAL DEFINITIONS. Whenever used in these rules, unless expressly otherwise stated, or unless the context or subject matter requires a different meaning, the following terms shall have the following meanings:

- (1) "Department" means the department of health, professional licensing services division.
- (2) "Secretary" means the secretary of the department of health, or designee.
- (3) "Provider" means sex offender treatment provider.
- (4) "Affiliate" means affiliate sex offender treatment provider.
- (5) "Committee" means the sex offender treatment providers advisory committee.
- (6) "Credential" or its derivative means the process of licensing, registration, certification, or the equivalent through which a person is legally recognized by a state agency as lawfully authorized to practice a health profession.

(7) "Evaluation" is defined as the direct provision of comprehensive evaluation and assessment services to persons who have been investigated by law enforcement or child protective services for commission of a sex offense, or who have been adjudicated or convicted of a sex offense. Such services must have resulted in preparation of a formal written report. To qualify, the individual must have had primary responsibility for interviewing the offender and must have completed the written report. Only face-to-face contact with a client may be counted for evaluation credit. Evaluation hours performed by affiliate providers under the supervision of fully certified providers count toward certification under this definition. Note that limited assessments for the purpose of institution classification, treatment monitoring, and reporting do not qualify for evaluation credit under this definition.

(8) "Treatment" is defined as the direct provision of face-to-face individual, group, or family therapy with persons who have been investigated by law enforcement or child protective services for commission of a sex offense, or who have been adjudicated or convicted of a sex offense. The professional must have had formal responsibility for provision of primary treatment services,

and such services must have had direct relevance to a client's offending behavior. Treatment hours performed by affiliate providers under the supervision of fully certified providers count toward certification under this definition.

"Co-therapy hours" are defined as the actual number of hours the applicant spent facilitating a group session. Co-therapists may both claim credit for therapy hours as long as both persons have formal responsibility for the group sessions. Time spent in maintaining collateral contacts and written case/progress notes can not be counted under this definition.

(9) A "fully certified sex offender treatment provider" is an applicant who has met the educational, experience and training requirements as specified for full certification, has satisfactorily passed the examination, and been issued a certification to evaluate and treat sex offenders pursuant to chapter 18.155 RCW.

(10) An "affiliate sex offender treatment provider" is an applicant who has met the educational, experience and training requirements as specified for affiliate certification applicants, and has satisfactorily passed the examination. An affiliate sex offender treatment provider evaluates and treats sex offenders pursuant to chapter 18.155 RCW under the supervision of a fully certified sex offender treatment provider in accordance with the supervision requirements set forth in WAC 246-930-075.

(11) "SSOSA" is special sex offender sentencing alternative.

(12) "SSODA" is special sex offender disposition alternative.

### NEW SECTION

WAC 246-930-020 REQUIREMENT FOR UNDERLYING CREDENTIAL AS A HEALTH PROFESSIONAL. (1) Under RCW 18.155.020(1), only credentialed health professionals may be certified as providers.

(2) A person who is credentialed as a health professional in a state or jurisdiction other than Washington must satisfy this requirement by submitting the following:

(a) A copy of the current nonexpired credential issued by the credentialing state;

(b) A copy of the statute, administrative regulation, or other official document of the issuing state which sets forth the minimum requirements for the credential;

(c) A statement from the issuing authority:

(i) That the credential is in good standing;

(ii) That there is no disciplinary action currently pending; and

(iii) Listing any formal discipline actions taken by the issuing authority with regard to the credential;

(d) A statement signed by the applicant, on a form provided by the department, submitting to the jurisdiction of the Washington state courts for the purpose of any litigation involving his or her practice as a sex offender treatment provider;

(e) A statement signed by the applicant on a form provided by the department, that the applicant does not intend to practice the health profession for which he or

she is credentialed by another state within the state of Washington without first obtaining an appropriate credential to do so from the state of Washington, except as may be authorized by Washington state law; and

(f) Evidence to show compliance with the AIDS education requirement:

(i) Education and training shall be consistent with the model curriculum available from the office on AIDS within the department of health pursuant to chapter 70.24 RCW. Such education and training shall be a minimum of four clock hours and shall include, but not be limited to, the following: Etiology and epidemiology; testing and counseling; infection control guidelines; clinical manifestations and treatment; legal and ethical issues to include confidentiality; and psychosocial issues to include special population considerations.

(ii) Documentation. The applicant shall:

(A) Certify, on forms provided, that the minimum education and training has been completed after January 1, 1987;

(B) Keep records for two years documenting attendance and description of the learning;

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

(3) Underlying registration, certification, or licensure must be maintained in good standing. If underlying registration, certification, or licensure is not renewed or is revoked, certification as a sex offender treatment provider, affiliate sex offender treatment provider, or temporary or provisional treatment provider will be immediately revoked.

#### NEW SECTION

WAC 246-930-030 EDUCATION REQUIREMENT FOR FULL CERTIFICATION APPLICANTS. (1) Applicants for full certification must have completed:

(a) A master's or doctoral degree in social work, psychology, counseling, or educational psychology from a fully accredited college or university; or

(b) A medical doctor or doctor of osteopathy degree if the individual is a board certified/eligible psychiatrist; or

(c) A master's or doctoral degree in a closely related field when there is documentation of thirty graduate semester hours or forty-five graduate quarter hours in approved subject content. Approved subject content includes at least five graduate semester hours or seven graduate quarter hours in (c)(i) and (ii) of this subsection and five graduate semester hours or seven graduate quarter hours in at least two additional content areas from the entire list:

(i) Counseling and psychotherapy.

(ii) Personality theory.

(iii) Research.

(iv) Psychopathology/personality disorders.

(v) Assessment/tests and measurement.

(vi) Group therapy/family therapy.

(vii) Human growth and development/sexuality.

(viii) Corrections/criminal justice.

(2) Transcripts of all graduate work must be submitted directly to the department from the college or university where earned.

#### NEW SECTION

WAC 246-930-040 PROFESSIONAL EXPERIENCE REQUIREMENT FOR FULL CERTIFICATION APPLICANTS. (1) In order to qualify for examination, at least two thousand hours of direct treatment and evaluation experience, as defined in WAC 246-930-010. At least two hundred fifty of these hours must be evaluation experience and at least five hundred of these hours must be treatment experience.

(2) All of the prerequisite experience must have been within the seven-year period preceding application for certification as a provider.

#### NEW SECTION

WAC 246-930-050 EDUCATION REQUIREMENT FOR AFFILIATE CERTIFICATION APPLICANTS. (1) Applicants for affiliate certification must have completed:

(a) A bachelor's, master's, or doctorate degree in social work, psychology, counseling, or educational psychology from a fully accredited institution of higher education; or

(b) A medical doctor or doctor of osteopathy degree if the individual is a board certified/eligible psychiatrist; or

(c) A bachelor's degree in a closely related field when there is documentation of thirty semester hours or forty-five quarter hours in approved subject content. Approved subject content includes at least five semester hours or seven quarter hours in (c)(i) and (ii) of this subsection and five semester hours or seven quarter hours in at least two additional content areas from the entire list:

(i) Counseling and psychotherapy.

(ii) Personality theory.

(iii) Research.

(iv) Psychopathology/personality disorders.

(v) Assessment/tests and measurement.

(vi) Group therapy/family therapy.

(vii) Human growth and development/sexuality.

(viii) Corrections/criminal justice.

(2) Transcripts of all academic work must be submitted directly to the department from the college or university where earned.

#### NEW SECTION

WAC 246-930-060 PROFESSIONAL EXPERIENCE REQUIREMENT FOR AFFILIATE CERTIFICATION APPLICANTS. (1) Applicants meeting only the minimal academic requirements for affiliate status (bachelor's degree), must have a total of two thousand hours of experience in evaluation and/or treatment as defined in WAC 246-930-010. No specific minimum number of hours in either category is required for affiliate applicants.

(2) All of the prerequisite experience must have been within the seven-year period preceding application for certification as a provider.

(3) If the applicant for affiliate status meets the academic requirements for full certification, post-graduate degree as outlined in WAC 246-930-030, no experience requirement applies.

NEW SECTION

WAC 246-930-070 TRAINING FOR APPLICANTS FOR FULL OR AFFILIATE CERTIFICATION. (1) All applicants for certification as providers or affiliate providers shall submit documentation of attendance at fifty hours of formal conferences, symposia, or seminars related to the treatment and evaluation of sex offenders or abuse victims.

(2) All such training shall have been received within the three years preceding application for certification.

NEW SECTION

WAC 246-930-200 APPLICATION AND EXAMINATION. (1) In order to be certified to practice under this chapter as a provider or affiliate provider in the state of Washington all applicants must pass an examination approved by the secretary.

(2) An applicant must meet all education, experience, and training requirements and be a health care provider before being allowed to sit for the examination.

(3) Examinations will be given twice annually at a time and place determined by the secretary.

(4) A completed application with the appropriate fee for certification must be received in the office of the department, no later than sixty days prior to the examination administration. All supporting documentation must be received no later than twenty days prior to the scheduled examination date.

(5) Any applicant who fails to follow written or oral instructions relative to the conduct of the examination, is observed talking or attempting to give or receive information, or attempting to remove materials from the examination or using or attempting to use unauthorized materials during any portion of the examination will be terminated from the examination and not permitted to complete it.

(6) The department shall approve the method of grading each examination, and shall apply such method uniformly to all applicants taking the examination.

(7) An applicant will be notified in writing of his or her examination score.

(8) An applicant's examination score shall not be disclosed to anyone other than the applicant, unless requested to do so in writing by the applicant.

(9) An applicant who fails to make the required grade in the first examination is entitled to take up to two additional examinations upon the payment of a reexamination fee for each subsequent examination determined by the secretary. Upon failure of three examinations, the secretary may require remedial education before admission to future examinations.

NEW SECTION

WAC 246-930-210 EXAMINATION APPEAL PROCEDURES. (1) Any candidate who takes and does not pass the sex offender treatment provider examination, may request review of the results of the examination.

(a) The examination results will not be modified unless the candidate presents clear and convincing evidence

of error in the examination content or procedure, or bias, prejudice, or discrimination in the examination process.

(b) Any challenges to examination scores will not be considered unless the total of the potentially revised score would result in issuance of a certificate.

(2) The procedure for requesting an informal review of examination results is as follows: The request must be in writing and must be received by the department within thirty days of the date on the letter of notification of examination results sent to the candidate.

The request must be in writing and must be received by the department within thirty days of the date on the letter of notification of examination results sent to the candidate.

(3) The advisory committee will schedule a closed session meeting to review the failed examination questions and forms completed by the candidate. The candidate will be notified in writing of the decision.

(a) The candidate will be identified only by candidate number for the purpose of this review.

(b) Letters of referral or requests for special consideration will not be read or considered.

(4) Any candidate not satisfied with the results of the informal examination review may request a formal hearing before the secretary to challenge the informal review decision. The procedures for requesting a formal hearing are as follows:

(a) The candidate must complete the informal review process before requesting a formal hearing.

(b) The request for formal hearing must be received by the department within twenty days of the date on the notice of the results of the informal review.

(c) The written request must specifically identify the challenged portion(s) of the examination and must state the specific reason(s) why the candidate believes the examination results should be modified.

(5) Before the hearing is scheduled the parties shall attempt by informal means to resolve the following:

(a) The simplification of issues;

(b) Amendments to the candidate's notice identifying the challenged portion(s) of the examination and the statement of the specific reason(s) why the candidate feels the results of the examination should be changed;

(c) The possibility of obtaining stipulations, admission of facts, and documents;

(d) The limitation of the number of expert witnesses;

(e) A schedule for completion of all discovery; and

(f) Such other matters as may aid in the disposition of the proceeding.

If the parties are unable to resolve any of these issues informally, either party may request a prehearing conference to be held before an administrative law judge.

(6) In the event there is a prehearing conference, the administrative law judge shall enter an order which sets forth the actions taken at the conference, the amendments allowed to the pleading, and the agreements made by the parties of their qualified representatives as to any of the matters considered, including the settlement or simplification of issues. The prehearing order limits the issues for hearing to those not disposed of by admissions or agreements. Such order shall control the subsequent

course of the proceeding unless modified for good cause by subsequent prehearing order.

(7) Candidates will receive at least twenty days' notice of the time and place of the formal hearing.

(8) The hearing will be restricted to the specific portion(s) of the examination the candidate had identified in the request for formal hearing.

(9) The formal hearing will be conducted pursuant to the Administrative Procedure Act, chapter 34.05 RCW.

#### NEW SECTION

WAC 246-930-220 REEXAMINATION. (1) An applicant for certification who has been previously certified shall retake the examination and achieve a passing score before recertification under any of the following circumstances:

(a) The applicant has been uncertified voluntarily for more than thirty-six calendar months; or

(b) The applicant's certificate has been revoked or suspended by reason of a disciplinary action by the secretary of the department of health.

(2) The secretary may require reexamination in any disciplinary order as a condition of reissuing a certificate or confirming certification.

(3) Whenever reexamination is required, the applicant shall pay the appropriate fees set forth in WAC 246-930-990.

#### NEW SECTION

WAC 246-930-300 MANDATORY REPORTING. (1) Pursuant to RCW 18.130.070, the persons designated in subsection (2) of this section are required to report to the department:

(a) Any conviction, determination, or finding of which they have personal knowledge that any person certified as a provider or affiliate provider has committed an act which constitutes unprofessional conduct under RCW 18.130.180; or

(b) Any information of which they have personal knowledge which indicates that any person certified as a provider or affiliate provider may not be able to practice with reasonable skill and safety to the public as a result of a mental or physical condition.

(2) The following persons are required to report the information identified in subsection (1) of this section:

(a) Persons certified as providers or affiliate providers;

(b) The president, chief executive officer, or designated official of any professional association or society whose members are certified providers or affiliate providers;

(c) Prosecuting attorneys and deputy prosecuting attorneys;

(d) Community corrections officers employed by the department of corrections;

(e) Juvenile probation or parole counselors who provide counseling or supervision to juveniles;

(f) The president, chief executive officer, or designated official of any public or private agency which employs certified providers or affiliate providers;

(g) The president, chief executive officer, or designated official of any credentialing agency for health professionals.

(3) Reports under this section must be made in writing, and must include the name, address, and telephone number of the person making the report, the name and address of the person about whom the report is made, and complete information about the circumstances giving rise to the report.

#### NEW SECTION

WAC 246-930-400 ISSUANCE AND RENEWAL OF CERTIFICATION. (1) Individuals receiving an initial provider or affiliate provider certificate will be issued a certificate to expire on June 30th of the next calendar year.

(2) Individuals shall renew their certificate annually on or before June 30th. Failure to renew shall invalidate the certificate to practice as a provider. Any person practicing with an expired certificate shall be deemed to be engaging in uncertified practice.

(3) An individual will be considered to have made timely renewal application if the appropriate renewal fee and required accompanying documentation is received by the department on or before the expiration date.

#### NEW SECTION

WAC 246-930-499 TEMPORARY AND PROVISIONAL CERTIFICATE DURING INITIAL IMPLEMENTATION OF CERTIFICATION PROGRAM. In order to provide adequate time for applicants to prepare for initial examination and to avoid disruption of current service provision, a system of temporary and provisional certification as described below will be in effect for applicants whose applications are received by the department before September 1, 1991.

(1) Temporary full certification. An applicant who is a credentialed health professional and who meets all education, experience, and training prerequisites for full certification at the time of application will be issued temporary full certification in order to allow practice to continue pending satisfactory passage of the examination. The temporary full certification will expire on issuance of an initial certificate, or on June 30, 1992, whichever comes first. Temporary full certification will not be renewed.

(2) Temporary affiliate certification. An applicant who is a credentialed health professional and who meets all education, experience, and training prerequisites for affiliate certification at the time of application will be issued temporary affiliate certification in order to allow practice to continue pending satisfactory passage of the examination. The temporary affiliate certification will expire on issuance of an initial affiliate or full certificate, or on June 30, 1992, whichever comes first. Temporary affiliate certification will not be renewed.

(3) Provisional full certification.

(a) An applicant who is a credentialed health professional and who has at least one thousand hours of experience in treatment and/or evaluation accrued over the seven years immediately preceding application, and who

has the equivalent of one year of graduate school credit toward satisfaction of the education requirements of WAC 246-930-030(1) may submit a plan to the department at application documenting how he/she plans to meet all remaining experience, education, or training requirements and pass the examination by June 30, 1992. If the plan is approved by the department, the applicant will be granted provisional full certification.

(b) An applicant who is a credentialed health professional and who otherwise meets all education and training prerequisites for full certification at the time of application and who has the requisite experience except that his or her experience has been primarily in the area of evaluation, or primarily in the area of treatment of offenders, may submit a plan documenting how he/she plans to obtain sufficient experience in evaluation or treatment necessary to qualify him or her for full certification no later than June 30, 1993. If the plan is approved by the department, the applicant will be granted a provisional full certification.

(c) Plans submitted under this subsection which call for obtaining additional experience in a practice area in which the applicant does not have the required minimum hours shall include an appropriate supervision component with a certified sex offender treatment provider.

(d) Providers practicing with provisional full certification status may not supervise affiliate providers.

(e) The provisional full certification will expire upon issuance of initial full or affiliate certification or on June 30, 1992, whichever comes first, except that if a provider who holds provisional certification pursuant to (b) of this subsection has passed the examination, demonstrated substantial progress in accordance with his or her approved plan, and paid the extension fee required by WAC 246-930-990, the termination date may be extended to June 30, 1993. Provisional full certification status will not be renewed.

(4) Provisional affiliate certification. An applicant who is a credentialed health professional, who meets the minimum educational requirements for affiliate certification set forth in WAC 246-930-050, and who has at least one thousand seven hundred hours of experience in treatment and/or evaluation accrued over the seven years immediately preceding application, may submit a plan to the department documenting how she/he plans to meet all remaining experience requirements and/or the training requirements set forth in WAC 246-930-070 and pass the examination by June 30, 1992. If the plan is approved by the department, the applicant will be granted provisional affiliate certification. Provisional affiliate certification will expire on issuance of an initial full or affiliate certificate, or June 30, 1992, whichever comes first. Provisional affiliate certification will not be renewed.

(5) The temporary and provisional certification system will be in effect from July 1, 1991, through June 30, 1992. On June 30, 1992, all provisional and temporary certificates expire, and only full certification or affiliate status certification will be issued, except that the approved provisional certificate may be extended to no later than June 30, 1993, in accordance with subsection (3)(b) of this section.

(6) Any temporary or provisional certification issued pursuant to this section shall be subject to disciplinary action pursuant to chapter 18.130 RCW.

**NEW SECTION**

WAC 246-930-990 SEX OFFENDER TREATMENT PROVIDER FEES. The following fees shall be charged by the professional licensing division of the department of health:

Title of Fee	Fee
<b>Sex offender treatment provider:</b>	
Application and examination	\$ 650.00
Reexamination	325.00
Initial certification	100.00
Renewal	1,175.00
Late renewal penalty	200.00
Duplicate certificate	15.00
Extension fee	1,000.00
<b>Affiliate treatment provider:</b>	
Application and examination	300.00
Reexamination	150.00
Initial certification	50.00
Renewal	600.00
Late renewal penalty	200.00
Duplicate certificate	15.00

**WSR 91-11-064**  
**PERMANENT RULES**  
**DEPARTMENT OF HEALTH**  
**(Occupational Therapy Practice Board)**  
 [Order 171B—Filed May 16, 1991, 3:53 p.m.]

Date of Adoption: April 5, 1991.

Purpose: Housekeeping actions to update recognized educational programs; and to define licensure requirements for occupational therapists.

Citation of Existing Rules Affected by this Order: Amending WAC 246-847-010, 246-847-040, 246-847-050, 246-847-110, and 246-847-065.

Statutory Authority for Adoption: RCW 18.59.130.

Pursuant to notice filed as WSR 91-05-088 on February 20, 1991.

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

April 26, 1991  
 Terry Uridil  
 Chair

**AMENDATORY SECTION (Amending Order 112B, filed 2/12/91, effective 3/15/91)**

WAC 246-847-010 DEFINITIONS. (1) The following terms in RCW 18.59.020(2) shall mean:

(a) "Scientifically based use of purposeful activity" is the treatment of individuals using established methodology based upon the behavioral and biological sciences and includes the analysis, application and adaptation of activities for use with individuals having a variety of physical, emotional, cognitive and social disorders. Use of purposeful activity includes a process of continually

modifying treatment to meet the changing needs of an individual. Purposeful activity is goal-oriented and cannot be routinely prescribed.

(b) "Teaching daily living skills" is the instruction in daily living skills based upon the evaluation of all the components of the individual's disability and the adaptation or treatment based on the evaluation. Components of a disability are physical, sensory, social, emotional and cognitive functions.

(c) "Developing prevocational skills and play and avocational capabilities" is not only the development of prevocational skills and play and avocational capabilities but involves the scientifically based use of purposeful activity.

(d) "Designing, fabricating, or applying selected orthotic and prosthetic devices or selected adaptive equipment" is not specific occupational therapy services if a person designs, fabricates, or applies selected orthotic and prosthetic devices or selected adaptive equipment for an individual if the device or equipment is prescribed or ordered by a health care professional authorized by the laws of the state of Washington to prescribe the device or equipment or direct the design, fabrication, or application of the device or equipment.

(e) "Adapting environments for the handicapped" is the evaluation of all the components of an individual's disability and the adaptation of the environment of the individual based on the evaluation. Components of a disability are physical, sensory, social, emotional and cognitive functions.

(2) "Supervision" and "regular consultation" of an occupational therapy assistant by an occupational therapist in RCW 18.59.020(4) and "direct supervision" of a person holding a limited permit by an occupational therapist in RCW 18.59.040(7) shall mean face to face meetings between the occupational therapist and occupational therapy assistant and between the occupational therapist and holder of a limited permit occurring at intervals as determined necessary by the occupational therapist to establish, review, or revise the client's treatment objectives. The meetings shall be documented and the documentation shall be maintained in each client's treatment record. The failure to meet to establish, review, or revise the client's treatment objectives at sufficient intervals to meet the client's needs shall be grounds for disciplinary action against the occupational therapist's license and/or the occupational therapy assistant's license to practice in the state of Washington and/or the limited permit pursuant to WAC ((308-171-300)) 246-847-160 (4) and (14), ((308-171-30+)) 246-847-170 (2) and (3) and RCW 18.59.100 for conduct occurring prior to June 11, 1986 and pursuant to RCW 18.130.180 for conduct occurring on or after June 11, 1986.

(3) "Professional supervision" of an occupational therapy aide in RCW 18.59.020(5) shall mean:

(a) Documented training by the occupational therapist of the occupational therapy aide in each specific occupational therapy technique for each specific client and the training shall be performed on the client;

(b) Face to face meetings between the occupational therapy aide and the supervising occupational therapist

or an occupational therapy assistant under the direction of the supervising occupational therapist occurring at intervals as determined by the occupational therapist to meet the client's needs, but shall occur at least once every two weeks; and

(c) The occupational therapist shall observe the occupational therapy aide perform on the client the specific occupational therapy techniques for which the occupational therapy aide was trained at intervals as determined by the occupational therapist to meet the client's needs, but shall occur at least once a month.

The meetings and client contacts shall be documented and the documentation shall be maintained in the client's treatment records. The failure to meet at sufficient intervals to meet the client's needs shall be grounds for disciplinary action against the occupational therapist's license to practice in the state of Washington pursuant to WAC ((308-171-300)) 246-847-160 (4) and (14), ((308-171-30+)) 246-847-170 (2) and (3) and RCW 18.59.100 for conduct occurring prior to June 11, 1986 and pursuant to RCW 18.130.180 for conduct occurring on or after June 11, 1986.

(4) Sections (2) and (3) of this rule shall not be effective until July 1, 1985.

(5) "Clients" include patients, students, and those to whom occupational therapy services are delivered.

(6) "Evaluation" is the process of obtaining and interpreting data necessary for treatment, which includes, but is not limited to, planning for and documenting the evaluation process and results. The evaluation data may be gathered through record review, specific observation, interview, and the administration of data collection procedures, which include, but are not limited to, the use of standardized tests, performance checklists, and activities and tasks designed to evaluate specific performance abilities.

(7) "Work site" in RCW 18.59.080 means the primary work location.

(8) "In association" for RCW 18.59.040(7) shall mean practicing in a setting in which another occupational therapist licensed in the state of Washington is available for consultation and assistance as needed to provide protection for the clients' health, safety and welfare.

(9) One "contact hour" is considered to be sixty minutes.

(10) "Peer reviewer" shall mean a licensed occupational therapist chosen by the licensee to review the self study plan and verify that the self study activity meets the objectives for peer reviewed self study as defined in WAC 246-847-065.

**AMENDATORY SECTION** (Amending Order 112B, filed 2/12/91, effective 3/15/91)

WAC 246-847-040 RECOGNIZED EDUCATIONAL PROGRAMS—OCCUPATIONAL THERAPISTS. The board recognizes and approves courses of instruction conducted by schools that have obtained accreditation of the program in occupational therapy from

the Committee on Allied Health Education and Accreditation of the American Medical Association in collaboration with the American Occupational Therapy Association as recognized in the ~~((1989-1990))~~ 1990-1991 Listing of Educational Programs in Occupational Therapy published by the American Occupational Therapy Association, Inc.

**AMENDATORY SECTION** (Amending Order 112B, filed 2/12/91, effective 3/15/91)

WAC 246-847-050 **RECOGNIZED EDUCATIONAL PROGRAMS—OCCUPATIONAL THERAPY ASSISTANTS.** The board recognizes and approves courses of instruction conducted by schools that have obtained approval of the occupational therapy assistant associate degree programs and occupational therapy assistant certificate programs from the American Occupational Therapy Association as recognized in the ~~((1989-1990))~~ 1990-1991 Listing of Educational Programs in Occupational Therapy published by the American Occupational Therapy Association, Inc.

**AMENDATORY SECTION** (Amending Order 112B, filed 2/12/91, effective 3/15/91)

WAC 246-847-110 **PERSONS EXEMPT FROM LICENSURE PURSUANT TO RCW 18.59.040(5).** (1) To qualify for the exemption from licensure pursuant to RCW 18.59.040(5), the individual claiming the exemption shall in writing notify the department, at least thirty days before any occupational therapy services are performed in this state, of the following:

(a) In which state(s) the individual is licensed to perform occupational therapy services and the license number(s); or

(b) If the exemption is claimed pursuant to RCW 18.59.040 (5)(b), the individual shall submit a signed notarized statement attesting to having passed the American Occupational Therapy Association certification examination and having engaged in occupational therapy practice; not having engaged in unprofessional conduct or gross incompetency as established in WAC ~~((308-171-300))~~ 246-847-160 for conduct occurring prior to June 11, 1986 and as established in RCW 18.130.180 for conduct occurring on or after June 11, 1986; and not having been convicted of a crime ~~(([of] [involving]))~~ involving moral turpitude or a felony relating to the profession of occupational therapy; and

(c) A signed notarized statement describing when the occupational therapy services will be performed, where the occupational therapy services will be performed, and how long the individual will be performing occupational therapy services in this state.

(2) A ninety-day temporary permit must be received by the occupational therapist prior to rendering of occupational therapy services.

(3) "Working days" in RCW 18.59.040(5) shall mean ~~((days state offices are open to conduct business))~~ consecutive calendar days.

**AMENDATORY SECTION** (Amending Order 112B, filed 2/12/91, effective 3/15/91)

WAC 246-847-065 **CONTINUED COMPETENCY.** Beginning January 1, 1993, evidence of continued competency completed after January 1, 1991, for the practice of occupational therapy shall include a minimum of thirty contact hours of continuing education per license renewal period. The thirty contact hours may be obtained through two or more of the following methods which have specified goals and objectives relating to the practice of occupational therapy as defined in RCW 18.59.020 and WAC 308-171-001; inservices, coursework, conferences, workshops, peer reviewed self study, presentations, or ~~((peer reviewed))~~ publications.

**WSR 91-11-065**  
**PERMANENT RULES**  
**DEPARTMENT OF HEALTH**  
 [Order 172—Filed May 16, 1991, 3:55 p.m.]

Date of Adoption: May 15, 1991.

Purpose: To establish implementation date for requiring the didactic and clinical competency in the expanded functions area of education for dental hygiene licensure.

Statutory Authority for Adoption: RCW 18.29.130(6).

Pursuant to notice filed as WSR 91-08-077 on April 3, 1991.

Effective Date of Rule: Thirty-one days after filing.  
 May 16, 1991  
 Kristine M. Gebbie  
 Secretary

**NEW SECTION**

WAC 246-815-031 **DENTAL HYGIENE EXPANDED FUNCTIONS EDUCATION REQUIREMENT FOR LICENSURE IMPLEMENTATION** The dental hygiene education requirement for licensure regarding the didactic and clinical competency of the expanded functions referenced in WAC 246-815-030 (1)(a)-(d), (2) and (3) shall become effective February 1, 1992.

**WSR 91-11-066**  
**PERMANENT RULES**  
**DEPARTMENT OF LICENSING**  
**(Escrow Commission)**  
 [Filed May 16, 1991, 4:27 p.m.]

Date of Adoption: May 8, 1991.

Purpose: The purpose is to reduce escrow licensing fees.

Citation of Existing Rules Affected by this Order: Amending WAC 308-128B-080 Escrow officer and agent fees.

Statutory Authority for Adoption: RCW 18.44.320.

Pursuant to notice filed as WSR 91-08-049 on April 1, 1991.



Effective Date of Rule: Thirty-one days after filing.  
 May 16, 1991  
 Mary Faulk  
 Director  
 Chair, Escrow Commission

**WSR 91-11-068**  
**EXECUTIVE ORDER**  
**OFFICE OF THE GOVERNOR**  
 [EO 91-04]

**AMENDATORY SECTION** (Amending WSR 90-03-099, filed 1/24/90, effective 3/1/90)

WAC 308-128B-080 ESCROW OFFICER AND AGENT FEES. On ~~((March 1, 1990))~~ July 1, 1991, the following fees shall be charged by the professional licensing division of the department of licensing:

Title of Fee	Fee
Escrow officer:	
First examination	\$150.00
Reexamination	150.00
Original license	<del>((200.00))</del> 160.00
License renewal	<del>((200.00))</del> 160.00
Transfer of license, name or address change or license activation	25.00
Duplicate license	25.00
Escrow agent:	
Application and original certificate	<del>((375.00))</del> 345.00
Renewal	<del>((375.00))</del> 345.00
Late renewal with penalty	<del>((562.50))</del> 517.50
Transfer of certificate, name or address change	25.00
Duplicate certificate	25.00
Escrow agent branch office:	
Application and original license	<del>((375.00))</del> 345.00
Renewal	<del>((375.00))</del> 345.00
Late renewal with penalty	<del>((562.50))</del> 517.50
Transfer of license, name or address change	25.00
Duplicate license	25.00

**ESTABLISHING THE GOVERNOR'S COUNCIL ON EDUCATION REFORM AND FUNDING**

WHEREAS, there is dramatic evidence that we must significantly improve the performance of all students in our public education system; and

WHEREAS, this can only be accomplished if our education system undergoes fundamental changes and the necessary funding is committed to these changes;

NOW, THEREFORE, I, Booth Gardner, Governor of the State of Washington, by virtue of the authority vested in me, do hereby establish the Governor's Council on Education Reform and Funding.

I. The Council is charged with the responsibility to develop a long-term action plan to reform the state's public elementary and secondary schools and significantly improve student performance. In developing this plan, the Council shall incorporate the work of the Commission on Student Learning. At a minimum, the plan should address:

- A. The creation of an educational system that is flexible and allows each individual to achieve at high levels;
- B. The creation of a system that is performance-oriented and emphasizes results rather than the maintenance of existing policies and procedures;
- C. The efficient use of existing funds, the prioritization of those funds and methods to obtain necessary additional funds.

II. Members of the Council shall include the Superintendent of Public Instruction, a school district director, a school administrator, two certificated instructional staff, a classified school employee, and six public members appointed by the Governor. The membership shall also include eight legislators: The Speaker of the House, the House Minority Leader, the Senate Majority Leader, the Senate Minority Leader, and one additional member appointed by each House and Senate caucus.

III. The Governor shall serve as Chair of the Council.

IV. The Council shall seek to operate on the basis of consensus but may establish procedures to approve action or other activities as needed. The Council may establish an executive committee and such subcommittees, technical advisory committees and staff committees as it deems necessary.

V. The Council shall issue an interim report and action plan by December 1, 1991, with a final report and action plan completed by December 1, 1992.

VI. The Chair shall establish the Council budget from funds provided and pay Council meeting and member's travel expenses, if not otherwise covered, pursuant to standard state procedures.

**WSR 91-11-067**  
**NOTICE OF PUBLIC MEETINGS**  
**TRANSPORTATION COMMISSION**  
 [Memorandum—May 16, 1991]

The June Washington State Transportation Commission meeting will be held on Thursday, June 20, 1991, at 9 a.m. at Silverdale on the Bay, 3073 N.W. Bucklin Hill Road, Silverdale, WA. There will be subcommittee meetings on Wednesday, June 19, 1991.

VII. This Executive Order shall take effect immediately.

IN WITNESS WHERE-  
OF, I have hereunto set my  
hand and caused the Seal of  
the State of Washington to  
be affixed at Olympia this  
16th day of May, A.D.,  
nineteen hundred and ninety  
one.

Booth Gardner

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

BY THE GOVERNOR:

Donald F. Whiting

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

**WSR 91-11-069**  
**PREPROPOSAL COMMENTS**  
**OFFICE OF THE**  
**SECRETARY OF STATE**  
[Filed May 17, 1991, 2:45 p.m.]

Subject of Possible Rule Making: Rules are being drafted to implement an address confidentiality program for victims of domestic violence who have permanently relocated. The rules are required for the administration of chapter 23, Laws of 1991 (SB 5906), adding a new chapter to Title 40 RCW. Emergency rules will be filed on July 1, 1991, the effective date of chapter 23, Laws of 1991.

Persons may comment on this subject in writing and by telephone, Pamela Davenport, Manager, Address Confidentiality Program, 1120 Washington Street S.E., Olympia, WA 98504-0418, (206) 753-2972, Mailstop EA-11, Monday through Friday, 8:00 a.m. to 5:00 p.m. Comments will be accepted until June 24, 1991.

Other Information or Comments by Agency at this Time, if any: These regulations will provide the administrative procedure for program operation including application, renewal and termination criteria for program participants, program participants' authority to use a substitute address in creating records with state and local agencies, qualifications and criteria for approving agency requests for exemptions from the requirement to accept use of a substitute address, and procedures for maintaining the confidential status of name and address information in marriage records and voting records of program participants.

May 17, 1991  
Donald F. Whiting  
Assistant Secretary  
of State

**WSR 91-11-070**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**  
[Order 91-01—Filed May 20, 1991, 9:53 a.m.]

Date of Adoption: May 20, 1991.

Purpose: Chapter 296-24 WAC, General safety and health standards, the purposes of the federal-initiated amendments to this chapter are to make the existing state standards in Part A-4 at-least-as-effective-as the federal final rule and incorporate corrections received in Federal Register Volume 55, Number 183, dated September 20, 1990. These are clarifications and house-keeping amendments to correct federal publication errors. The purpose of the state-initiated amendments is to correct source references and provide a consistent definition of "potable water"; chapter 296-56-WAC, Safety standards—Longshore, stevedore and related waterfront operations, the purpose of the federal-initiated amend-ment is to prohibit the use of 4 x 29 wire rope in any "running rigging." This amendment is the result of OSHA Hazard Alert STD 2-1.9. The purpose of the state-initiated change is to correct a statement relating to running water; chapter 296-62 WAC, General occu-pational health standards, the purpose of the state-initiated housekeeping amendments is to correct typo-graphical errors, reflect current ANSI specifics and make narrative identical with federal materials; chapter 296-99 WAC, Safety standards for grain handling fa-cilities, the purpose of this federal-initiated amendment is to reinstate a 1/8 inch action level for priority house-keeping areas in grain handling facilities. This amend-ment will make the WISHA standard "identical" to 29 CFR 1910.272 (i)(2)(ii); chapter 296-155 WAC, Safety standards for construction work, the purposes of the federal-initiated amendments are to cancel an exemp-tion from wearing head protection to Old Order Amish and the Sikh Dharma Brotherhood, to delete two items, and add a new definition to be at-least-as-effective as the federal rule. These changes are made to make the state standards at-least-as-effective-as or "identical" the federal rule. The purpose of the state-initiated amendment is to adopt the 1985 edition of ANSI A10.3, Safety Requirements for Powder Actuated Fastening Systems. This amendment will allow the use of power loads regardless of the manufacturer, provided they pro-vide the same level of safety and performance as those recommended by the manufacturer of the tool being used; chapter 296-305 WAC, Safety standards for firefighters, the purpose of this state-initiated amend-ment relating to body protection, is to remove the 7.5 oz/yd<sup>2</sup> requirement for the outer shell fabric and re-quire compliance with the requirements of NFPA 1971: WAC 296-305-06009. The amendment deletes the re-quirement that outer shell fabric shall not weigh less than 7.5 oz.yd<sup>2</sup>; and chapter 296-306 WAC, Safety standards for agriculture, the purposes of these state-initiated amendments are to correct source reference numbers currently in the standard provide consistent

definition of "potable water," and to make figure numbers and titles in ROPS sections identical with the comparable federal rule.

Citation of Existing Rules Affected by this Order: WAC 296-24-11001, 296-24-11003, 296-24-11005, 296-24-11007, 296-24-11009, 296-24-11011, 296-24-11013, 296-24-11015, 296-24-11017, 296-24-119, 296-24-12002, 296-56-60073, 296-56-60229, 296-62-07515, 296-62-07540, 296-62-07544, 296-62-09007, 296-62-11011, 296-62-14503, 296-62-3050, 296-62-3090, 296-99-050, 296-155-205, 296-155-363, 296-155-36313, 296-155-375, 296-155-675, 296-155-694, 296-155-730, 296-305-06009, 296-306-260, 296-306-265, 296-306-27095, 296-306-310, and 296-306-320.

Statutory Authority for Adoption: Chapter 49.17 RCW.

Pursuant to notice filed as WSR 91-04-077 on February 6, 1991.

Changes Other than Editing from Proposed to Adopted Version: As a result of oral or written testimonies received, this section is being adopted with the following revisions: WAC 296-24-11001 has been changed to include the following exemptions under (2)(c):

(iv) Construction, agriculture and maritime employment;

(v) Installations under the exclusive control of electric utilities for the purpose of power generation, transmission and distribution, including related equipment for communications or metering; and

Exposure to electrical hazards from work on, near, or with conductors or equipment in electrical utilization installations, which is covered by WAC 296-24-956 through 296-24-960;

(vi) Oil and gas well drilling and servicing.

Effective Date of Rule: June 20, 1991.

May 20, 1991  
Joseph A. Dear  
Director

**AMENDATORY SECTION** (Amending Order 90-14, filed 10/1/90, effective 11/15/90)

WAC 296-24-11001 SCOPE, APPLICATION, AND PURPOSE. (1) Scope. This standard covers the operation, servicing and maintenance of all machines, equipment and systems in which the start up, or release of stored energy could cause injury to employees. This standard establishes minimum performance requirements for the control of such hazardous energy.

(2) Application.

(a) This standard applies to the control of energy during servicing and/or maintenance of machines and equipment and systems.

(b) Normal production operations are not covered by this standard where no personnel exposure exists. Servicing and/or maintenance which takes place during normal production operations is covered by this standard when:

(i) An employee is required to remove or bypass a guard or other safety device; or

(ii) An employee is required to place any part of his or her body into an area on a machine or piece of

equipment where work is actually performed upon the material being processed (point of operation) or where an associated danger zone exists during a machine operating cycle. Exception: Minor tool changes and adjustments, and other minor servicing activities, which take place during normal production operations, are not covered by this standard if they are routine, repetitive, and integral to the use of the equipment for production, provided that the work is performed using alternative measures which provide effective protection and/or personnel exposure does not exist. See Appendix B for running adjustment procedures.

(c) This standard does not apply to the following:

(i) When the ~~((vertical standard in))~~ Title 296 WAC vertical standard for an industry requires a lockout or tagout control program, the vertical standard shall be used for all requirements directly addressed by that standard. The horizontal requirements of this chapter shall supplement the vertical standards, including the details of issues such as the procedural and training requirements of this chapter.

(ii) Work on cord and plug connected electric equipment when exposure to the hazards of unexpected energization or start up of the equipment is controlled by the unplugging of the equipment from the energy source and by the plug being under the exclusive control of the employee performing the servicing or maintenance.

(iii) Hot tap operations involving transmission and distribution systems for substances such as gas, steam, water, or petroleum products when they are performed on pressurized pipelines, provided that the employer demonstrates that:

(A) Continuity of service is essential; and

(B) Shutdown of the system is impractical; and

(C) Documented procedures are followed, and special equipment is used which will provide proven effective protection for employees; and

(D) The employees involved are specifically trained and qualified on the equipment and procedures to be used.

(iv) Construction, agriculture, and maritime employment.

(v) Installations under the exclusive control of electric utilities for the purpose of power generation, transmission, and distribution, including related equipment for communications or metering.

Exposure to electrical hazards from work on, near, or with conductors or equipment in electric utilization installations, which is covered by WAC 296-24-956 through 296-24-960.

(vi) Oil and gas well drilling and servicing.

(3) Purpose. This section requires employers to establish a written lockout/tagout program, train affected employees and ensure that adequate procedures are used for affixing appropriate lockout devices or tagout devices to energy isolating devices, and to otherwise disable machines, equipment or systems to prevent unexpected energization, start-up, or release of stored energy in order to prevent injury to employees.

**AMENDATORY SECTION** (Amending Order 90-14, filed 10/1/90, effective 11/15/90)

**WAC 296-24-11003 DEFINITIONS APPLICABLE TO THIS SECTION.** (1) Affected employee. Any person whose job requires him/her to operate or use a machine or equipment on which servicing or maintenance is being performed under lockout or tagout, or whose job requires him/her to be in an area potentially influenced by the servicing or maintenance being performed.

(2) Authorized/designated individual shall mean an individual who is qualified by reason of training and to whom the authority and responsibility to perform a specific assignment has been given by the owner/management. With respect to the requirements of this Part A-4, such authority and responsibility shall include deactivating and locking or tagging out equipment and/or systems in compliance with the requirements of this chapter and the employers control program when servicing or maintenance activities could create exposure for the authorized person or other affected employee(s).

(3) Authorized employer representative shall mean an individual who is specifically qualified by reason of training and to whom owner/management has designated authority and responsibility for a specific assignment.

(4) Capable of being locked out. An energy isolating device (~~((will be considered to be))~~) is capable of being locked out (~~((either))~~) if it (~~((is designed with))~~) has a hasp or other attachment (~~((or integral part))~~) to which, or through which, a lock can be affixed, or (~~((if))~~) it has a locking mechanism built into it. Other energy isolating devices (~~((will also be considered to be))~~) are capable of being locked out, if lockout can be achieved without the need to dismantle, rebuild, or replace the energy isolating device or permanently alter its energy control capability.

(5) Energized. Connected to an energy source or containing residual or stored energy.

(6) Energy isolating device. A mechanical device that physically prevents the transmission or release of energy, including but not limited to the following: A manually operated electrical circuit breaker; a disconnect switch; a manually operated switch by which the conductors of a circuit can be disconnected from all ungrounded supply conductors and, in addition, no pole can be operated independently; a slide gate; a slip blind; a line valve; a block; and any similar device used to block or isolate energy. The term does not include a push button, selector switch, remote control switches, automatic circuit activating devices, and other control circuit type devices.

(7) Energy source. Any source of electrical, mechanical, hydraulic, pneumatic, chemical, thermal or other energy, including gravity.

(8) Hot tap. A procedure used in the repair, maintenance, and services activities on a piece of equipment (pipelines, vessels, or tanks) under pressure, in order to install connections or appurtenances. It is commonly used to replace or add sections of pipeline without the interruption of service for air, gas, water, steam, and petrochemical distribution systems.

(9) Lockout. The placement of a lockout device on an energy isolating device, in accordance with an established procedure, ensuring that the energy isolating device and the equipment being controlled cannot be operated until the lockout device is removed.

(10) Lockout device. A device that utilizes a lock, either key or combination type, to hold an energy isolating device in the safe position.

(11) Normal production operations. The utilization of a machine or equipment to perform its intended production function.

(12) Servicing and/or maintenance. Workplace activities such as constructing, installing, setting up, adjusting, inspecting, modifying, and maintaining and/or servicing machines or equipment. These activities include lubrication, cleaning, or unjamming of machines or equipment and making adjustments or tool changes, where the employee may be exposed to the unexpected energization or startup of the equipment or release of hazardous energy.

(13) Setting up. Any work performed to prepare a machine or equipment to perform its normal production operation.

(14) Tagout. The placement of a tagout device on an energy isolating device, in accordance with an established procedure, to indicate that the energy isolating device and the equipment being controlled may not be operated until the tagout device is removed.

(15) Tagout device. A prominent warning device, such as a tag and a means of attachment, which can be securely fastened to an energy isolating device in accordance with an established procedure, to indicate that the energy isolating device and the equipment being controlled may not be operated until the tagout device is removed in accordance with approved company procedures.

**AMENDATORY SECTION** (Amending Order 90-14, filed 10/1/90, effective 11/15/90)

**WAC 296-24-11005 GENERAL REQUIREMENTS.** Energy control program.

(1) The employer shall establish a written program consisting of an energy control procedure (~~((and))~~), employee training and periodic inspections to ensure that before any employee performs any servicing or maintenance on a machine or equipment where the unexpected energizing, start up, or release of stored energy could occur and cause injury, the machine, equipment, system, or process shall be isolated, and rendered inoperative, in accordance with this Part A-4.

(2) Lockout/tagout.

(a) If an energy isolating device is not capable of being locked out, the employer's energy control program shall utilize a tagout system.

(b) If an energy isolating device is capable of being locked out, the employer's energy control program shall utilize lockout unless the employer can demonstrate that the utilization of a tagout system will provide full employee protection as set forth in subsection (3) of this section.

(c) After the effective date of this section, whenever major replacement, repair, renovation, relocation, or

modification of machines or equipment is performed, and whenever new machines or equipment are installed, energy isolating devices for such machines or equipment shall be designed to accept a lockout device.

(3) Full employee protection.

(a) When a tagout device is used on an energy isolating device which is capable of being locked out, the tagout device shall be attached at the same location that the lockout device would have been attached, and the employer shall demonstrate that the tagout program will provide a level of safety equivalent to that obtained by using a lockout program.

(b) In demonstrating that a level of safety is achieved in the tagout program which is equivalent to the level of safety obtained by using a lockout program, the employer shall demonstrate full compliance with all tagout-related provisions of this standard together with such additional elements as are necessary to provide the equivalent safety available from the use of a lockout device. Additional means to be considered as part of the demonstration of full employee protection shall include the implementation of additional safety measures such as the removal of an isolating circuit element, blocking of a controlling switch, opening of an extra disconnecting device, or the removal of a valve handle to reduce the likelihood of inadvertent energization.

**AMENDATORY SECTION** (Amending Order 90-14, filed 10/1/90, effective 11/15/90)

**WAC 296-24-11007 ENERGY CONTROL PROCEDURE.** (1) Procedures shall be developed, documented, and utilized for the control of potentially hazardous energy when employees are engaged in the activities covered by this section. Exception: The employer need not document the required procedure for a particular machine or equipment when all of the following elements exist:

(a) The machine or equipment has no potential for stored or residual energy or reaccumulation of stored energy after shut down which could endanger employees;

(b) The machine or equipment has a single energy source which can be readily identified and isolated;

(c) The isolation and locking out of that energy source will completely deenergize and deactivate the machine or equipment;

(d) The machine or equipment is isolated from that energy source and locked out during servicing or maintenance;

(e) A single lockout device will achieve a locked-out condition;

(f) The lockout device is under the exclusive control of the authorized employee performing the servicing or maintenance;

(g) The servicing or maintenance does not create hazards for other employees;

(h) The employer, in utilizing this exception, has had no accidents involving the unexpected activation or reenergization of the machine or equipment during servicing or maintenance.

(2) The ~~((written))~~ procedures shall clearly and specifically outline the scope, purpose, authorization, rules,

and techniques to be utilized for the control of hazardous energy, and the means to enforce compliance including, but not limited to, the following:

(a) A specific statement of the intended use of the procedure;

(b) Specific procedural steps for shutting down, isolating, blocking, and securing machines or equipment to control hazardous energy;

(c) Specific procedural steps for the placement, removal, and transfer of lockout devices or tagout devices and the responsibility for them; and

(d) Specific requirements for testing a machine or equipment to determine and verify the effectiveness of lockout devices, tagout devices, and other energy control measures.

**AMENDATORY SECTION** (Amending Order 90-14, filed 10/1/90, effective 11/15/90)

**WAC 296-24-11009 PROTECTIVE MATERIALS AND HARDWARE.** (1) Locks, tags, chains, wedges, key blocks, adapter pins, self-locking fasteners, or other hardware shall be provided by the employer for isolating, securing, or blocking of machines or equipment from energy sources.

(2) Lockout devices and tagout devices shall be singularly identified; shall be the only device(s) used for controlling energy; shall not be used for other purposes; and shall meet the following requirements:

(a) Durable.

(i) Lockout devices and tagout devices, including the attachment means, shall be capable of withstanding the environment to which they are exposed for the maximum period of time that exposure is expected.

(ii) Tagout devices shall be constructed and printed so that exposure to weather conditions or wet and damp locations will not cause the message on the tag to become illegible.

(iii) Tags shall not deteriorate when used in corrosive environments such as areas where acid and alkali chemicals are handled and stored.

(b) Standardized.

(i) Lockout and tagout devices shall be standardized within the facility in at least one of the following criteria: Color; shape; or size; and additionally, in the case of tagout devices, print and format shall be standardized.

~~((i))~~ (ii) Employers should be guided by WAC 296-24-140, Specifications for accident prevention signs and tags, when designing/selecting the content and format of tagout devices.

(c) Substantial.

(i) Lockout devices. Lockout devices shall be substantial enough to prevent removal without the use of excessive force or unusual techniques, such as with the use of bolt cutters or other metal cutting tools.

(ii) Tagout devices. Tagout devices, including their means of attachment, shall be substantial enough to prevent inadvertent or accidental removal. Tagout device attachment means shall be of a nonreusable type, attachable by hand, self-locking, and nonreleasable with a minimum unlocking strength of no less than 50 pounds and having the general design and basic characteristics

of being at least equivalent to a one-piece, all-environment-tolerant nylon cable tie.

(d) Identifiable. Lockout devices and tagout devices shall indicate the identity of the employee applying the device(s).

(3) Tagout devices shall warn against hazardous conditions if the machine or equipment is energized and shall include a legend such as the following: Do not start, do not open, do not close, do not energize, do not operate.

**AMENDATORY SECTION** (Amending Order 90-14, filed 10/1/90, effective 11/15/90)

**WAC 296-24-11011 PERIODIC INSPECTION.**

(1) The employer shall conduct a periodic inspection of the energy control procedure(s) at least annually to ensure that the procedure and the requirements of this standard are being followed.

(a) The periodic inspection shall be performed by an authorized employee other than the one(s) utilizing the energy control procedure being inspected.

(b) The periodic inspection shall be ~~((designed))~~ conducted to correct any deviations or inadequacies ~~((observed))~~ identified.

(c) Where lockout is used for energy control, the periodic inspection shall include a review, between the inspector and each authorized employee, of that employee's responsibilities under the energy control procedure being inspected.

(d) Where tagout is used for energy control, the periodic inspection shall include a review, between the inspector and each authorized and affected employee, of that employee's responsibilities under the energy control procedure being inspected, and the elements set forth in WAC 296-24-11013.

(2) The employer shall certify that the periodic inspections have been performed. The certification shall identify the machine or equipment on which the energy control procedure was being utilized, the date of the inspection, the employees included in the inspection, and the person performing the inspection.

**AMENDATORY SECTION** (Amending Order 90-14, filed 10/1/90, effective 11/15/90)

**WAC 296-24-11013 TRAINING AND COMMUNICATION.** (1) The employer shall provide training to ensure that the purpose and function of the energy control program are understood by employees and that the knowledge and skills required for the safe application, usage, and removal of the energy control~~(s)~~ devices are ~~((required))~~ acquired by employees. The training shall include the following:

(a) Each authorized employee shall receive training in the recognition of applicable hazardous energy sources, the type and magnitude of the energy available in the workplace, and the methods and means necessary for energy isolation and control.

(b) Each affected employee shall be instructed in the purpose and use of the energy control procedure.

(c) All other employees whose work operations are or may be in an area where energy control procedures may

be utilized, shall be instructed about the procedure, and about the prohibition relating to attempts to restart or reenergize machines or equipment which are locked out or tagged out.

(2) When tagout systems are used, employees shall also be trained in the following limitations of tags:

(a) Tags are essentially warning devices affixed to energy isolating devices, and do not provide the physical restraint on those devices that is provided by a lock.

(b) When a tag is attached to an energy isolating means, it is not to be removed without authorization of the authorized person responsible for it, and it is never to be bypassed, ignored, or otherwise defeated.

(c) Tags must be legible and understandable by all authorized employees, affected employees, and all other employees whose work operations are or may be in the area, in order to be effective.

(d) Tags and their means of attachment must be made of materials which will withstand the environmental conditions encountered in the workplace.

(e) Tags may evoke a false sense of security, and their meaning needs to be understood as part of the overall energy control program.

(f) Tags must be securely attached to energy isolating devices so that they cannot be inadvertently or accidentally detached during use.

(3) Employee retraining.

(a) Retraining shall be provided for all authorized and affected employees whenever there is a change in their job assignments, a change in machines, equipment or processes that present a new hazard, or when there is a change in the energy control procedures.

(b) Additional retraining shall also be conducted whenever a periodic inspection reveals, or whenever the employer has reason to believe, that there are deviations from or inadequacies in the employee's knowledge or use of the energy control procedures.

(c) The retraining shall reestablish employee proficiency and introduce new or revised control methods and procedures, as necessary.

(4) The employer shall certify that employee training has been accomplished and is being kept up to date. The certification shall contain each employee's name and dates of training.

**AMENDATORY SECTION** (Amending Order 90-14, filed 10/1/90, effective 11/15/90)

**WAC 296-24-11015 SPECIFIC PROCEDURES.**

(1) Energy isolation. Implementation of lockout or the tagout system shall be performed only by authorized/designated employees.

(2) Notification of employees. Affected employees shall be notified by the authorized employer representative of the application and removal of lockout devices or tagout devices. Notification shall be given before the controls are applied, and after they are removed from the machine or equipment.

(3) Application of control. The established procedures for the application of energy control ~~((implementation of))~~ the lockout or tagout ~~((system))~~ procedures shall cover the following elements and actions and shall be done in the following sequence:

(a) Preparation for shutdown. Before an authorized or affected employee turns off a machine or equipment, the authorized employee shall have knowledge of the type and magnitude of the energy, the hazards of the energy to be controlled, and the method or means to control the energy.

(b) Machine or equipment shutdown. The machine or equipment shall be turned off or shut down using the procedures ~~((required by this standard))~~ established for the machine or equipment. An orderly shutdown must be utilized to avoid any additional or increased hazard(s) to employees as a result of equipment ~~((deenergization))~~ stoppage.

(c) Machine or equipment isolation. All energy isolating devices that are needed to control the energy to the machine or equipment shall be physically located and operated in such a manner as to isolate the machine or equipment from the energy source(s).

(4) Lockout or tagout device application.

(a) Lockout or tagout devices shall be affixed to each energy isolating device by authorized employees.

(b) Lockout devices, where used, shall be affixed in a manner to that will hold the energy isolating devices in a "safe" or "off" position.

(c) An information tag shall be attached to each lockout point. This tag shall comply with all minimum requirements for tagout devices, see WAC 296-24-11009.

(d) Tagout devices, where used, shall be affixed in such a manner as will clearly indicate that the operation or movement of energy isolating devices from the "safe" or "off" position is prohibited.

(i) Where tagout devices are used with energy isolating devices designed with the capability of being locked ~~((but where padlocking is infeasible))~~, the tag attachment shall be fastened at the same point at which the lock would have been attached. Note: See WAC 296-24-11005.

(ii) Where a tag cannot be affixed directly to the energy isolating device, the tag shall be located as close as safely possible to the device, in a position that will be immediately obvious to anyone attempting to operate the device.

(5) Stored energy.

(a) Following the application of lockout or tagout devices to energy isolating devices, all potentially hazardous stored or residual energy shall be relieved, disconnected, restrained, blocked, and otherwise rendered safe.

(b) If there is a possibility of reaccumulation of stored energy to a hazardous level, verification of isolation shall be continued until the servicing or maintenance is completed, or until the possibility of such accumulation no longer exists.

(6) Verification of isolation. Prior to starting work on machines or equipment that have been locked out or tagged out, the authorized employee shall verify that isolation and deenergization of the machine or equipment have been accomplished.

(7) Release from lockout or tagout. Before lockout or tagout devices are removed and energy is restored to the

machine or equipment, procedures shall be followed and actions taken by the authorized employee(s) to ensure the following:

(a) The machine or equipment. The work area shall be inspected to ensure that nonessential items have been removed and to ensure that machine or equipment components and guards are operationally intact.

(b) Employees.

(i) The authorized employee representative shall ensure that the work area is checked to assure that all employees are safely positioned or removed.

(ii) ~~((Before))~~ After lockout or tagout devices ~~((are))~~ have been removed and before a machine(s) or equipment ((are)) is started or energized, affected employees shall be notified that the lockout or tagout device ~~((s have))~~ has been removed.

(c) Lockout or tagout devices removal. Each lockout or tagout device shall be removed from each energy isolating device by the employee who applied the device. Exception: When the authorized employee who applied the lockout or tagout device is not available to remove it, that device may be removed under the direction of the employer, provided that specific procedures and training for such removal have been developed, documented, and incorporated into the employer's energy control program. The employer shall demonstrate that the specific procedure provides equivalent safety to the removal of the device by the authorized employee who applied it. The specific procedure shall include at least the following elements:

(i) Verification by the employer that the authorized employee who applied the device is not at the facility;

(ii) Making all reasonable efforts to contact the authorized employee to inform him/her that his/her lockout or tagout device has been removed; and

(iii) Ensuring that the authorized employee has this knowledge before he/she resumes work at that facility.

**AMENDATORY SECTION** (Amending Order 90-14, filed 10/1/90, effective 11/15/90)

**WAC 296-24-11017 ADDITIONAL REQUIREMENTS.** (1) Testing or positioning of machines, equipment, or components thereof.

In situations in which lockout or tagout devices must be temporarily removed from the energy isolating device and the machine or equipment energized to test or position the machine, equipment or component thereof, the following sequence of actions shall be followed:

(a) Clear the machine or equipment of tools and materials in accordance with WAC 296-24-11015;

(b) Remove employees from the machine or equipment area in accordance with WAC 296-24-11015;

(c) Remove the lockout or tagout devices as specified in ~~((WAC 296-24-11017))~~ this section;

(d) Energize and proceed with testing or positioning;

(e) Deenergize all systems and reapply energy control measures in accordance with this Part A-4 to continue the servicing and/or maintenance.

(2) Outside personnel (contractors, etc.).

(a) Whenever outside servicing personnel are to be engaged in activities covered by the scope and application of this standard, the on-site employer and the outside employer shall inform each other of their respective lockout or tagout procedures.

(b) The outside employer shall assure that all outside personnel shall comply with all requirements of the on-site employer's lockout/tagout control program.

(c) Deviations from the on-site employer's control program are not permissible without specific prior approval.

(3) Group lockout or tagout.

(a) When servicing and/or maintenance is performed by a crew, craft, department or other group, they shall utilize a procedure which affords the employees a level of protection equivalent to that provided by the implementation of a personal lockout or tagout device.

(b) Group lockout or tagout devices shall be used in accordance with the procedures required by this section including, but not necessarily limited to, the following specific requirements:

(i) Primary responsibility is vested in an authorized employee for all employees working under the protection of a group lockout or tagout device (such as an operations lock); and

(ii) Provision for the authorized employee to ascertain the exposure status of individual group members with regard to the lockout or tagout of the machine or equipment; and

(iii) When more than one crew, craft, department, etc., is involved, job-associated lockout or tagout control responsibility shall be assigned to an authorized employee designated to coordinate affected work forces and ensure continuity of protection; and

(iv) Each authorized employee shall affix a personal lockout or tagout device to the group lockout device, group lockbox, or comparable mechanism when he or she begins work, and shall remove those devices when he or she stops working on the machine or equipment being serviced or maintained.

(4) Shift or personnel changes. Specific procedures shall be utilized during shift or personnel changes to ensure the continuity of lockout or tagout protection, including provision for the orderly transfer of lockout or tagout device(s) protection between off-going and oncoming employees, to minimize exposure to hazards from the unexpected energization(;) or start-up of the machine or equipment, or release of stored energy.

**AMENDATORY SECTION** (Amending Order 90-14, filed 10/1/90, effective 11/15/90)

WAC 296-24-119 APPENDICES.

APPENDIX A

Appendix A is a nonmandatory appendix intended as an illustrative example to assist employers in setting up the company's individual minimum deactivating and control program. Nothing in this appendix is intended to either add or detract from any requirements of this Part A-4.

(1) General.

~~(a) ((Lockout is the preferred method of isolating machines or equipment from energy sources. To assist employers in developing a procedure which meets the requirements of the standard, however, the following simple procedure is provided for use in both lockout or tagout programs. This procedure may be used when there are limited number or types of machines or equipment or there is a single power source. For more complex systems, a more comprehensive procedure will need to be developed, documented, and utilized.~~

Lockout (or Tagout) Procedure for (Name of Company):) The following simple lockout procedure is provided to assist employers in developing their procedures so they meet the requirements of this standard. When the energy isolating devices are not lockable, tagout may be used, provided the employer complies with the provisions of the standard which require additional training and more rigorous periodic inspections. When tagout is used and the energy isolating devices are lockable, the employer must provide full employee protection (see WAC 296-24-11005(3)) and additional training and more rigorous periodic inspections are required. For more complex systems, more comprehensive procedures may need to be developed, documented and utilized.

Lockout Procedure

Lockout procedure for

(Name of Company for single procedure or identification of equipment if multiple procedures are used.)

(2) Purpose.

(a) This procedure establishes the minimum requirements for the lockout ((or tagout of energy isolating devices. It shall be used to ensure that the machine or equipment are isolated from all potentially hazardous energy, and locked out or tagged out before employees perform any servicing or maintenance activities where the unexpected energization, start-up or release of stored energy could cause injury (Type(s) and Magnitude(s) of Energy and Hazards)) of energy isolating devices whenever maintenance or servicing is done on machines or equipment. It shall be used to ensure that the machine or equipment is stopped, isolated from all potentially hazardous energy sources and locked out before employees perform any servicing or maintenance where the unexpected energization or start-up of the machine or equipment or release of stored energy could cause injury.

(3) ((Responsibility)) Compliance with this program.

(a) ((Appropriate employees shall be instructed in the safety significance of the lockout (or tagout) procedure (Name(s)/Job Title(s) of employees authorized to lockout or tagout). Each new or transferred affected employee and other employees whose work operations are or may be in the area shall be instructed in the purpose and use of the lockout or tagout procedure (Name(s)/Job Title(s) of affected employees and how to notify:)) All employees are required to comply with the restrictions and limitations imposed upon them during the use of lockout. The authorized employees are required to perform the lockout in accordance with this procedure. All employees, upon observing a machine or piece of equipment which is locked out to perform servicing or



maintenance shall not attempt to start, energize or use that machine or equipment.

(b) Type of compliance enforcement to be taken for violation of the above.

(4) ((Preparation for Lockout or Tagout)) Sequence of lockout.

(a) ((Make a survey to locate and identify all isolating devices to be certain which switch(s), valve(s) or other energy isolating devices apply to the equipment to be locked or tagged out. More than one energy source (electrical, mechanical, or others) may be involved. (Type(s) and Location(s) of energy isolating means.)) Notify all affected employees that servicing or maintenance is required on a machine or equipment and that the machine or equipment must be shut down and locked out to perform the servicing or maintenance.

Name(s)/job title(s) of affected employees and how to notify.

(b) The authorized employee shall refer to the company procedure to identify the type and magnitude of the energy that the machine or equipment utilizes, shall understand the hazards of the energy, and shall know the methods to control the energy.

Type(s) and magnitude(s) of energy, its hazards and the methods to control the energy.

(c) If the machine or equipment is operating, shut it down by the normal stopping procedure (depress stop button, open switch, close valve, etc.).

Type(s) and location(s) of machine or equipment operating controls.

(d) Deactivate the energy isolating device(s) so that the machine or equipment is isolated from the energy source(s).

Type(s) and location(s) of energy isolating devices.

(e) Lock out the energy isolating device(s) with assigned individual lock(s).

(f) Stored or residual energy (such as that in capacitors, springs, elevated machine members, rotating flywheels, hydraulic systems, and air, gas, steam, or water pressure, etc.) must be dissipated or restrained by methods such as grounding, repositioning, blocking, bleeding down, etc.

Type(s) of stored energy - methods to dissipate or restrain.

(g) Ensure that the equipment is disconnected from the energy source(s) by first checking that no personnel are exposed, then verify the isolation of the equipment by operating the push button or other normal operating control(s) or by testing to make certain the equipment will not operate.

CAUTION: Return operating control(s) to neutral or "off" position after verifying the isolation of the equipment.

Method of verifying the isolation of the equipment.

(h) The machine or equipment is now locked out.

(5) ((Sequence of Lockout or Tagout System Procedure:

(a) Notify all affected employees that a lockout or tagout system is going to be utilized and the reason therefor. The authorized employee shall know the type and magnitude of energy that the machine or equipment utilizes and shall understand the hazards thereof.

(b) If the machine or equipment is operating, shut it down by the normal stopping procedure (depress stop button, open toggle switch, etc.)

(c) Operate the switch, valve, or other energy isolating device(s) so that the equipment is isolated from its energy source(s). Stored energy (such as that in springs, elevated machine members, rotating flywheels, hydraulic systems, and air, gas, steam, or water pressure, etc.) must be dissipated or restrained by methods such as repositioning, blocking, bleeding down, etc. (Type(s) of Stored Energy=methods to dissipate or restrain).

(d) Lockout and/or tagout the energy isolating devices with assigned individual lock(s) or tag(s) (Method(s) Selected; i.e., locks tags, additional safety measures, etc.)

(e) After ensuring that no personnel are exposed, and as a check on having disconnected the energy sources, operate the push button or other normal operating controls to make certain the equipment will not operate (Type(s) of Equipment checked to ensure disconnections):

CAUTION: Return operating control(s) to "neutral" or "off" position after the test.

(f) The equipment is now locked out or tagged out.

(6) Restoring Machines or Equipment to Normal Production Operations:

(a) After the servicing and/or maintenance is complete and equipment is ready for normal production operations, check the area around the machines or equipment to ensure that no one is exposed.

(b) After all tools have been removed from the machine or equipment, guards have been reinstalled and employees are in the clear, remove all lockout or tagout devices. Operate the energy isolating devices to restore energy to the machine or equipment.

(7) Procedure Involving More Than One Person:

(a) In the preceding steps, if more than one individual is required to lockout or tagout equipment, each shall place his/her own personal lockout device or tagout device on the energy isolating device(s). When an energy isolating device cannot accept multiple locks or tags, a multiple lockout or tagout device (hasp) may be used. If lockout is used, a single lock may be used to lockout box or cabinet which allows the use of multiple locks to secure it. Each employee will then use his/her own lock to secure the box or cabinet. As each person no longer needs to maintain his or her lockout protection, that person will remove his/her lock from the box or cabinet (Name(s)/Job Title(s) of employees authorized for group lockout or tagout):

(8) Basic Rules for Using Lockout or Tagout System Procedure:

(a) All equipment shall be locked out or tagged out to protect against accidental or inadvertent operation when such operation could cause injury to personnel. Do not attempt to operate any switch, valve, or other energy isolating device when it is locked or tagged out.

LOCKOUT (OR TAGOUT) PROCEDURE

Entry No. (Description)

1. Name of Company

2. Type(s) and Magnitude(s) of energy and hazards

~~3. Name(s)/Job Title(s) of employees authorized to lockout or tagout~~

~~4. Name(s)/Job Title(s) of affected employees and how to notify~~

~~5. Type(s) and Location of energy isolating means~~

~~6. Type(s) of Stored Energy method to dissipate or restrain~~

~~7. Method(s) Selected i.e., locks, tags, additional safety measures, etc.~~

~~8. Type(s) of Equipment checked to ensure disconnections~~

~~9. Name(s)/Job Title(s) of employees authorized for group lockout or tagout)) Restoring equipment to service.~~

(a) When the servicing or maintenance is completed and the machine or equipment is ready to return to normal operating condition, the following steps shall be taken.

(b) Check the machine or equipment and the immediate area around the machine or equipment to ensure that nonessential items have been removed and that the machine or equipment components are operationally intact.

(c) Check the work area to ensure that all employees have been safely positioned or removed from the area.

(d) Verify that the controls are in neutral.

(e) Remove the lockout devices and reenergize the machine or equipment.

Note: The removal of some forms of blocking may require reenergization of the machine before safe removal.

(f) Notify affected employees that the servicing or maintenance is completed and the machine or equipment is ready for use.

APPENDIX B

RUNNING ADJUSTMENT PROCEDURES - NONMANDATORY APPENDIX

(1) Running Adjustment Procedures are intended to be limited to applications which require energizing the equipment in order to complete a task which cannot be accomplished while the equipment is locked out. Typical examples could include:

(a) A machine which must be in motion to make final adjustments of moving elements;

(b) A machine which must be in motion to remove production materials;

(c) A machine which must be in motion to "thread on" new carrier ropes, belts or clothing elements;

(d) An electrical circuit which must be energized to test for continuity;

(e) A pipeline system which must be filled for testing or inspection purposes.

(2) When standard lockout procedures cannot be used to accomplish the necessary task, the following procedures shall be used to minimize the possibility of personnel exposure:

(a) The operating control(s) shall only be operated by a qualified operator/craftsman;

(b) The qualified operator/craftsman shall attend the control(s) at all times when the controls are not locked out;

(c) The equipment shall be operated at the slowest speed possible consistent with the task to be performed;

(d) All personnel shall remain in view of the person operating the controls or other means of communication shall be established;

(e) Extension tools which minimize personnel exposure shall be used where possible;

(f) All personnel shall be thoroughly trained in the exact procedure to be followed;

(g) All personnel shall be positioned beyond the reach of other machine elements or sections which are not locked out and may offer the potential for exposure. In any instance where a necessary work position offers exposure to other sections or elements of the machine, such other sections shall be locked out before exposure occurs;

(h) Anytime that communications are lost between the operator and work crews or anytime that established and authorized procedures cannot be followed, all work offering potential exposure shall be stopped until agreement is reached on exactly how to proceed.

APPENDIX C

GROUP LOCKOUT PROCEDURES

(aka. ganglock or lockbox procedures)

NONMANDATORY APPENDIX

(1) Application.

(a) Lockbox procedures are intended and must be designed to provide positive isolation at any identified worksite without the necessity for every workman to apply personal lockout devices on every control device which could otherwise influence his/her individual worksite(s). Lockbox procedures are most useful in applications such as (but not limited to) the following:

(i) Multiple crews/crafts or multiple employers working on same job/machine/system;

(ii) Complex machines/systems with multiple controls, particularly when control locations are broadly spaced out or remote from the actual worksite(s).

(b) The following appendix text is purposely detailed because it has been conclusively established that all items listed need to be addressed in the employer's lockbox control program if the procedure is going to be successful in achieving assured isolation for all potentially influenced personnel.

(2) Program requirements.

(a) The employer's detailed lockbox procedure must be formally produced, employees and supervisors trained and adequate equipment provided prior to permitting any personnel to work under any form of an alternative lockout procedure.

(b) Overall procedural authority and responsibility must be vested in a designated and specifically qualified area supervisor or job lockout coordinator for each shutdown conducted under lockbox procedures.

(c) Each lockbox shutdown shall be conducted with a shutdown checklist. Every control necessary to assure isolation at all permissible worksites must be listed on the checklist. Where numerical identification system is used, controls shall be listed by both identification system and common language name.

(i) The responsible area supervisor, with assistance as necessary, must review the job shutdown checklist to assure that it is accurate and complete before each shutdown.

(ii) Each item on the job lockout checklist shall have boxes or space for the lockout crew to sign off when individual items are deactivated, locked out and tested.

(d) The minimum permissible lockout crew shall be not less than (2) two fully qualified employees.

(i) The job supervisor/designated lockout coordinator must participate as one member of the lockout crew which deactivates, secures and tests each control on the checklist. He/she must at least observe the test sequence on each control.

(ii) Additional qualified employees may be added to the lockout crew as job demands or special circumstances dictate.

(e) When the shutdown job will include work performed by personnel who are not within the owner's full-time employee group (typically service reps, contract mechanics, laborers or engineers), the lockout crew:

(i) Must be supplemented by a specifically designated and qualified supervisor or leadman from each outside employer; or

(ii) The designated control authority (item (2)(b)) must explain the delineated boundaries of the secured equipment to each person before that person can sign in, lock the control box and enter the job.

(f) All lockbox shutdown jobs must be conducted with an everyman control requirement. Each person entering the job must sign the sign-in sheet and apply a personal lockout device on the lockbox before he/she enters the job. Each person must also sign back out and remove their own lockout device when they leave the job for the last time each day.

(i) The designated control authority may leave his/her lock on the lockbox until the job is completed if desired.

(g) Lockbox.

(i) The job lockbox must be constructed so that the lockout keys are visible within the box but cannot be removed without opening the lockbox cover.

(ii) The lockbox cover must be constructed so that any single lock installed on the cover will prevent the keys inside from being removed.

(3) Procedure Sequence.

(a) The sign-in/sign-out sheet(s) shall remain in the possession of the job supervisor/lockout coordinator until the deactivating is complete, the controls locked out and the control keys are securely locked up inside the lockbox.

(b) The lockout crew shall deactivate, lockout and test each control on the job shutdown checklist in full compliance with the standard lockout procedures of this section.

(c) The lockout crew shall individually sign off for each item on the checklist when each item is locked and again when each item has passed the required test sequence to assure that deactivation is complete.

(d) Each listed control shall be locked in the deactivated position by a minimum of two members of the

lockout crew except that when the lockout crew is required by this section to be supplemented by a foreman for each outside contractor, each contractor foreman shall also apply an additional lock on each control.

(e) Each person on the lockout crew shall use differently keyed padlocks not combination locks, to implement the lockbox procedures. Series locks may be used provided that no key is available which will open more than one lock on any given control.

(f) Padlocks used shall be individually identified or an information tag identifying the user, shall be attached to the lock.

(g) When all items on the job lockout checklist are deactivated, locked out, tested and signed off, all keys which will open any control padlock used shall be placed inside the job lockbox.

(4) The job supervisor shall then effect the following procedures in the sequence specified:

(a) Review the checklist to ascertain that lockout is complete;

(b) Assure that all keys for the control locks are placed in the lockbox;

(c) Apply a personal identified padlock on the lockbox in a manner to secure all control keys inside;

(d) Sign the checklist approving that the lockout is complete;

(e) Sign and release the sign-in/sign-out sheets to approve personnel entry;

(f) The sign-in/sign-out sheet(s) shall be kept with the job shutdown checkoff list(s) until the job is completed, all personnel have signed out and the equipment/system is authorized for restarting. The checklist and sign-in sheets shall then be returned to the area supervisors office and retained as a record for not less than two (2) years.

(5) Workcrew personnel may only enter the job in accordance with the following procedures:

(a) Each person must apply a personally identified padlock on the lockbox in such a manner that the control keys inside are not removable until your lock is removed;

(b) Review the checklist to assure that the controls influencing your intended work position are locked out and tested;

(c) Individually sign in on the job sign-in sheet;

(d) Work crew personnel must each remove their individual padlocks and personally sign back out when they leave the job.

(6) On locked out jobs which will continue into succeeding shifts, the lockout crew and job supervisor/coordinator shall be relieved in accordance with the following:

(a) When individually keyed and personally identified locks are used on individual machine/system controls, every person on the sign-in sheet must clear the job, sign-out and remove their individual locks off the lockbox. Nobody shall be permitted to re-enter the job until the on-coming lockout crew has locked out all controls in accordance with all requirements of this section, then has provided a new completed checklist and sign-in sheet. Personnel may then lock the new control keys in the lockbox, sign-in and resume work.

(b) When series locks with information tags are used in lieu of personally identified locks on individual machine/system controls, the relief lockout crew and job supervisor/coordinator may relieve their individual counterpart person at the lockbox in accordance with the following procedure:

(i) Sign-in on the existing job checklist including the date and time;

(ii) Install a personally identified lock on the lockbox;

(iii) Each off-going individual shall then line out their name on the checklist, initial the change and record the time. He/she then stands relieved and may remove the time. He/she then stands relieved and may remove their personal lock from the lockbox.

CRITERIA: The lockbox must be locked at all times securing all keys for individual controls.

(iv) When the requirements of this item (6)(b) have been complied with, the locks and information tags on the individual machine/system controls shall not be required to be changed or amended. Retesting individual controls shall not be required and is not recommended.

(c) The on-coming job supervisor shall sign both the checklist(s) and personnel sign-in sheet(s) indicating the date and time when supervision authority changed.

(7) When all personal padlocks have been removed from the lockbox and all personnel have signed back out, the job supervisor must sign the checklist(s) and sign-in sheet(s) to authorize reactivating the equipment/system. The supervisors signature shall include the date and time when authorization was granted.

**AMENDATORY SECTION** (Amending Order 74-27, filed 5/7/74)

WAC 296-24-12002 DEFINITIONS. The following definitions are applicable to all sections of this chapter which include WAC 296-24-120 in the section number.

(1) "Lavatory" means a basin or similar vessel used exclusively for washing of the hands, arms, face and head.

(2) "Nonwater carriage toilet facility" means a toilet facility not connected to a sewer.

(3) "Number of employees" means, unless otherwise specified, the maximum number of employees present at any one time on a regular shift.

(4) "Personal service room" means a room used for activities not directly connected with the production or service function performed by the establishment. Such activities include but are not limited to, first aid, medical services, dressing, showering, toilet use, washing, and eating.

(5) "Potable water" means water which meets the quality standards (~~prescribed in the U.S. Public Health Service Drinking Water Standards, published in 42 CFR part 72, or water which is approved for drinking purposes by the state or local authority having jurisdiction~~) for drinking purposes of state or local authority having jurisdiction or water that meets the quality standards prescribed by the United States Environmental Protection Agency's National Interim Primary Drinking Water Regulations, published in 40 CFR Part 141, and 40 CFR 147.2400.

(6) "Toilet facility" means a fixture maintained within a toilet room for the purpose of defecation or urination, or both.

(7) "Toilet room" means a room maintained within or on the premises of any place of employment, containing toilet facilities for use by employees.

(8) "Toxic material" means a material in concentration or amount which exceeds the applicable limit established by a standard, such as chapter 296-62 WAC or, in the absence of an applicable standard, which is of such toxicity so as to constitute a recognized hazard that is causing or is likely to cause death or serious physical harm.

(9) "Urinal" means a toilet facility maintained within a toilet room for the sole purpose of urination.

(10) "Water closet" means a toilet facility maintained within a toilet room for the purpose of both defecation and urination and which is flushed with water.

(11) "Wet process" means any process or operation in a workroom which normally results in surfaces upon which employees may walk or stand becoming wet.

**AMENDATORY SECTION** (Amending Order 86-02, filed 1/17/86)

WAC 296-56-60073 MISCELLANEOUS AUXILIARY GEAR. (1) Routine inspection.

(a) At the completion of each use, loose gear such as slings, chains, bridles, blocks, and hooks shall be so placed as to avoid damage to the gear. Loose gear shall be inspected and any defects corrected before re-use.

(b) All loose gear shall be inspected by the employer or his authorized representative before each use and, when necessary, at intervals during its use, to ensure that it is safe. Any gear which is found upon inspection to be unsafe shall not be used until it is made safe.

(c) Defective gear shall not be used. Distorted hooks, shackles, or similar gear shall be discarded.

(d) Chains or other gear which have been lengthened, altered, or repaired by welding shall be properly heat treated, and before again being put into use, shall be tested and reexamined in the manner set forth in WAC 296-56-60097 and 296-56-60098.

(2) The employer shall maintain a record of the dates and results of the tests with each unit of gear concerned clearly identified. The records shall be available for examination by division of industrial safety and health personnel and the employee safety committee.

(3) Wire rope and wire rope slings.

(a) Four by twenty-nine (4 x 29) wire rope shall not be used in any running rigging.

(b) The employer shall ascertain and adhere to the manufacturer's recommended ratings for wire rope and wire rope slings and shall have such ratings available at the terminal. When the manufacturer is unable to supply such ratings, the employer shall use the tables for wire rope and wire rope slings found in American National Safety Standard for Slings, ANSI B30.9. A design safety factor of at least five shall be maintained for the common sizes of running wire used as falls, in purchases or in such uses as light load slings. Wire rope with a safety factor of less than five may be used only:

(i) In specialized equipment, such as cranes designed to be used with lesser wire rope safety factors;

(ii) In accordance with design factors in standing rigging applications; or

(iii) For heavy lifts or other purposes for which a safety factor of five is impractical and for which the employer can demonstrate that equivalent safety is ensured.

((b)) (c) Wire rope or wire rope slings exhibiting any of the following conditions shall not be used:

(i) Ten randomly distributed broken wires in one rope lay or three or more broken wires in one strand in one rope lay;

(ii) Kinking, crushing, bird caging, or other damage resulting in distortion of the wire rope structure;

(iii) Evidence of heat damage;

(iv) Excessive wear, corrosion, deformation or other defect in the wire or attachments, including cracks in attachments;

(v) Any indication of strand or wire slippage in end attachments; or

(vi) More than one broken wire in the close vicinity of a socket or swaged fitting.

((c)) (d) Protruding ends of strands in splices on slings and bridles shall be covered or blunted. Coverings shall be removable so that splices can be examined. Means used to cover blunt ends shall not damage the wire.

((d)) (e) Where wire rope clips are used to form eyes, the employer shall adhere to the manufacturer's recommendations, which shall be available at the terminal. If "U" bolt clips are used and the manufacturer's recommendations are not available, Table C-1 shall be used to determine the number and spacing of clips. "U" bolts shall be applied with the "U" section in contact with the dead end of the rope.

Improved Plow Steel, Rope Diameter  Inches/(cm)	Minimum Number of Clips		Minimum Spacing
	Drop Forged	Other Material	Inches/(cm)
1/2 or less (1.3)	3	4	3 (7.6)
5/8 (1.6)	3	4	3-3/4 (9.5)
3/4 (1.9)	4	5	4-1/2 (11.4)
7/8 (2.2)	4	5	5-1/4 (13.3)
1 (2.5)	5	7	6 (15.2)
1-1/8 (2.7)	6	7	6-3/4 (17.1)
1-1/4 (3.2)	6	8	7-1/2 (18.1)
1-3/8 (3.5)	7	8	8-1/4 (21.0)
1-1/2 (3.8)	7	9	9 (22.9)

((e)) (f) Wire rope shall not be secured by knots.

((f)) (g) Eyes in wire rope bridles, slings, bull wires, or in single parts used for hoisting shall not be formed by wire rope clips or knots.

((g)) (h) Eye splices in wire ropes shall have at least three tucks with a whole strand of the rope and two tucks with one-half of the wire cut from each strand. Other forms of splices or connections which are demonstrated to be equally safe may be used.

((h)) (i) Except for eye splices in the ends of wires and for endless rope slings, each wire rope used in hoisting or lowering, or in bulling cargo, shall consist of one continuous piece without knot or splice.

(4) Natural fiber rope.

(a) The employer shall ascertain the manufacturer's ratings for the specific natural fiber rope used and have such ratings available at the terminal. The manufacturer's ratings shall be adhered to and a minimum design safety factor of five maintained.

(b) Eye splices shall consist of at least three full tucks. Short splices shall consist of at least six full tucks, three on each side of the center line.

(5) Synthetic rope.

(a) The employer shall adhere to the manufacturer's ratings and use recommendations for the specific synthetic fiber rope used and shall have such ratings available at the terminal.

(b) Unless otherwise recommended by the manufacturer, when synthetic fiber ropes are substituted for manila ropes of less than three inches (7.62 cm) circumference, the substitute shall be of equal size. Where substituted for manila rope of three inches or more in circumference, the size of the synthetic rope shall be determined from the formula:

$$C = \sqrt{.6(C_s^2) + .4(C_m^2)}$$

Where C = the required circumference of the synthetic rope in inches, C<sub>s</sub> = the circumference to the nearest one-quarter inch of a synthetic rope having a breaking strength not less than that of the size manila rope that would be required by subsection (4) of this section, and C<sub>m</sub> = the circumference of manila rope in inches which would be required by subsection (4) of this section. In making such substitution, it shall be ascertained that the inherent characteristics of the synthetic fiber are suitable for hoisting.

(6) Removal of natural and synthetic rope from service. Natural or synthetic rope having any of the following defects shall be removed from service:

(a) Abnormal wear;

(b) Powdered fiber between strands;

(c) Sufficient cut or broken fibers to affect the capacity of the rope;

(d) Variations in the size or roundness of strands;

(e) Discolorations other than stains not associated with rope damage;

(f) Rotting; or

(g) Distortion or other damage to attached hardware.

(7) Thimbles. Properly fitting thimbles shall be used where any rope is secured permanently to a ring, shackle or attachment, where practical.

(8) Synthetic web slings.

(a) Slings and nets or other combinations of more than one piece of synthetic webbing assembled and used as a single unit (synthetic web slings) shall not be used to hoist loads in excess of the sling's rated capacity.

(b) Synthetic web slings shall be removed from service if they exhibit any of the following defects:

(i) Acid or caustic burns;

(ii) Melting or charring of any part of the sling surface;

- (iii) Snags, punctures, tears or cuts;
- (iv) Broken or worn stitches; or
- (v) Distortion or damage to fittings.

(c) Defective synthetic web slings removed from service shall not be returned to service unless repaired by a sling manufacturer or similar entity. Each repaired sling shall be proof tested by the repairer to twice the slings' rated capacity prior to its return to service. The employer shall retain a certificate of the proof test and make it available for examination.

(d) Synthetic web slings provided by the employer shall only be used in accordance with the manufacturer's recommendations, which shall be made available upon request.

(e) Fittings shall have a breaking strength at least equal to that of the sling to which they are attached and shall be free of sharp edges.

(9) Chains and chain slings used for hoisting.

(a) The employer shall adhere to the manufacturer's recommended ratings for safe working loads for the sizes of alloy steel chains and chain slings and shall have such ratings available. When the manufacturer is unable to provide such ratings, the employer shall use the tables for chains and chain slings found in American National Safety Standard for Slings, ANSI B30.9-1971.

(b) Proof coil steel chain, also known as common or hardware chain, and other chain not recommended by the manufacturer for slinging or hoisting shall not be used for slinging or hoisting.

(c)(i) Sling chains, including end fastenings, shall be inspected for visible defects before each day's use and as often as necessary during use to ensure integrity of the sling.

(ii) Thorough inspections of chains in use shall be made quarterly to detect wear, defective welds, deformation, increase in length or stretch. The month of inspection shall be indicated on each chain by color of paint on a link or by other effective means.

(iii) Chains shall be removed from service when maximum allowable wear, as indicated in Table C-2, is reached at any point of link.

(iv) Chain slings shall be removed from service when stretch has increased the length of a measured section by more than five percent; when a link is bent, twisted or otherwise damaged; or when a link has a raised scarf or defective weld.

(v) Only designated persons shall inspect chains used for slinging and hoisting.

CHAIN SIZE		MAXIMUM ALLOWABLE WEAR	
Inches	(cm)	Inches	(cm)
1/4 (9/32)	(0.6)	3/64	(0.1)
3/8	(1.0)	5/64	(0.2)
1/2	(1.3)	7/64	(0.3)
5/8	(1.6)	9/64	(0.4)
3/4	(1.9)	5/32	(0.4)
7/8	(2.2)	1-1/64	(0.4)
1	(2.5)	3/16	(0.5)
1-1/8	(2.9)	7/32	(0.6)
1-1/4	(3.2)	1/4	(0.6)
1-3/8	(3.5)	3/32	(0.7)
1-1/2	(3.8)	5/16	(0.8)
1-3/4	(4.4)	1-1/32	(0.9)

(d) Chains shall only be repaired under qualified supervision. Links or portions of chain defective under any of the criteria of WAC 296-56-60073 (9)(c) shall be replaced with properly dimensioned links or connections of material similar to that of the original chain. Before repaired chains are returned to service, they shall be tested to the proof test load recommended by the manufacturer for the original chain. Tests shall be performed by the manufacturer or shall be certified by an agency accredited for the purpose under WAC 296-56-60093. Test certificates shall be available at the terminal.

(e) Alloy chains shall not be annealed.

(f) Kinked or knotted chains shall not be used for lifting. Chains shall not be shortened by bolting, wiring or knotting. Makeshift links or fasteners such as wire, bolts or rods shall not be used.

(g) Hooks, rings, links and attachments affixed to sling chains shall have rated capacities at least equal to that of the chains to which they are attached.

(h) Chain slings shall bear identification of size, grade and rated capacity.

(10) Shackles.

(a) If available, the manufacturer's recommended safe working loads for shackles shall not be exceeded. In the absence of manufacturer's recommendations, Table C-3 shall apply.

(b) Screw pin shackles used aloft in house fall or other gear, except in cargo hook assemblies, shall have their pins moused or otherwise effectively secured.

MATERIAL SIZE		PIN DIAMETER		SAFE WORKING LOAD IN 2,000 LB TONS
Inches	(cm)	Inches	(cm)	
1/4	(1.3)	5/8	(1.6)	1.4
5/8	(1.6)	3/4	(1.9)	2.2
3/4	(1.9)	7/8	(2.2)	3.2
7/8	(2.2)	1	(2.5)	4.3
1	(2.5)	1-1/8	(2.9)	5.6
1-1/8	(2.9)	1-1/4	(3.2)	6.7
1-1/4	(3.2)	1-3/8	(3.5)	8.2
1-3/8	(3.5)	1-1/2	(3.8)	10.0
1-1/2	(3.8)	1-5/8	(4.1)	11.9
1-3/4	(4.4)	2	(5.0)	16.2
2	(5.0)	2-1/4	(5.7)	21.2

(c) Tables G-2 through G-5 shall be used to determine the safe working loads of various sizes and classifications of improved flow steel wire rope slings with various types of terminals. For sizes, classifications and grades not included in these tables the safe working load recommended by the manufacturer for specific, identifiable products shall be followed, however, a safety factor of not less than five shall be maintained.

**TABLE G-1  
MANILA ROPE**  
(In pounds or tons of 2,000 pounds)

Circumferences	Diameter in inches	Single Leg			
		60 Degrees	45 Degrees	30 Degrees	
		Lbs.	Lbs.	Lbs.	Lbs.
3/4	1/4	120	204	170	120
1	5/16	200	346	282	200
1-1/8	3/8	270	467	380	270
1-1/4	7/16	350	605	493	350
1-3/8	15/32	450	775	635	450
1-1/2	1/2	530	915	798	530
1-3/4	9/16	690	1190	973	690
2	5/8	880	1520	1240	880
2-1/4	3/4	1080	1870	1520	1080
2-1/2	13/16	1300	2250	1830	1300
2-3/4	7/8	1540	2660	2170	1540
3	1	1800	3120	2540	1800
		Tons	Tons	Tons	Tons
3-1/4	1-1/16	2.0	1.7	1.4	1.0
3-1/2	1-1/8	1.3	2.1	1.7	1.2
3-3/4	1-1/4	1.35	2.3	1.9	1.35
4	1-3/16	1.5	2.6	2.1	1.5
4-1/2	1-1/2	1.8	3.1	2.5	1.8
5	1-5/8	2.25	3.9	3.2	2.25
5-1/2	1-3/4	2.4	4.5	3.7	2.4
6	2	3.1	5.4	4.4	3.1
6-1/2	2-1/8	3.6	6.2	5.1	3.6

In making such a substitution it should be ascertained that the inherent characteristics of the synthetic fiber are suitable for the intended service of the rope.

**TABLE G-2 RATED CAPACITIES FOR IMPROVED FLOW STEEL, INDEPENDENT WIRE ROPE CORE, WIRE ROPE AND WIRE SLINGS**  
(In Tons of 2,000 Pounds)

Rope Diameter inches	Single Leg					
	Vertical			Choker		
	A	B	C	A	B	C
<b>6 x 19 Classification</b>						
1/4"	.59	.54	.53	.44	.42	.40
3/8"	1.3	1.2	1.1	.98	.93	.86
1/2"	2.3	2.2	2.0	1.7	1.6	1.5
5/8"	3.6	3.4	3.0	2.7	2.5	2.2
3/4"	5.1	4.9	4.3	3.9	3.6	3.1
7/8"	6.9	6.6	5.8	5.2	4.9	4.1
1"	9.0	8.5	7.2	6.7	6.4	5.4
1-1/8"	11	10	9.0	8.5	7.8	6.8
<b>6 x 37 Classification</b>						
1-1/4"	13	12	10	9.3	9.1	7.9
1-3/8"	16	15	13	12	11	9.6
1-1/2"	19	17	15	14	13	11
1-3/4"	24	24	20	19	18	15
2"	33	30	26	25	23	20
2-1/4"	41	38	33	31	29	25

(A) - Socket or Swaged Terminal attachment.  
(B) - Mechanical Sleeve attachment.  
(C) - Hand Tucked Splice attachment.

**TABLE G-3 RATED CAPACITIES FOR IMPROVED FLOW STEEL, INDEPENDENT WIRE ROPE CORE, WIRE ROPE SLINGS**  
(In Tons of 2,000 Pounds)

Rope dia. inches	Two-leg bridle or basket hitch											
	Vertical			60 degree			45 degree			30 degree		
	A	B	C	A	B	C	A	B	C	A	B	C
<b>6 x 19 Classification</b>												
1/4"	1.2	1.1	1.0	.97	.97	.83	.79	.75	.59	.54	.53	.43
3/8"	2.6	2.5	2.3	2.3	2.1	2.0	1.8	1.8	1.6	1.5	1.3	1.1
1/2"	4.6	4.4	3.9	4.0	3.8	3.4	3.2	3.1	2.8	2.7	2.3	2.0
5/8"	7.2	6.8	6.0	6.2	5.9	5.1	4.8	4.7	4.3	4.2	3.6	3.1
3/4"	10	9.7	8.4	8.9	8.4	7.3	7.3	6.9	6.3	6.1	5.1	4.5
7/8"	14	13	11	12	11	9.6	9.6	9.3	7.8	7.8	6.6	5.5
1"	18	17	14	15	15	13	13	12	10	9.0	8.5	7.2
1-1/8"	23	21	18	19	18	16	16	15	13	11	10	9.0
<b>6 x 37 Classification</b>												
1-1/4"	26	24	21	23	22	19	19	18	15	13	13	10
1-3/8"	33	29	25	28	25	22	22	21	18	16	15	13
1-1/2"	38	35	30	33	30	26	27	25	21	19	17	15
1-3/4"	51	47	41	44	41	35	36	33	29	26	24	20
2"	64	61	53	57	53	46	47	43	37	33	30	26
2-1/4"	83	76	66	72	66	57	58	54	47	41	38	33

(A) - Socket or Swaged Terminal Attachment.  
(B) - Mechanical Sleeve Attachment.  
(C) - Hand Tucked Splice Attachment.

**TABLE G-4 RATED CAPACITIES FOR IMPROVED FLOW STEEL, FIBER CORE, WIRE ROPE AND WIRE ROPE SLINGS**  
(In Tons of 2,000 Pounds)

Rope dia. inches	Single leg					
	Vertical			Choker		
	A	B	C	A	B	C
<b>6 x 19 Classification</b>						
1/4"	.55	.51	.49	.41	.38	.37
3/8"	1.2	1.1	1.1	.91	.85	.80
1/2"	2.1	2.0	1.8	1.6	1.5	1.4
5/8"	3.3	3.1	2.8	2.5	2.3	2.1
3/4"	4.8	4.4	3.9	3.4	3.2	2.9
7/8"	6.4	5.9	5.1	4.8	4.5	3.9
1"	8.4	7.7	6.7	6.3	5.8	5.0
1-1/8"	10	9.5	8.4	7.9	7.1	6.3
<b>6 x 37 Classification</b>						
1-1/4"	12	11	9.8	9.2	8.3	7.4
1-3/8"	15	13	12	11	10	8.9
1-1/2"	17	16	14	13	12	10
1-3/4"	24	21	19	18	16	14
2"	31	28	25	23	21	18





(A) - Socket or Swaged Terminal attachment.  
(B) - Mechanical Sleeve attachment.  
(C) - Hand Tucked Splice attachment.

**TABLE G-5 RATED CAPACITIES FOR IMPROVED FLOW STEEL, FIBER CORE, WIRE ROPE SLINGS**  
(In Tons of 2,000 Pounds)

Rope dia. inches	Two-leg bridle or basket hitch											
	Vertical			60 Degree			45 Degree			30 Degree		
	A	B	C	A	B	C	A	B	C	A	B	C
<b>6 x 19 Classification</b>												
1/4"	1.1	1.0	.99	.95	.88	.85	.77	.71	.70	.58	.51	.49
3/8"	2.4	2.3	2.1	2.1	1.9	1.8	1.7	1.6	1.5	1.3	1.1	1.1
1/2"	4.3	3.9	3.7	3.7	3.4	3.2	3.0	2.8	2.6	2.1	2.0	1.8
5/8"	6.7	6.2	5.6	5.8	5.3	4.8	4.7	4.4	4.0	3.3	3.1	2.6
3/4"	9.5	8.8	7.8	8.3	7.6	6.8	6.7	6.2	5.5	4.8	4.4	3.9
7/8"	13	12	10	11	10	8.9	9.1	8.4	7.3	6.4	5.9	5.1
1"	17	15	13	14	13	11	12	11	9.4	8.4	7.7	6.7
1-1/2"	21	19	17	18	16	14	15	13	12	10	9.5	8.4
<b>6 x 37 Classification</b>												
1-1/4"	25	22	20	21	19	17	17	16	14	12	11	9.8
1-3/8"	30	27	24	26	23	20	21	19	17	15	13	12
1-1/2"	35	31	28	30	27	24	25	22	20	17	16	14
1-3/4"	48	43	38	41	37	33	34	30	27	24	21	19
2"	62	55	49	53	48	43	43	39	35	31	28	25

(A) - Socket or Swaged Terminal attachment.  
(B) - Mechanical Sleeve attachment.  
(C) - Hand Tucked Splice attachment.

**TABLE G-6 ALLOY STEEL CHAIN**  
(In Tons of 2,000 Pounds)

Nominal size chain stock Inch.	Single leg 	60 degree 	45 degree 	30 degree 
1/4	1.62	2.82	2.27	1.62
3/8	3.30	5.70	4.65	3.30
1/2	5.62	9.75	7.90	5.62
5/8	8.25	14.25	11.65	8.25
3/4	11.5	19.9	16.2	11.5
7/8	14.3	24.9	20.3	14.3
1	19.3	33.5	27.3	19.8
1-1/8	22.2	38.5	31.5	22.2
1-1/4	28.7	49.7	40.5	28.7
1-3/8	33.5	58.0	47.0	33.5
1-1/2	39.7	68.5	56.0	39.7
1-5/8	42.5	73.5	59.5	42.5
1-3/4	47.0	81.5	62.0	47.0

(11) Hooks other than hand hooks.

(a) The manufacturer's recommendations shall be followed in determining the safe working loads of the various sizes and types of specific and identifiable hooks. All hooks for which no applicable manufacturer's recommendations are available shall be tested to twice the intended safe working load before they are initially put into use. The employer shall maintain a record of the dates and results of such tests.

(b) Loads shall be applied to the throat of the hook since loading the point may overstress, bend, or spring the hook.

(c) Hooks shall be inspected once a month to see that they have not been bent by overloading. Bent or sprung hooks shall not be used.

(d) Crane hooks. Magnetic particle or other suitable crack detecting inspection shall be performed at least once each year. When testing by x-ray, the pertinent provisions of the Nuclear Regulatory Commission's standards for protection against radiation, relating to protection against occupational radiation exposure, shall apply.

(e) Any activity which involves the use of radioactive materials or x-rays, whether or not under license from the Nuclear Regulatory Commission, shall be performed by competent persons specially trained in the proper and safe operation of such equipment. In the case of materials used under commission license, only persons actually licensed, or competent persons under direction and supervision of the licensee, shall perform such work.

(f) Teeth of case hooks shall not be split, cracked, or deformed.

(g) Jaws of patent clamp type plate hooks shall be kept in safe condition so that they will grip plates securely.

(12) Pallets.

(a) Pallets shall be made and maintained to safely support and carry loads being handled. Fastenings of reusable pallets used for hoisting shall be bolts and nuts, drive screws (helically threaded nails), annular threaded nails or fastenings, or equivalent holding strength.

(b) Damaged pallets shall be stored in designated areas and identified.

(c) Reusable wing or lip-type pallets shall be hoisted by bar bridles or other suitable gear and shall have an

overhanging wing or lip of at least three inches (76.2 mm). They shall not be hoisted by wire slings alone.

(d) Loaded pallets that do not meet the requirements of this paragraph shall be hoisted only after being placed on pallets meeting such requirements or shall be handled by other means providing equivalent protection.

(e) Bridles for handling flush end or box-type pallets shall be designed to prevent disengagement from the pallet under load.

(f) Pallets shall be stacked or placed to prevent falling, collapsing or otherwise causing a hazard under standard operating conditions.

(g) Disposable pallets intended only for one use shall not be re-used for hoisting.

AMENDATORY SECTION (Amending Order 86-02, filed 1/17/86)

WAC 296-56-60229 SANITATION. (1) Washing and toilet facilities.

(a) The employer shall provide accessible washing and toilet facilities sufficient for the sanitary requirements of employees. The facilities shall have:

(i) Running water, including hot, and cold or tepid water (when cargo handling is conducted at locations without permanent facilities, containers of potable water may be provided in lieu of running water);

(ii) Soap;

(iii) Individual hand towels, clean individual sections of continuous toweling or warm air blowers; and

(iv) Fixed or portable toilets in separate compartments with latch-equipped doors.

(b) Separate toilet facilities shall be provided for male and female employees except when toilet rooms are occupied by only one person at a time. A means of locking shall be provided.

(c) Washing and toilet facilities shall be regularly cleaned and maintained in good order.

(2) Drinking water.

(a) Potable drinking water shall be accessible to employees at all times.

(b) Potable drinking water containers shall be clean, containing only water and ice, and shall be fitted with covers.

(c) Common drinking cups are prohibited.

(3) Prohibited eating areas. Consumption of food or beverages in areas where hazardous materials are being stored or handled shall be prohibited.

(4) Garbage and overboard discharges. Work shall not be conducted in the immediate vicinity of uncovered garbage or in the area of overboard discharges from the vessel's sanitary lines unless employees are protected from the garbage or discharge by a baffle or splash boards.

AMENDATORY SECTION (Amending Order 89-20, filed 1/11/90, effective 2/26/90)

WAC 296-62-07515 CONTROL OF CHEMICAL AGENTS. Chemical agents shall be controlled in such a manner that the workers exposure shall not exceed the applicable limits in WAC 296-62-075 through 296-62-07515.



HT/PEL  
TABLE 1.1

TABLE 1: LIMITS FOR AIR CONTAMINANTS  
Permissible Exposure Limits (PEL)

Substance	CAS <sup>1/</sup> Number	TWA		STEL <sup>c/</sup>		CEILING		Skin Designation
		ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	
Abate, see Temephos	---	---	---	---	---	---	---	---
Acetaldehyde	75-07-0	100	180	150	270	---	---	---
Acetic acid	64-19-7	10	25	---	---	---	---	---
Acetic anhydride	108-24-7	---	---	---	---	5.0	20	---
Acetone	67-64-1	750	1800	1000	2400	---	---	---
Acetonitrile	75-05-8	40	70	60	105	---	---	---
2-Acetylaminofluorene (see WAC 296-62-073)	53-96-3	---	---	---	---	---	---	---
Acetylene	74-86-2	Simple	Asphyxiant	---	---	---	---	---
Acetylene dichloride (see 1,2-Dichloroethylene)	---	---	---	---	---	---	---	---
Acetylene tetrabromide	79-27-6	1.0	14	---	---	---	---	---
Acetylsalicylic acid (Aspirin)	50-78-2	---	5.0	---	---	---	---	---
Acrolein	107-02-8	0.1	0.25	0.3	0.8	---	---	---
Acrylamide	79-06-1	---	0.03	---	---	---	---	X
Acrylic acid	79-10-7	10	30	---	---	---	---	X
Acrylonitrile (see WAC 296-62-07341)	107-13-1	---	---	---	---	---	---	---
Aldrin	309-00-2	---	0.25	---	---	---	---	X
Allyl alcohol	107-18-6	2.0	5.0	4.0	10	---	---	X
Allyl Chloride	107-05-1	1.0	3.0	2.0	6.0	---	---	---
Allyl glycidyl ether (AGE)	106-92-3	5.0	22	10	44	---	---	---
Allyl propyl disulfide	2179-59-1	2.0	12	3.0	18	---	---	---
alpha-Alumina (see Aluminum oxide)	1344-28-1	---	---	---	---	---	---	---
Total dust	---	---	10	---	---	---	---	---
Respirable fraction	---	---	5.0	---	---	---	---	---

HT/PEL  
TABLE 1.2

TABLE 1: LIMITS FOR AIR CONTAMINANTS  
Permissible Exposure Limits (PEL)

Substance	CAS <sup>1/</sup> Number	TWA		STEL <sup>c/</sup>		CEILING		Skin Designation
		ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	
Aluminum, metal and oxide (as Al)	7429-90-5	---	---	---	---	---	---	---
Total dust	---	---	10	---	---	---	---	---
Respirable fraction	---	---	5.0	---	---	---	---	---
pyro powders "	---	---	5.0	---	---	---	---	---
welding fumes <sup>f/</sup>	---	---	5.0	---	---	---	---	---
soluble salts	---	---	2.0	---	---	---	---	---
alkyls (HOC)	---	---	2.0	---	---	---	---	---
Alundum (see Aluminum oxide)	---	---	---	---	---	---	---	---
4-Aminodiphenyl (see WAC 296-62-073)	92-67-1	---	---	---	---	---	---	---
2-Aminoethanol (see Ethanolamine)	---	---	---	---	---	---	---	---
2-Aminopyridine	504-29-0	0.5	2.0	---	---	---	---	---
Amitrole	61-82-5	---	0.2	---	---	---	---	---
Ammonia	7664-41-7	25	18	35	27	---	---	---
Ammonium chloride, fume	12125-02-9	---	10	---	20	---	---	---
Ammonium sulfate (Ammate)	7773-06-0	---	---	---	---	---	---	---
Total dust	---	---	10	---	---	---	---	---
Respirable fraction	---	---	5.0	---	---	---	---	---
n-Amyl acetate	628-63-7	100	525	---	---	---	---	---
sec-Amyl acetate	626-38-0	125	650	---	---	---	---	---
Aniline and homologues	62-53-3	2.0	8.0	---	---	---	---	X
Anisidine (o, p-isomers)	29191-52-4	0.1	0.5	---	---	---	---	X
Antimony and Compounds (as Sb)	7440-36-0	---	0.5	---	---	---	---	---
ANTU (alpha Naphthyl thiourea)	86-88-4	---	0.3	---	---	---	---	---
Argon	7440-37-1	Simple	Asphyxiant	---	---	---	---	---
Arsenic, Organic compounds (as As)	7440-38-2	---	0.2	---	---	---	---	---

HT/PEL  
TABLE 1.3

TABLE 1: LIMITS FOR AIR CONTAMINANTS  
Permissible Exposure Limits (PEL)

Substance	CAS <sup>1/</sup> Number	TWA		STEL <sup>c/</sup>		CEILING		Skin Design- nation
		ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	
Arsenic, Inorganic compounds, (as As) (see WAC 296-62-07347 for applications and exclusions)	7440-38-2	---	0.2	---	---	---	---	---
Arsine	7784-42-1	0.05	0.2	---	---	---	---	---
Asbestos (see WAC 296-62-077 through 62-07753)	---	---	---	---	---	---	---	---
Asphalt (Petroleum fumes)	8052-42-4	---	5.0	---	---	---	---	---
Atrazine	1912-24-9	---	5.0	---	---	---	---	---
Azinphos methyl	86-50-0	---	0.2	---	---	---	---	X
Barium, soluble compounds (as Ba)	7440-39-3	---	0.5	---	---	---	---	---
Barium Sulfate	7727-43-7	---	---	---	---	---	---	---
Total dust	---	---	10.0	---	---	---	---	---
Respirable fraction	---	---	5.0	---	---	---	---	---
Benomyl	17804-35-2	---	---	---	---	---	---	---
Total dust	---	0.8	10	---	---	---	---	---
Respirable fraction	---	---	5.0	---	---	---	---	---
Benzene, (see WAC 296-62-07523) <sup>d/</sup>	71-43-2	1.0	---	5.0	---	---	---	---
Benzidine, (see WAC 296-62-073)	92-87-5	---	---	---	---	---	---	---
p-Benzoquinone, (see Quinone)	---	---	---	---	---	---	---	---
Benzo(a) pyrene; (see Coal tar pitch volatiles)	---	---	---	---	---	---	---	---
Benzoyl peroxide	94-36-0	---	5.0	---	---	---	---	---
Benzyl chloride	100-44-7	1.0	5.0	---	---	---	---	---
Beryllium and beryllium compounds (as Be)	7440-41-7	0.002	---	0.005 (30 min.)	---	0.025	---	---

HT/PEL  
TABLE 1.4

TABLE 1: LIMITS FOR AIR CONTAMINANTS  
Permissible Exposure Limits (PEL)

Substance	CAS <sup>1/</sup> Number	TWA		STEL <sup>c/</sup>		CEILING		Skin Design- nation
		ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	
Biphenyl (see Diphenyl)	---	---	---	---	---	---	---	---
Bismuth telluride, Undoped	1304-82-1	---	---	---	---	---	---	---
Total dust	---	---	10	---	---	---	---	---
Respirable fraction	---	---	5.0	---	---	---	---	---
Bismuth telluride, Se-doped	---	---	5.0	---	---	---	---	---
Borates, tetra, sodium salts:	---	---	---	---	---	---	---	---
Anhydrous	1330-43-4	---	1.0	---	---	---	---	---
Decahydrate	1303-96-4	---	5.0	---	---	---	---	---
Pentahydrate	12179-04-3	---	1.0	---	---	---	---	---
Boron oxide	1303-86-2	---	---	---	---	---	---	---
Total dust	---	---	10	---	---	---	---	---
Boron tribromide	10294-33-4	---	---	---	---	---	---	---
Boron trifluoride	7637-07-2	---	---	---	---	1.0	10	---
Bromacil	314-40-9	1.0	10	---	---	1.0	3.0	---
Bromine	7726-95-6	0.1	0.7	0.3	2.0	---	---	---
Bromine pentafluoride	7789-30-2	0.1	0.7	---	---	---	---	---
Bromochloromethane, (see Chlorobromomethane)	---	---	---	---	---	---	---	---
Bromoform	15-25-2	0.5	5.0	---	---	---	---	---
Butadiene (1,3-butadiene)	106-99-0	10	22	---	---	---	---	X
Butane	106-97-8	800	1,900	---	---	---	---	---
Butanethiol (see Butyl mercaptan)	---	---	---	---	---	---	---	---
2-Butanone (Methyl ethyl ketone)	78-93-3	200	590	300	885	---	---	---
2-Butoxy ethanol (Butyl Cellosolve)	111-76-2	25	120	---	---	---	---	X
n-Butyl acetate	123-86-4	150	710	200	950	---	---	---

HT/PEL  
TABLE 1.5

TABLE 1: LIMITS FOR AIR CONTAMINANTS  
Permissible Exposure Limits (PEL)

Substance	CAS <sup>1/</sup> Number	TWA		STEL <sup>2/</sup>		CEILING		Skin Designation
		ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	
sec-Butyl acetate	105-46-4	200	950	---	---	---	---	---
tert-Butyl acetate	540-88-5	200	950	---	---	---	---	---
Butyl acrylate	141-32-2	10	55	---	---	---	---	---
n-Butyl alcohol	71-36-3	---	---	---	---	50	150	X
sec-Butyl alcohol	78-92-2	100	305	---	---	---	---	---
tert-Butyl alcohol	75-65-0	100	300	150	450	---	---	---
Butylamine	109-73-9	---	---	---	---	5.0	15	X
tert-Butyl chromate (see C <sub>7</sub> O <sub>3</sub> )	1189-85-1	---	---	---	---	---	0.1	X
n-Butyl glycidyl ether (BGE)	2426-08-6	25	135	---	---	---	---	---
n-Butyl lactate	138-22-7	5.0	25	---	---	---	---	---
Butyl mercaptan	109-79-5	0.5	1.5	---	---	---	---	---
o-sec-Butylphenol	89-72-5	5.0	30	---	---	---	---	X
p-tert-Butyl-toluene	98-51-1	10	60	20	120	---	---	---
Cadmium oxide fume, (as Cd)	1306-19-0	---	---	---	---	---	0.05	---
Cadmium dust and salts (as Cd)	7440-43-9	---	0.05	---	---	---	---	---
Calcium arsenate (see WAC 296-62-07347)	-----	---	---	---	---	---	---	---
Calcium carbonate	1317-65-3	---	---	---	---	---	---	---
Total dust	---	---	10	---	---	---	---	---
Respirable fraction	---	---	5.0	---	---	---	---	---
Calcium cyanamide	156-62-7	---	0.5	---	---	---	---	---
Calcium hydroxide	1305-62-0	---	5.0	---	---	---	---	---
Calcium oxide	1305-78-8	---	2.0	---	---	---	---	---
Calcium silicate	1344-95-2	---	---	---	---	---	---	---
Total dust	---	---	10	---	---	---	---	---
Respirable fraction	---	---	5.0	---	---	---	---	---
Calcium sulfate	7778-18-9	---	---	---	---	---	---	---
Total dust	---	---	10	---	---	---	---	---
Respirable fraction	---	---	5.0	---	---	---	---	---

HT/PEL  
TABLE 1.6

TABLE 1: LIMITS FOR AIR CONTAMINANTS  
Permissible Exposure Limits (PEL)

Substance	CAS <sup>1/</sup> Number	TWA		STEL <sup>2/</sup>		CEILING		Skin Designation
		ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	
Camphor(synthetic)	76-22-2	---	2.0	---	---	---	---	---
Caprolactam;	105-60-2	---	---	---	---	---	---	---
Dust	---	---	1.0	---	3.0	---	---	---
Vapor	---	5.0	20	10	40	---	---	---
Captafol (Difolatan®)	2425-06-1	---	0.1	---	---	---	---	X
Captan	133-06-2	---	5.0	---	---	---	---	---
Carbaryl (Sevin®)	63-25-2	---	5.0	---	---	---	---	---
Carbofuran (Furadon®)	1563-66-2	---	0.1	---	---	---	---	---
Carbon black	1333-86-4	---	3.5	---	---	---	---	---
Carbon dioxide	124-38-9	5,000	9,000	30,000	54,000	---	---	---
Carbon disulfide	75-15-0	4.0	12	12	36	---	---	---
Carbon monoxide	630-08-0	35	40	---	---	200	229	X
Carbon tetrabromide	558-13-4	0.1	1.4	0.3	4.0	---	---	---
Carbon tetrachloride	56-23-5	2.0	12.6	---	---	---	---	---
Carbonyl chloride (see Phosgene)	---	---	---	---	---	---	---	---
Carbonyl fluoride	353-50-4	2.0	5.0	5.0	15	---	---	---
Catechol (Pyrocatechol)	120-80-9	5.0	20	---	---	---	---	---
Cellulose (paper fiber)	9004-34-6	---	---	---	---	---	---	X
Total dust	---	---	10	---	---	---	---	---
Respirable fraction	---	---	5.0	---	---	---	---	---
Cesium hydroxide	21351-79-1	---	2.0	---	---	---	---	---
Chlordane	57-74-9	---	0.5	---	---	---	---	---
Chlorinated camphene	8001-35-2	---	0.5	---	1.0	---	---	X
Chlorinated diphenyl oxide	55720-99-5	---	0.5	---	---	---	---	X
Chlorine	7782-50-5	0.5	1.5	1.0	3.0	1.0	3.0	---
Chlorine dioxide	10049-04-4	0.1	0.3	0.3	0.9	---	---	---
Chlorine trifluoride	7790-91-2	---	---	---	---	0.1	0.4	---
Chloroacetaldehyde	107-20-0	---	---	---	---	1.0	3.0	---

HT/PEL  
TABLE 1.7

TABLE 1: LIMITS FOR AIR CONTAMINANTS  
Permissible Exposure Limits (PEL)

Substance	CAS <sup>1/</sup> Number	TWA		STEL <sup>c/</sup>		CEILING		Skin Design- nation
		ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	
a-Chloroacetophenone (Phenacyl chloride)	532-21-4	0.05	0.3	---	---	---	---	---
Chloroacetyl chloride	79-04-9	0.05	0.2	---	---	---	---	---
Chlorobenzene (Monochlorobenzene)	108-90-7	75	350	---	---	---	---	---
o-Chlorobenzylidene malonitrile (OCBM)	2698-41-1	---	---	---	---	0.05	0.4	X
Chlorobromomethane	74-97-5	200	1,050	---	---	---	---	---
2-Chloro-1, 3-butadiene (see beta-Chloroprene)	---	---	---	---	---	---	---	---
Chlorodifluoromethane	75-45-6	1,000	3,500	---	---	---	---	---
Chlorodiphenyl (42% Chlorine) (PCB)	53469-21-9	---	1.0	---	---	---	---	X
Chlorodiphenyl (54% Chlorine) (PCB)	11097-69-1	---	0.5	---	---	---	---	X
1-Chloro-2, 3-epoxypropane, (see Epichlorohydrin)	---	---	---	---	---	---	---	---
2-Chloroethanol (see Ethylene chlorohydrin)	---	---	---	---	---	---	---	---
Chloroethylene (see vinyl chloride)	---	---	---	---	---	---	---	---
Chloroform (Trichloromethane)	67-66-3	2.0	9.78	---	---	---	---	---
1-Chloro-1-nitropropane	600-25-9	2.0	10	---	---	---	---	---
bis-Chloromethyl ether (see WAC 296-62-073)	542-88-1	---	---	---	---	---	---	---
Chloromethyl methyl ether (See Methyl carbomethyl ether)	107-30-2	---	---	---	---	---	---	---
Chloropentafluoroethane	76-15-3	1,000	6,320	---	---	---	---	---
Chloropicrin	76-06-2	0.1	0.7	---	---	---	---	---
beta-Chloroprene	126-99-8	10	35	---	---	---	---	X

HT/PEL  
TABLE 1.8

TABLE 1: LIMITS FOR AIR CONTAMINANTS  
Permissible Exposure Limits (PEL)

Substance	CAS <sup>1/</sup> Number	TWA		STEL <sup>c/</sup>		CEILING		Skin Design- nation
		ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	
o-Chlorostyrene	2039-87-4	50	285	75	428	---	---	---
o-Chlorotoluene	95-49-8	50	250	---	---	---	---	---
2-Chloro-6-trichloromethyl pyridine (see Nitrapyrin)	1929-82-4	---	---	---	---	---	---	---
Total dust	---	---	10	---	---	---	---	---
Respirable fraction	---	---	5.0	---	---	---	---	---
Chlorpyrifos	2921-88-2	---	0.2	---	---	---	---	X
Chromic acid and chromates (as CrO <sub>3</sub> )	Varies w/compounds	---	---	---	---	---	0.1	---
Chromium (II) compounds (as Cr)	7440-47-3	---	0.5	---	---	---	---	---
Chromium (III) compounds (as Cr)	7440-47-3	---	0.5	---	---	---	---	---
Chromium (VI) compounds (as Cr)	---	---	0.05	---	---	---	---	---
Chromium Metal	7440-47-3	---	0.5	---	---	---	---	---
Chromyl chloride	14977-61-8	0.025	0.15	---	---	---	---	---
Chrysene: (see Coal tar pitch volatiles)	---	---	---	---	---	---	---	---
Clopidol	2971-90-6	---	---	---	---	---	---	---
Total dust	---	---	10	---	---	---	---	---
Respirable fraction	---	---	5.0	---	---	---	---	---
Coal Dust (less than 5% SiO <sub>2</sub> ) Respirable fraction	---	---	2.0	---	---	---	---	---
Coal dust (greater than or equal to 5% SiO <sub>2</sub> ) Respirable fraction	---	---	0.1	---	---	---	---	---
Coal tar pitch volatiles (benzene soluble fraction anthracene, BaP, phenanthrene, acridine, chrysene, pyrene)	65996-93-2	---	0.2	---	---	---	---	---

HT/PEL  
TABLE 1.9

TABLE 1: LIMITS FOR AIR CONTAMINANTS  
Permissible Exposure Limits (PEL)

Substance	CAS <sup>1/</sup> Number	TWA		STEL <sup>2/</sup>		CEILING		Skin Designation
		ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	
Cobalt, metal fume & dust, (as Co)	7440-48-4	---	0.05	---	---	---	---	---
Cobalt carbonyl (as Co)	10210-68-1	---	0.1	---	---	---	---	---
Cobalt hydrocarbonyl (as Co)	16842-03-8	---	0.1	---	---	---	---	---
Coke oven emissions (see WAC 296-62-200)	---	---	---	---	---	---	---	---
Copper fume (as Cu)	7440-50-8	---	0.1	---	---	---	---	---
Dusts and mists (as Cu)	---	---	1.0	---	---	---	---	---
Cotton dust (raw) <sup>2/</sup>	---	---	1.0	---	---	---	---	---
Corundum, (see Aluminum oxide)	---	---	---	---	---	---	---	---
Crag® herbicide (Sesone)	136-78-7	---	---	---	---	---	---	---
Total dust	---	---	10	---	---	---	---	---
Respirable fraction	---	---	5.0	---	---	---	---	---
Cresol (all isomers)	1319-77-3	5.0	22	---	---	---	---	---
Crotonaldehyde	123-73-9; 4170-30-3	2.0	6.0	---	---	---	---	X
Cruformate	299-86-5	---	5.0	---	---	---	---	---
Cumene	98-82-8	50	245	---	---	---	---	---
Cyanamide	420-04-2	---	2.0	---	---	---	---	X
Cyanide (as CN)	Varies with Compound	---	5.0	---	---	---	---	---
Cyanogen	460-19-5	10	20	---	---	---	---	X
Cyanogen chloride	506-77-4	---	---	---	---	---	---	---
Cyclohexane	110-82-7	300	1,050	---	---	0.3	0.6	---
Cyclohexanol	108-93-0	50	200	---	---	---	---	---
Cyclohexanone	108-94-1	25	100	---	---	---	---	X
Cyclohexene	110-83-8	300	1,015	---	---	---	---	X
Cyclohexylamine	108-91-8	10	40	---	---	---	---	---
Cyclonite (see ROX)	121-82-4	---	1.5	---	---	---	---	---
Cyclopentadiene	542-92-7	75	200	---	---	---	---	X

HT/PEL  
TABLE 1.10

TABLE 1: LIMITS FOR AIR CONTAMINANTS  
Permissible Exposure Limits (PEL)

Substance	CAS <sup>1/</sup> Number	TWA		STEL <sup>2/</sup>		CEILING		Skin Designation
		ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	
Cyclopentane	287-92-3	600	1,720	---	---	---	---	---
Cyhexatin	13121-70-5	---	5.0	---	---	---	---	---
2,4-D (Dichlorophenoxyacetic acid)	94-75-7	---	10	---	---	---	---	---
DDT (Dichlorodiphenyltrichloroethane)	50-29-3	---	1.0	---	---	---	---	X
DDVP, Dichlorvos	62-73-7	0.1	1.0	---	---	---	---	---
Decaborane	17702-41-9	0.05	0.3	0.15	0.9	---	---	X
Demeton®	8065-48-3	0.01	0.1	---	---	---	---	X
Diacetone alcohol (4-hydroxy-4-methyl-2-pentanone)	123-42-2	50	240	---	---	---	---	X
1, 2-Diaminoethane (see Ethylenediamine)	---	---	---	---	---	---	---	---
Diazinon	333-41-5	---	0.1	---	---	---	---	---
Diazomethane	334-88-3	0.2	0.4	---	---	---	---	X
Diborane	19287-45-7	0.1	0.1	---	---	---	---	---
Dibrom®, (see Naled)	---	---	---	---	---	---	---	---
1, 2-Dibromo-3-chloropropane (see WAC 296-62-07345)	96-12-3	---	---	---	---	---	---	---
2-N-Dibutylamino ethanol	102-81-8	2.0	14	---	---	---	---	---
Dibutyl phosphate	107-66-4	1.0	5.0	---	---	---	---	X
Dibutyl phthalate	84-74-2	---	5.0	---	---	---	---	---
Dichloroacetylene	7572-29-4	---	---	---	---	---	---	---
o-Dichlorobenzene	95-50-1	---	---	---	---	0.1	0.4	---
p-Dichlorobenzene	106-46-7	75	450	---	---	50	300	---
3, 3'-Dichlorobenzidine (see WAC 296-62-073)	91-94-1	---	---	110	675	---	---	---
Dichlorodifluoromethane	75-71-8	1,000	4,950	---	---	---	---	---
1, 3-Dichloro-5, 5-dimethyl hydantoin	118-52-5	---	0.2	---	0.4	---	---	---

HT/PEL  
TABLE 1.11

TABLE 1: LIMITS FOR AIR CONTAMINANTS  
Permissible Exposure Limits (PEL)

Substance	CAS <sup>1/</sup> Number	TWA		STEL <sup>c/</sup>		CEILING		Skin Designation
		ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	
1, 1-Dichloroethane	75-34-3	100	400	---	---	---	---	---
1, 2-Dichloroethane (see Ethylene dichloride)	---	---	---	---	---	---	---	---
1, 2-Dichloroethylene	540-59-0	200	790	---	---	---	---	---
1, 1-Dichloroethylene (see Vinylidene chloride)	---	---	---	---	---	---	---	---
Dichloroethyl ether	111-44-4	5.0	30	10	60	---	---	X
Dichlorofluoromethane	75-43-4	10	40	---	---	---	---	---
Dichloromethane (see Methylene chloride)	---	---	---	---	---	---	---	---
1, 1-Dichloro-1-nitroethane	594-72-9	2.0	10.	10.	---	---	---	---
1, 2-Dichloropropane (see Propylene dichloride)	---	---	---	---	---	---	---	---
Dichloropropene	542-75-6	1.0	5.0	---	---	---	---	X
2, 2-Dichloropropionic acid	75-99-0	1.0	6.0	---	---	---	---	---
Dichlorotetrafluoroethane	76-14-2	1,000	7,000	---	---	---	---	---
Dichlorvos (DDVP)	62-73-7	0.1	1.0	---	---	---	---	X
Dicrotophos	141-66-2	---	0.25	---	---	---	---	X
Dicyclopentadiene	77-73-6	5.0	30	---	---	---	---	---
Dicyclopentadienyl iron	102-54-5	---	---	---	---	---	---	---
Total dust	---	---	10	---	---	---	---	---
Respirable fraction	---	---	5.0	---	---	---	---	---
Dieldrin	60-57-1	---	0.25	---	---	---	---	X
Diethanolamine	111-42-2	3.0	15	---	---	---	---	---
Diethylamine	109-89-7	10	30	25	75	---	---	---
2-Diethylaminoethanol	100-37-8	10	50	---	---	---	---	X
Diethylene triamine	111-40-0	1.0	4.0	---	---	---	---	X
Diethyl ether (see Ethyl ether)	---	---	---	---	---	---	---	---
Diethyl ketone	96-22-0	200	705	---	---	---	---	---
Diethyl phthalate	84-66-2	---	5.0	---	---	---	---	---

HT/PEL  
TABLE 1.12

TABLE 1: LIMITS FOR AIR CONTAMINANTS  
Permissible Exposure Limits (PEL)

Substance	CAS <sup>1/</sup> Number	TWA		STEL <sup>c/</sup>		CEILING		Skin Designation
		ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	
Difluorodibromomethane	75-61-6	100	860	---	---	---	---	---
Diglycidyl ether (DGE)	2238-07-5	0.1	0.5	---	---	---	---	---
Dihydroxybenzene (see Hydroquinone)	---	---	---	---	---	---	---	---
Diisobutyl ketone	108-83-8	25	150	---	---	---	---	---
Diisopropylamine	108-18-9	5.0	20	---	---	---	---	X
Dimethoxymethane (see Methylal)	---	---	---	---	---	---	---	---
Dimethyl acetamide	127-19-5	10	35	---	---	---	---	X
Dimethylamine	124-40-3	10	18	---	---	---	---	---
4-Dimethylaminoazobenzene (see WAC 296-62-073)	60-11-7	---	---	---	---	---	---	---
Dimethylaminobenzene (see Xylidene)	---	---	---	---	---	---	---	---
Dimethylaniline (see N, N-Dimethylaniline)	121-69-7	5.0	25	10	50	---	---	X
Dimethylbenzene (see Xylene)	---	---	---	---	---	---	---	---
Dimethyl-1, 2-dibromo-2, 2-dichloroethyl phosphate (see Naled)	300-76-5	---	3.0	---	---	---	---	X
Dimethylformamide	68-12-2	10	30	---	---	---	---	X
2, 6-Dimethylheptanone (see Diisobutyl ketone)	---	---	---	---	---	---	---	---
1, 1-Dimethylhydrazine	57-14-7	0.5	1.0	---	---	---	---	X
Dimethyl phthalate	131-11-3	---	5.0	---	---	---	---	---
Dimethyl sulfate	77-78-1	0.1	0.5	---	---	---	---	X
Dinitolmide	148-01-6	---	5.0	---	---	---	---	---
(3, 5-Dinitro-o-toluamide)	---	---	5.0	---	---	---	---	---
Dinitrobenzene (all isomers)	(alpha)528-29-0; (meta) 99-65-0; (para) 100-25-4	0.15	1.0	---	---	---	---	X

HT/PEL  
TABLE 1.13

TABLE 1: LIMITS FOR AIR CONTAMINANTS  
Permissible Exposure Limits (PEL)

Substance	CAS #/ Number	TWA		STEL <sup>c/</sup>		CEILING		Skin Design- nation
		ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	
Dinitro-o-cresol	534-52-1	---	0.2	---	---	---	---	X
Dinitrotoluene	25321-14-6	---	1.5	---	---	---	---	X
Dioxane (Diethylene dioxide)	123-91-1	25	90	---	---	---	---	X
Dioxathion	78-34-2	---	0.2	---	---	---	---	X
Diphenyl (Biphenyl)	92-52-4	0.2	1.0	---	---	---	---	---
Diphenylamine	122-39-4	---	10	---	---	---	---	---
Diphenylmethane diisocyanate (see Methylene bisphenyl isocyanate (MDI))	---	---	---	---	---	---	---	---
Dipropylene glycol methyl ether	34590-94-8	100	600	150	900	---	---	X
Dipropyl ketone	123-19-3	50	235	---	---	---	---	---
Diquat	85-00-7	---	0.5	---	---	---	---	---
01-sec. Octyl phthalate (Di-2-ethylhexylphthalate)	117-81-7	---	5.0	---	10	---	---	---
Disulfiram	97-77-8	---	2.0	---	---	---	---	---
Disulfoton	298-04-4	---	0.1	---	---	---	---	X
2, 6-Di-tert-butyl-p-cresol	128-37-0	---	10	---	---	---	---	---
Diuron	330-54-1	---	10	---	---	---	---	---
Divinyl benzene	1321-74-0	10	50	---	---	---	---	---
Emerly	112-62-9	---	---	---	---	---	---	---
Total dust	---	---	10	---	---	---	---	---
Respirable fraction	---	---	5.0	---	---	---	---	---
Endosulfan (Thiodan®)	115-29-7	---	0.1	---	---	---	---	X
Endrin	72-20-8	---	0.1	---	---	---	---	X
Epichlorohydrin	106-89-8	2.0	8.0	---	---	---	---	X
EPH	2104-64-5	---	0.5	---	---	---	---	X
1, 2-Epoxypropane (see Propylene oxide)	---	---	---	---	---	---	---	---
2, 3-Epoxy-1-propanol (see Glycidol)	---	---	---	---	---	---	---	---

HT/PEL  
TABLE 1.14

TABLE 1: LIMITS FOR AIR CONTAMINANTS  
Permissible Exposure Limits (PEL)

Substance	CAS #/ Number	TWA		STEL <sup>c/</sup>		CEILING		Skin Design- nation
		ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	
Ethane	---	Simple	Asphyxiant	---	---	---	---	---
Ethanethiol (see Ethyl mercaptan)	---	---	---	---	---	---	---	---
Ethanolamine	141-43-5	3.0	8.0	6.0	15	---	---	---
Ethion	563-12-2	---	0.4	---	---	---	---	X
2-Ethoxyethanol	110-80-5	5.0	19	---	---	---	---	X
2-Ethoxyethyl acetate (Cellulosolve acetate)	111-15-9	5.0	27	---	---	---	---	X
Ethyl acetate	141-78-6	400	1,400	---	---	---	---	---
Ethyl acrylate	140-88-5	5.0	20	25	100	---	---	X
Ethyl alcohol (ethanol)	64-17-5	1,000	1,900	---	---	---	---	---
Ethylamine	75-04-07	10	18	---	---	---	---	---
Ethyl amyl ketone (5-Methyl-3-hepatone)	541-85-5	25	130	---	---	---	---	---
Ethyl benzene	100-41-4	100	435	125	545	---	---	---
Ethyl bromide	74-96-4	200	890	250	1,110	---	---	---
Ethyl butyl ketone (3-Heptanone)	106-35-4	50	230	---	---	---	---	---
Ethyl chloride	75-00-3	1,000	2,600	---	---	---	---	---
Ethylene	74-85-1	Simple	Asphyxiant	---	---	---	---	---
Ethylene chlorohydrin	107-07-3	---	---	---	---	1.0	3.0	X
Ethylenediamine	107-15-3	10	25	---	---	---	---	X
Ethylene dibromide	106-93-4	0.1	---	0.5	---	---	---	---
Ethylene dichloride	107-06-2	1.0	4.0	2.0	8.0	---	---	---
Ethylene glycol	107-21-1	---	---	---	---	50	125	---
Ethylene glycol dinitrate	628-96-6	---	---	---	0.1	---	---	X
Ethylene glycol monomethyl ether acetate (Methyl cellosolve acetate)	---	5.0	24	---	---	---	---	X
Ethyleneimine (see WAC 296-62-073)	151-56-4	---	---	---	---	---	---	X

HT/PEL  
TABLE 1.15

Substance	CAS <sup>1/</sup> Number	TWA		STEL <sup>c/</sup>		CEILING		Skin Designation
		ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	
Ethylene oxide (see MAC 296-62-07353)	75-21-8	1.0	2.0	---	---	---	---	---
Ethyl ether	60-29-7	400	1,200	500	1,500	---	---	---
Ethyl formate	109-94-4	100	300	---	---	---	---	---
Ethylidene chloride (see 1, 1-Dichloroethane)	---	---	---	---	---	---	---	---
Ethylidene norbornene	16219-75-3	---	---	---	---	5.0	25	---
Ethyl mercaptan	75-08-1	0.5	1.0	---	---	---	---	---
n-Ethylmorpholine	100-74-3	5.0	23	---	---	---	---	X
Ethyl sec-amyl ketone (5-methyl-3-heptanone)	---	25	130	---	---	---	---	---
Ethyl silicate	78-10-4	10	85	---	---	---	---	---
Fenamiphos	22224-92-6	---	0.1	---	---	---	---	---
Fensulfothion (Dasanit)	115-90-2	---	0.1	---	---	---	---	X
Fenthion	55-38-9	---	0.2	---	---	---	---	---
Ferbam	14484-64-1	---	---	---	---	---	---	X
Total dust	---	---	10	---	---	---	---	---
Ferrocyanide dust	12604-58-9	---	1.0	---	3.0	---	---	---
Fluorides (as F)	Varies w/compound	---	2.5	---	---	---	---	---
Fluorine	7782-41-4	0.1	0.2	---	---	---	---	---
Fluorotrichloromethane (see Trichlorofluoro methane)	75-69-4	---	---	---	---	1,000	5,600	---
Fonofos	944-22-9	---	0.1	---	---	---	---	---
Formaldehyde (see MAC 296-62-07540)	50-00-0	1.0	---	2.0	---	---	---	X
Formamide	75-12-7	20	30	30	45	---	---	---
Formic acid	64-18-6	5.0	9.0	---	---	---	---	---
Furfural	98-01-1	2.0	8.0	---	---	---	---	---
Furfuryl alcohol	98-00-0	10	40	15	60	---	---	X
Gasoline	8006-61-9	300	900	500	1,500	---	---	X
Germanium tetrahydride	7782-65-2	0.2	0.6	---	---	---	---	---

TABLE 1: LIMITS FOR AIR CONTAMINANTS  
Permissible Exposure Limits (PEL)

HT/PEL  
TABLE 1.16

Substance	CAS <sup>1/</sup> Number	TWA		STEL <sup>c/</sup>		CEILING		Skin Designation
		ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	
Glass, fibrous or dust	---	---	10	---	---	---	---	---
Gluteraldehyde	111-30-8	---	---	---	---	0.2	0.8	---
Glycerin mist	56-81-5	---	---	---	---	---	---	---
Total dust	---	---	10	---	---	---	---	---
Respirable fraction	---	---	5.0	---	---	---	---	---
Glycidol (2, 3-Epoxy-1- propanol)	556-52-5	25	75	---	---	---	---	---
Glycol monoethyl ether (see 2-Ethoxyethanol)	---	---	---	---	---	---	---	---
Grain dust (oat, wheat, barley)	---	---	10	---	---	---	---	---
Graphite, natural	7782-42-5	---	---	---	---	---	---	---
Respirable dust	---	---	2.5	---	---	---	---	---
Graphite, Synthetic	---	---	---	---	---	---	---	---
Total dust	---	---	10	---	---	---	---	---
Respirable fraction	---	---	5.0	---	---	---	---	---
Guthion® (see Azinphosmethyl)	---	---	---	---	---	---	---	---
Gypsum	13397-24-5	---	---	---	---	---	---	---
Total dust	---	---	10	---	---	---	---	---
Respirable fraction	---	---	5.0	---	---	---	---	---
Hafnium	7440-58-6	---	0.5	---	---	---	---	---
Helium	---	Simple	Asphyxiant	---	---	---	---	---
Heptachlor	76-44-8	---	0.5	---	---	---	---	---
Heptane (n-heptane)	142-82-5	400	1,600	500	2,000	---	---	X
2-Heptanone, (see Methyl n-amyl ketone)	---	---	---	---	---	---	---	---
3-Heptanone (see Ethyl butyl ketone)	---	---	---	---	---	---	---	---
Hexachlorobutadiene	87-68-3	0.02	0.24	---	---	---	---	X
Hexachlorocyclopentadiene	77-47-4	0.01	0.1	---	---	---	---	---

TABLE 1: LIMITS FOR AIR CONTAMINANTS  
Permissible Exposure Limits (PEL)



HT/PEL  
TABLE 1.17

TABLE 1: LIMITS FOR AIR CONTAMINANTS  
Permissible Exposure Limits (PEL)

Substance	CAS <sup>1/</sup> Number	TWA		STEL <sup>c/</sup>		CEILING		Skin Designation
		ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	
Hexachloroethane	67-72-1	1.0	10	---	---	---	---	X
Hexachloronaphthalene	1335-87-1	---	0.2	---	---	---	---	X
Hexafluoroacetone	684-16-2	0.1	0.7	---	---	---	---	X
Hexane	---	---	---	---	---	---	---	---
n-hexane	110-54-3	50	180	---	---	---	---	---
other isomers	Varies w/compound	500	1,800	1,000	3,600	---	---	---
2-Hexanone (Methyl-n-butyl ketone)	591-78-6	5.0	20	---	---	---	---	---
Hexone (Methyl isobutyl ketone)	108-10-1	50	205	75	300	---	---	---
sec-Hexyl acetate	108-84-9	50	300	---	---	---	---	---
Hexylene Glycol	107-41-5	---	---	---	---	25	125	---
Hydrazine	302-01-2	0.1	0.1	---	---	---	---	X
Hydrogen	---	Simple	Asphyxiant	---	---	---	---	---
Hydrogenated terphenyls	61788-32-7	0.5	5.0	---	---	---	---	---
Hydrogen bromide	10035-10-6	---	---	---	---	3.0	10	---
Hydrogen chloride	7647-01-0	---	---	---	---	5.0	7.0	---
Hydrogen cyanide	74-90-8	---	---	4.7	5.0	---	---	X
Hydrogen fluoride	7664-39-3	---	---	---	---	3.0	2.5	---
Hydrogen peroxide	7722-84-1	1.0	1.4	---	---	---	---	---
Hydrogen selenide (as Se)	7783-02-5	0.05	0.2	---	---	---	---	---
Hydrogen Sulfide	7783-06-4	10	14	15	21	---	---	---
Hydroquinone	123-31-9	---	2.0	---	---	---	---	---
4-Hydroxy-4-methyl-2-pentanone (see Diacetone alcohol)	---	---	---	---	---	---	---	---
2-Hydroxypropyl acrylate	999-61-1	0.5	3.0	---	---	---	---	X
Indene	95-13-6	10	45	---	---	---	---	---
Indium and compounds (as In)	7440-74-6	---	0.1	---	---	---	---	---
Iodine	7553-56-2	---	---	---	---	0.1	1.0	---
Iodoform	75-47-8	0.6	10	---	---	---	---	---
Iron oxide dust and fume (as Fe)	1309-37-1	---	---	---	---	---	---	---
Total particulate	---	---	5.0	---	---	---	---	---

HT/PEL  
TABLE 1.18

TABLE 1: LIMITS FOR AIR CONTAMINANTS  
Permissible Exposure Limits (PEL)

Substance	CAS <sup>1/</sup> Number	TWA		STEL <sup>c/</sup>		CEILING		Skin Designation
		ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	
Iron pentacarbonyl (as Fe)	13463-40-6	0.1	0.8	0.2	1.6	---	---	---
Iron salts, soluble (as Fe)	Varies w/compound	---	1.0	---	---	---	---	---
Isoamyl acetate	123-92-2	100	525	---	---	---	---	---
Isoamyl alcohol (primary and secondary)	123-51-3	100	360	125	450	---	---	---
Isobutyl acetate	110-19-0	150	700	---	---	---	---	---
Isobutyl alcohol	78-83-1	50	150	---	---	---	---	---
Isocetyl alcohol	26952-21-6	50	270	---	---	---	---	X
Isophorone	78-59-1	4.0	23	---	---	5.0	25	---
Isophorone diisocyanate	4098-71-9	0.005	0.045	0.02	---	---	---	X
Isopropoxyethanol	109-59-1	25	105	---	---	---	---	---
Isopropyl acetate	108-21-4	250	950	310	1,185	---	---	---
Isopropyl alcohol	67-63-0	400	980	500	1,225	---	---	---
Isopropylamine	75-31-0	5.0	12	10	24	---	---	---
N-Isopropylaniline	768-52-5	2.0	10	---	---	---	---	X
Isopropyl ether	108-20-3	250	1,050	---	---	---	---	---
Isopropyl glycidyl ether (IGE)	4016-14-2	50	240	75	360	---	---	---
Kaolin	---	---	---	---	---	---	---	---
Total dust	---	---	10	---	---	---	---	---
Respirable fraction	---	---	5.0	---	---	---	---	---
Ketene	463-51-4	0.5	0.9	1.5	3.0	---	---	---
Lead inorganic (as Pb) (see WAC 296-62-07521)	7439-92-1	---	0.15	---	---	---	---	---
Lead arsenate (see WAC 296-62-07347)	3687-31-8	---	0.15	---	---	---	---	---
Lead chromate	7758-97-6	---	0.05	---	---	---	---	---
Limestone	1317-65-3	---	---	---	---	---	---	---
Total dust	---	---	10	---	---	---	---	---
Respirable fraction	---	---	5.0	---	---	---	---	---
Lindane	58-89-9	---	0.5	---	---	---	---	X

HT/PEL  
TABLE 1.18

TABLE 1: LIMITS FOR AIR CONTAMINANTS  
Permissible Exposure Limits (PEL)

Substance	CAS <sup>1/</sup> Number	TWA		STEL <sup>2/</sup>		CEILING		Skin Design- ation
		ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	
Iron pentacarbonyl (as Fe)	13463-40-6	0.1	0.8	0.2	1.6	---	---	---
Iron salts, soluble (as Fe)	Varies w/compound	---	1.0	---	---	---	---	---
Isoamyl acetate	123-92-2	100	525	---	---	---	---	---
Isoamyl alcohol (primary and secondary)	123-51-3	100	360	125	450	---	---	---
Isobutyl acetate	110-19-0	150	700	---	---	---	---	---
Isobutyl alcohol	78-83-1	50	150	---	---	---	---	---
Isooctyl alcohol	26952-21-6	50	270	---	---	---	---	X
Isophorone	78-59-1	4.0	23	---	---	5.0	25	---
Isophorone diisocyanate	4098-71-9	0.005	0.045	0.02	---	---	---	X
Isopropoxyethanol	109-59-1	25	105	---	---	---	---	---
Isopropyl acetate	108-21-4	250	950	310	1,185	---	---	---
Isopropyl alcohol	67-63-0	400	980	500	1,225	---	---	---
Isopropylamine	75-31-0	5.0	12	10	24	---	---	---
N-Isopropylaniline	768-52-5	2.0	10	---	---	---	---	X
Isopropyl ether	108-20-3	250	1,050	---	---	---	---	---
Isopropyl glycidyl ether (IGE)	4016-14-2	50	240	75	360	---	---	---
Kaolin	---	---	10	---	---	---	---	---
Total dust	---	---	5.0	---	---	---	---	---
Respirable fraction	---	---	---	---	---	---	---	---
Ketane	463-51-4	0.5	0.9	1.5	3.0	---	---	---
Lead inorganic (as Pb) (see WAC 296-62-07521)	7439-92-1	---	0.05	---	---	---	---	---
Lead arsenate (see WAC 296-62-07347)	3687-31-8	---	0.05	---	---	---	---	---
Lead chromate	7758-97-6	---	0.05	---	---	---	---	---
Limestone	1317-65-3	---	10	---	---	---	---	---
Total dust	---	---	5.0	---	---	---	---	---
Respirable fraction	---	---	---	---	---	---	---	X
Lindane	58-89-9	---	0.5	---	---	---	---	---

underline table *ur*

HT/PEL  
TABLE 1.19

TABLE 1: LIMITS FOR AIR CONTAMINANTS  
Permissible Exposure Limits (PEL)

Substance	CAS <sup>1/</sup> Number	TWA		STEL <sup>2/</sup>		CEILING		Skin Design- ation
		ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	
Lithium hydride	7580-67-8	---	0.025	---	---	---	---	---
L.P.G. (liquefied petroleum gas)	68476-85-7	1,000	1,800	---	---	---	---	---
Magnesite	546-93-0	---	10	---	---	---	---	---
Total dust	---	---	5.0	---	---	---	---	---
Respirable fraction	---	---	---	---	---	---	---	---
Magnesium oxide fume	1309-48-4	---	---	---	---	---	---	---
Total particulate	---	---	10	---	---	---	---	---
Malathion	121-75-5	---	10	---	---	---	---	X
Total dust	---	---	10	---	---	---	---	---
Maleic anhydride	108-31-6	0.25	1.0	---	---	---	---	---
Manganese and compound (as Mn)	7439-96-5	---	---	---	---	5.0	---	---
Manganese tetroxide and fume (as Mn)	7439-96-5	---	1.0	---	3.0	---	---	---
Manganese cyclopentadienyl tricarbonyl (as Mn)	12079-65-1	---	0.1	---	---	---	---	X
Manganese tetroxide (as Mn)	1317-35-7	---	1.0	---	---	---	---	---
Marble	1317-65-3	---	10	---	---	---	---	---
Total dust	---	---	5.0	---	---	---	---	---
Respirable fraction	---	---	---	---	---	---	---	---
Mercury (aryl and inorganic) (as Hg)	7439-97-6	---	---	---	---	0.1	---	X
Mercury (organo-alkyl compounds) (as Hg)	7439-97-6	---	0.01	---	0.03	---	---	X
Mercury (vapor) (as Hg)	7439-97-6	---	0.05	---	---	---	---	X
Mesityl oxide	141-79-7	15	60	25	100	---	---	---
Methacrylic acid	79-41-4	20	70	---	---	---	---	X
Methane	---	Simple	Asphyxiant	---	---	---	---	---
Methanethiol (see Methyl mercaptan)	---	---	---	---	---	---	---	---
Methomyl (lannate)	16752-77-5	---	2.5	---	---	---	---	---
Methoxychlor	72-43-5	---	10	---	---	---	---	---
Total dust	---	---	---	---	---	---	---	---

HT/PEL  
TABLE 1.20

TABLE 1: LIMITS FOR AIR CONTAMINANTS  
Permissible Exposure Limits (PEL)

Substance	CAS $\frac{1/}{}$ Number	TWA		STEL $\frac{c/}{}$		CEILING		Skin Design- nation
		ppm $\frac{a/}{}$	mg/m <sup>3</sup> $\frac{b/}{}$	ppm $\frac{a/}{}$	mg/m <sup>3</sup> $\frac{b/}{}$	ppm $\frac{a/}{}$	mg/m <sup>3</sup> $\frac{b/}{}$	
2-Methoxyethanol (Methyl cellosolve)	109-86-4	5.0	16	---	---	---	---	X
4-Methoxyphenol	150-76-5	---	5.0	---	---	---	---	---
Methyl acetate	79-20-9	200	610	250	760	---	---	---
Methyl acetylene (propyne)	74-99-7	1,000	1,650	---	---	---	---	---
Methyl acetylene-propadiene mixture (MAPP)	---	1,000	1,800	1,250	2,250	---	---	---
Methyl acrylate	96-33-3	10	35	---	---	---	---	X
Methylacrylonitrile	126-98-7	1.0	3.0	---	---	---	---	X
Methylal (Dimethoxy-methane)	109-87-5	1,000	3,100	---	---	---	---	---
Methyl alcohol (methanol)	67-56-1	200	260	250	325	---	---	X
Methylamine	74-89-5	10	12	---	---	---	---	---
Methyl amyl alcohol (see Methyl isobutyl carbinol)	---	---	---	---	---	---	---	---
Methyl n-amyl ketone (2-Heptanone)	110-43-0	50	235	---	---	---	---	---
N-Methyl aniline (see Monomethyl aniline)	---	---	---	---	---	---	---	---
Methyl bromide	74-83-9	5.0	20	---	---	---	---	X
Methyl butyl ketone (see 2-Hexanone)	---	---	---	---	---	---	---	---
Methyl cellosolve (see 2-Methoxyethanol)	109-86-4	5.0	16	---	---	---	---	X
Methyl cellosolve acetate (2-Methoxyethyl acetate)	110-49-6	5.0	24	---	---	---	---	X
Methyl chloride	74-87-3	50	105	100	210	---	---	---
Methyl chloroform (1, 1, 1-trichloroethane)	71-55-6	350	1,900	450	2,450	---	---	---
Methyl chloromethyl ether (see WAC 296-62-073)	107-30-2	---	---	---	---	---	---	---

HT/PEL  
TABLE 1.21

TABLE 1: LIMITS FOR AIR CONTAMINANTS  
Permissible Exposure Limits (PEL)

Substance	CAS $\frac{1/}{}$ Number	TWA		STEL $\frac{c/}{}$		CEILING		Skin Design- nation
		ppm $\frac{a/}{}$	mg/m <sup>3</sup> $\frac{b/}{}$	ppm $\frac{a/}{}$	mg/m <sup>3</sup> $\frac{b/}{}$	ppm $\frac{a/}{}$	mg/m <sup>3</sup> $\frac{b/}{}$	
Methyl 2-cyanoacrylate	137-05-3	2.0	8.0	4.0	16	---	---	---
Methylcyclohexane	108-87-2	400	1,600	---	---	---	---	---
Methylcyclohexanol	25639-42-3	50	235	---	---	---	---	---
Methylcyclohexanone	583-60-8	50	230	75	345	---	---	X
Methylcyclopentadienyl manganese tricarbonyl (as Mn)	12108-13-3	---	0.2	---	---	---	---	X
Methyl demeton	8022-00-2	---	0.5	---	---	---	---	X
Methylene bisphenyl isocyanate (MDI)	101-68-8	---	---	---	---	0.02	0.2	---
4, 4'-Methylene bis (2-chloroaniline (MBOCA)) (see WAC 296-62-073)	101-14-4	0.02	0.22	---	---	---	---	X
Methylene bis (4-cyclohexylisocyanate)	5124-30-1	---	---	---	---	0.01	0.11	---
Methylene chloride	75-09-2	100	---	500	---	---	---	---
4, 4-Methylene dianiline	101-77-9	0.1	0.8	---	---	---	---	X
Methyl ethyl ketone (MEK) (see 2-Butanone)	78-93-3	---	---	---	---	---	---	---
Methyl ethyl ketone peroxide (MEKP)	1338-23-4	---	---	---	---	0.2	1.5	---
Methyl formate	107-31-3	100	250	150	375	---	---	---
5-Methyl-3-heptanone (see Ethyl amyl ketone)	---	---	---	---	---	---	---	---
Methyl hydrazine (see Monomethyl hydrazine)	60-34-4	---	---	---	---	0.2	0.35	X
Methyl iodide	74-88-4	2.0	10	---	---	---	---	X
Methyl isoamyl ketone	110-12-3	50	240	---	---	---	---	---
Methyl isobutyl carbinol	108-11-2	25	100	40	165	---	---	X
Methyl isobutyl ketone (see Hexone)	---	---	---	---	---	---	---	---

HT/PEL  
TABLE 1.22

TABLE 1: LIMITS FOR AIR CONTAMINANTS  
Permissible Exposure Limits (PEL)

Substance	CAS <sup>1/</sup> Number	TWA		STEL <sup>c/</sup>		CEILING		Skin Design- nation
		ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	
Methyl isocyanate	624-83-9	0.02	0.05	---	---	---	---	X
Methyl isopropyl ketone	563-80-4	200	705	---	---	---	---	---
Methyl mercaptan	74-93-1	0.5	1.0	---	---	---	---	---
Methyl methacrylate	80-62-6	100	410	---	---	---	---	X
Methyl parathion	298-00-0	---	0.2	---	---	---	---	---
Methyl propyl ketone (see 2-Pentanone)	---	---	---	---	---	---	---	---
Methyl silicate	684-84-5	1.0	6.0	---	---	---	---	---
alpha-Methyl styrene	98-83-9	50	240	100	485	0.02	0.2	---
Methylene bisphenyl isocyanate (MDI)	101-68-8	---	---	---	---	---	---	---
Mevinphos <sup>®</sup> (see Phosdrin)	---	---	---	---	---	---	---	---
Metribuzin	21087-64-9	---	5.0	---	---	---	---	---
Mica (see Silicates)	---	---	---	---	---	---	---	---
Molybdenum (as Mo)	7439-98-7	---	5.0	---	---	---	---	---
Soluble compounds	---	---	---	---	---	---	---	---
Insoluble compounds	---	---	10	---	---	---	---	---
Total dust	---	---	0.25	---	---	---	---	---
Monocrotophos (Azodrin <sup>®</sup> )	6923-22-4	---	2.0	---	---	---	---	X
100-61-8	100-61-8	0.5	2.0	---	---	0.2	0.35	---
Monomethyl aniline	---	---	---	---	---	---	---	X
Monomethyl hydrazine	---	---	---	---	---	---	---	X
Morpholine	110-91-8	20	70	30	105	---	---	X
Naled	300-76-5	---	3.0	---	---	---	---	X
Naphtha (Coal tar)	8030-30-6	100	400	---	---	---	---	---
Naphthalene	91-20-3	10	50	15	75	---	---	---
alpha-Naphthylamine (see WAC 296-62-073)	134-32-7	---	---	---	---	---	---	---
beta-Naphthylamine (see WAC 296-62-073)	91-59-8	---	---	---	---	---	---	---

HT/PEL  
TABLE 1.23

TABLE 1: LIMITS FOR AIR CONTAMINANTS  
Permissible Exposure Limits (PEL)

Substance	CAS <sup>1/</sup> Number	TWA		STEL <sup>c/</sup>		CEILING		Skin Design- nation
		ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	
Neon	7440-01-9	Simple	Asphyxiant	---	---	---	---	---
Nickel carbonyl (as Ni)	13463-39-3	0.001	0.007	---	---	---	---	---
Nickel, (as Ni)	7440-02-0	---	1.0	---	---	---	---	---
Metal and insoluble compounds	---	---	0.1	---	---	---	---	---
Soluble compounds	---	---	0.5	---	---	---	---	X
Nicotine	54-11-5	---	---	---	---	---	---	---
Nitrapyrin (see 2-Chloro-6 trichloromethyl pyridine)	1929-82-4	---	---	---	---	---	---	---
Total dust	---	---	10	---	---	---	---	---
Respirable fraction	---	---	5.0	---	---	---	---	---
Nitric acid	7697-37-2	2.0	5.0	4.0	10	---	---	---
Nitric oxide	10102-43-9	25	30	---	---	---	---	---
p-Nitroaniline	100-01-6	---	3.0	---	---	---	---	X
Nitrobenzene	98-95-3	1.0	5.0	---	---	---	---	---
4-Nitrobiphenyl (see WAC 296-62-073)	92-93-3	---	---	---	---	---	---	---
p-Nitrochlorobenzene	100-00-5	---	0.5	---	---	---	---	X
4-Nitrodiphenyl (see WAC 296-62-073)	---	---	---	---	---	---	---	---
Nitroethane	79-24-3	100	310	---	---	---	---	---
Nitrogen	7727-37-9	Simple	Asphyxiant	---	---	---	---	---
Nitrogen dioxide	10102-44-0	---	---	1.0	1.8	---	---	---
Nitrogen trifluoride	7783-54-2	10	29	---	---	---	---	X
Nitroglycerin	55-63-0	---	---	---	0.1	---	---	---
Nitromethane	75-52-5	100	250	---	---	---	---	---
1-Nitropropane	108-03-2	25	90	---	---	---	---	---
2-Nitropropane	79-46-9	10	35	---	---	---	---	---
N-Nitrosodimethylamine (see WAC 296-62-073)	62-75-9	---	---	---	---	---	---	---

HT/PEL  
TABLE 1.24

TABLE 1: LIMITS FOR AIR CONTAMINANTS  
Permissible Exposure Limits (PEL)

Substance	CAS <sup>1/</sup> Number	TWA		STEL <sup>c/</sup>		CEILING		Skin Design- nation
		ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	
Nitrotoluene:								
o-isomer	88-72-2	2.0	11	---	---	---	---	X
m-isomer	98-08-2	2.0	11	---	---	---	---	X
p-isomer	99-99-0	2.0	11	---	---	---	---	X
Nitrotetrachloromethane (see Chloropicrin)	---	---	---	---	---	---	---	---
Nitrous Oxide (Nitrogen oxide)	10024-97-2	30	54	---	---	---	---	---
Nonane	111-84-2	200	1,050	---	---	---	---	---
Octachloronaphthalene	2234-13-1	---	0.1	---	0.3	---	---	X
Octane	111-65-9	300	1,450	375	1,800	---	---	---
Oil mist, mineral (particulate)	8012-95-1	---	5.0	---	---	---	---	---
Osmium tetroxide (as Os)	20816-12-0	0.0002	0.002	0.0006	0.006	---	---	---
Oxalic acid	144-62-7	---	1.0	---	2.0	---	---	---
Oxygen difluoride	7783-41-7	---	---	---	---	0.05	0.1	---
Ozone	10028-15-6	0.1	0.2	0.3	0.6	---	---	---
Paraffin wax fume	8002-74-2	---	2.0	---	---	---	---	---
Paraquat (Respirable dust)	4685-14-7 1910-42-5 2074-50-2	---	0.1	---	---	---	---	X
Parathion	56-38-2	---	0.1	---	---	---	---	X
Particulate polycyclic aromatic hydrocarbons (see coal tar pitch volatiles)	---	---	---	---	---	---	---	---
Particulates not otherwise regulated (see WAC 296-62-07510)	---	---	---	---	---	---	---	---
Total Dust	---	---	10	---	---	---	---	---
Respirable Fraction	---	---	5.0	---	---	---	---	---
Pentaborane	19624-22-7	0.005	0.01	0.015	0.03	---	---	---
Pentachloronaphthalene	1321-64-8	---	0.5	---	---	---	---	X
Pentachlorophenol	87-86-5	---	0.5	---	---	---	---	X

HT/PEL  
TABLE 1.25

TABLE 1: LIMITS FOR AIR CONTAMINANTS  
Permissible Exposure Limits (PEL)

Substance	CAS <sup>1/</sup> Number	TWA		STEL <sup>c/</sup>		CEILING		Skin Design- nation
		ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	
Pentaerythritol	115-77-5	---	---	---	---	---	---	---
Total dust	---	---	10	---	---	---	---	---
Respirable fraction	---	---	5.0	---	---	---	---	---
Pentane	109-66-0	600	1,800	750	2,250	---	---	---
2-Pentanone (methyl propyl ketone)	107-87-9	200	700	250	875	---	---	---
Perchloroethylene (tetrachloroethylene)	127-18-4	25	170	---	---	---	---	---
Perchloromethyl mercaptan	594-42-3	0.1	0.8	---	---	---	---	---
Perchloryl fluoride	7616-94-6	3.0	14	6.0	28	---	---	---
Perlite	---	---	---	---	---	---	---	---
Total dust	---	---	10	---	---	---	---	---
Respirable fraction	---	---	5.0	---	---	---	---	---
Petroleum distillates (Naphtha)	---	100	400	---	---	---	---	---
Phenol	108-95-2	5.0	19	---	---	---	---	X
Phenothiazine	92-84-2	---	5.0	---	---	---	---	X
p-Phenylene diamine	106-50-3	---	0.1	---	---	---	---	X
Phenyl ether (vapor)	101-84-8	1.0	7.0	---	---	---	---	---
Phenyl ether-diphenyl mixture (vapor)	---	1.0	7.0	---	---	---	---	---
Phenylethylene, (see Styrene)	---	---	---	---	---	---	---	---
Phenyl glycidyl ether (PGE)	122-60-1	1.0	6.0	---	---	---	---	---
Phenylhydrazine	100-63-0	5.0	20	10	45	---	---	X
Phenyl mercaptan	108-98-5	0.5	2.0	---	---	---	---	---
Phenylphosphine	638-21-1	---	---	---	---	0.05	0.25	---
Phorate	298-02-2	---	0.05	---	0.2	---	---	X
Phosdrin (Mevinphos®)	7706-34-7	0.01	0.1	0.03	0.3	---	---	X
Phosgene (carbonyl chloride)	75-44-5	0.1	0.4	---	---	---	---	---
Phosphine	7803-51-2	0.3	0.4	1.0	1.0	---	---	---
Phosphoric acid	7664-38-2	---	1.0	---	3.0	---	---	---
Phosphorus (yellow)	7723-14-0	---	0.1	---	---	---	---	---

HT/PEL  
TABLE 1.26

Substance	CAS <sup>1/</sup> Number	TWA		STEL <sup>ε/</sup>		CEILING		Skin Designation
		ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	
Phosphorous oxychloride	10025-87-3	0.1	0.6	---	---	---	---	---
Phosphorus pentachloride	10026-13-8	0.1	1.0	---	---	---	---	---
Phosphorus pentasulfide	1314-80-3	---	1.0	---	3.0	---	---	---
Phosphorus trichloride	7719-12-2	0.2	1.5	0.5	3.0	---	---	---
Phthalic anhydride	85-44-9	1.0	6.0	---	---	---	---	---
m-Phthalodinitrile	626-17-5	---	5.0	---	---	---	---	---
Picloram	1918-02-1	---	---	---	---	---	---	---
Total dust	---	---	10	---	---	---	---	---
Respirable fraction	---	---	5.0	---	---	---	---	---
Picric acid	88-89-1	---	0.1	---	---	---	---	X
Pindone (see Pival) (2-Pivalyl-1, 3-Indandione)	83-26-1	---	0.1	---	---	---	---	---
Piperazine dihydrochloride	142-64-3	---	5.0	---	---	---	---	---
Pival® (see Pindone)	-----	---	---	---	---	---	---	---
Plaster of Paris	26499-65-0	---	---	---	---	---	---	---
Total dust	---	---	10	---	---	---	---	---
Respirable fraction	---	---	5.0	---	---	---	---	---
Platinum (as Pt)	7440-06-4	---	---	---	---	---	---	---
Metal	---	---	1.0	---	---	---	---	---
Soluble salts	---	---	0.002	---	---	---	---	---
Polychlorobiphenyls (see Chlorodiphenyls)	---	---	---	---	---	---	---	---
Portland cement	65997-15-1	---	---	---	---	---	---	---
Total dust	---	---	10	---	---	---	---	---
Respirable fraction	---	---	5.0	---	---	---	---	---
Potassium hydroxide	1310-58-3	---	---	---	---	---	2.0	---
Propane	74-98-6	1,000	1,800	---	---	---	---	---
Propargyl alcohol	107-19-7	1.0	2.0	---	---	---	---	X
beta-Propiolactone (see WAC 296-62-073)	57-57-8	---	---	---	---	---	---	---
Propionic acid	79-09-4	10	30	---	---	---	---	---

HT/PEL  
TABLE 1.27

Substance	CAS <sup>1/</sup> Number	TWA		STEL <sup>ε/</sup>		CEILING		Skin Designation
		ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	
Propoxur (Baygon)	114-26-1	---	0.5	---	---	---	---	---
n-Propyl acetate	109-60-4	200	840	250	1,050	---	---	---
n-Propyl alcohol	71-23-8	200	500	250	625	---	---	X
n-Propyl nitrate	627-13-4	25	105	40	170	---	---	---
Propylene	---	Simple	Asphyxiant	---	---	---	---	---
Propylene dichloride (1, 2-Dichloropropane)	78-87-5	75	350	110	510	---	---	---
Propylene glycol dinitrate	6423-43-4	0.05	0.3	---	---	---	---	X
Propylene glycol monomethyl ether	107-98-2	100	360	150	540	---	---	---
Propylene imine	75-55-8	2.0	5.0	---	---	---	---	X
Propylene oxide	75-56-9	20	50	---	---	---	---	---
Propyne, (see Methyl acetylene)	---	---	---	---	---	---	---	---
Pyrethrum	8003-34-7	---	5.0	---	---	---	---	---
Pyridine	110-86-1	5.0	15	---	---	---	---	---
Quinone	106-51-4	0.1	0.4	---	---	---	---	---
RDX (See Cyclonite)	---	---	1.5	---	---	---	---	X
Resorcinol	108-46-3	10	45	20	90	---	---	---
Rhodium (as Rh)	7440-16-6	---	---	---	---	---	---	---
Insoluble compounds, Metal fumes and dusts	---	---	0.1	---	---	---	---	---
Soluble compounds, salts	---	---	0.001	---	---	---	---	---
Ronnel	299-84-3	---	10	---	---	---	---	---
Rosin core solder, pyrolysis products (as formaldehyde)	---	---	0.1	---	---	---	---	---
Rotenone	83-79-4	---	5.0	---	---	---	---	---
Rouge	---	---	---	---	---	---	---	---
Total dust	---	---	10	---	---	---	---	---
Respirable fraction	---	---	5.0	---	---	---	---	---
Rubber solvent (naphtha)	8002-05-9	100	400	---	---	---	---	---
Selenium compounds (as Se)	7782-49-2	---	0.2	---	---	---	---	---

HT/PEL  
TABLE 1.28

TABLE 1: LIMITS FOR AIR CONTAMINANTS  
Permissible Exposure Limits (PEL) c/

Substance	CAS <u>1/</u> Number	TWA		STEL		CEILING		Skin Design- nation
		ppm <u>a/</u>	mg/m <sup>3</sup> <u>b/</u>	ppm <u>a/</u>	mg/m <sup>3</sup> <u>b/</u>	ppm <u>a/</u>	mg/m <sup>3</sup> <u>b/</u>	
Selenium hexafluoride (as Se)	7783-79-1	0.05	0.2	---	---	---	---	---
Sesone (see Crag herbicide)	---	---	---	---	---	---	---	---
Silane (see Silicon tetrahydride)	---	---	---	---	---	---	---	---
Silica, amorphous, precipitated and gel	112926-00-8	---	6.0	---	---	---	---	---
Silica, amorphous, diatomaceous earth, containing less than 1% crystalline silica	61790-53-2	---	6.0	---	---	---	---	---
Total dust	---	---	6.0	---	---	---	---	---
Respirable fraction	---	---	3.0	---	---	---	---	---
Silica, crystalline cristobalite (as quartz) respirable dust	14464-46-1	---	0.05	---	---	---	---	---
Silica, crystalline quartz (as quartz), respirable dust	14808-60-7	---	0.1 <u>g/ h/</u>	---	---	---	---	---
Silica, crystalline tripoli (as quartz), respirable dust	1317-95-9	---	0.1	---	---	---	---	---
Silica, crystalline tridymite (as quartz), respirable dust	15468-32-3	---	0.05	---	---	---	---	---
Silica, fused, respirable dust	60676-86-0	---	0.1	---	---	---	---	---
Silicates (less than 1% crystalline silica):								
Mica (Respirable dust)	12001-26-2	---	3.0	---	---	---	---	---
Soapstone, Total dust	---	---	6.0	---	---	---	---	---
Soapstone, Respirable dust	---	---	3.0	---	---	---	---	---
Talc (containing asbestos): use asbestos limit (see WAC 296-62-07517)	---	---	---	---	---	---	---	---

HT/PEL  
TABLE 1.29

TABLE 1: LIMITS FOR AIR CONTAMINANTS  
Permissible Exposure Limits (PEL) c/

Substance	CAS <u>1/</u> Number	TWA		STEL		CEILING		Skin Design- nation
		ppm <u>a/</u>	mg/m <sup>3</sup> <u>b/</u>	ppm <u>a/</u>	mg/m <sup>3</sup> <u>b/</u>	ppm <u>a/</u>	mg/m <sup>3</sup> <u>b/</u>	
Talc (containing no asbestos), Respirable dust	14807-96-6	---	2.0	---	---	---	---	---
Tremolite (see WAC 296-62-07517)	---	---	---	---	---	---	---	---
Silicon	7440-21-3	---	---	---	---	---	---	---
Total dust	---	---	10	---	---	---	---	---
Respirable fraction	---	---	5.0	---	---	---	---	---
Silicon Carbide	409-21-2	---	---	---	---	---	---	---
Total dust	---	---	10	---	---	---	---	---
Respirable fraction	---	---	5.0	---	---	---	---	---
Silicon tetrahydride	7803-62-5	5.0	7.0	---	---	---	---	---
Silver, metal dust and soluble compounds (as Ag)	7440-22-4	---	0.01	---	---	---	---	---
Soapstone (see Silicates)	---	---	---	---	---	---	---	---
Sodium azide (as HN <sub>3</sub> ) (as NaH <sub>3</sub> )	26628-22-8	---	---	---	---	0.1	0.3	X
Sodium bisulfite	7631-90-5	---	5.0	---	---	0.1	0.3	X
Sodium-2, 4-dichlorophenoxyethyl sulfate (see Crag herbicide)	---	---	---	---	---	---	---	---
Sodium fluoroacetate	62-74-8	---	0.05	---	0.15	---	---	X
Sodium hydroxide	1310-73-2	---	---	---	---	---	2.0	---
Sodium metabisulfite	7681-57-4	---	5.0	---	---	---	---	---
Starch	9005-25-8	---	---	---	---	---	---	---
Total dust	---	---	10	---	---	---	---	---
Respirable fraction	---	---	5.0	---	---	---	---	---
Stibine	7803-52-3	0.1	0.5	---	---	---	---	---
Stoddard solvent	8052-41-3	100	525	---	---	---	---	---
Strychnine	57-24-9	---	0.15	---	---	---	---	---
Styrene	100-42-5	50	215	100	425	---	---	---

HT/PEL  
TABLE 1.30

TABLE 1: LIMITS FOR AIR CONTAMINANTS  
Permissible Exposure Limits (PEL)

Substance	CAS <sup>1/</sup> Number	TWA		STEL <sup>c/</sup>		CEILING		Skin Designation
		ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	
Subtilisins	9014-01-1	---	---	---	0.00006 (60 min.) <sup>d/</sup>	---	---	---
Sucrose	57-50-1	---	---	---	---	---	---	---
Total dust	---	---	10	---	---	---	---	---
Respirable fraction	---	---	5.0	---	---	---	---	X
Sulfotep (see TEDP)	---	---	---	---	---	---	---	---
Sulfur dioxide	7446-09-5	2.0	5.0	5.0	10	---	---	---
Sulfur hexafluoride	2551-62-4	1,000	6,000	---	---	---	---	---
Sulfuric acid	7664-93-9	---	1.0	---	---	---	---	---
Sulfur monochloride	10025-67-9	---	---	---	---	1.0	6.0	---
Sulfur pentachloride	5714-22-1	---	---	---	---	0.01	0.1	---
Sulfur tetrafluoride	7783-60-0	---	---	---	---	0.1	0.4	---
Sulfuryl fluoride	2699-79-8	5.0	20	10	40	---	---	---
Sulprofos	35400-43-2	---	1.0	---	---	---	---	---
Systox (see Demeton <sup>®</sup> )	---	---	---	---	---	---	---	---
2, 4, 5-T	93-76-5	---	10	---	---	---	---	---
Talc (see Silicates)	---	---	---	---	---	---	---	---
Tantalum	7440-25-7	---	5.0	---	---	---	---	---
Metal and oxide dusts	---	---	---	---	---	---	---	X
TEDP (Sulfotep)	3689-24-5	---	0.2	---	---	---	---	---
Tellurium and compounds (as Te)	13494-80-9	---	0.1	---	---	---	---	---
Tellurium hexafluoride (as Te)	7783-80-4	0.02	0.2	---	---	---	---	---
Temephos	3383-96-8	---	---	---	---	---	---	---
Total dust	---	---	10	---	---	---	---	---
Respirable fraction	---	---	5.0	---	---	---	---	X
TEPP	107-49-3	0.004	0.05	---	---	0.5	5.0	---
Terphenyls	26140-60-3	---	---	---	---	---	---	---
1, 1, 1, 2-Tetrachloro-2, 2-difluoroethane	76-11-0	500	4,170	---	---	---	---	---
1, 1, 2, 2-Tetrachloro-1, 2-difluoroethane	76-12-0	500	4,170	---	---	---	---	---

HT/PEL  
TABLE 1.31

TABLE 1: LIMITS FOR AIR CONTAMINANTS  
Permissible Exposure Limits (PEL)

Substance	CAS <sup>1/</sup> Number	TWA		STEL <sup>c/</sup>		CEILING		Skin Designation
		ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	
1, 1, 2, 2-Tetrachloroethane	79-34-5	1.0	7.0	---	---	---	---	X
Tetrachloroethylene (see Perchloroethylene)	---	---	---	---	---	---	---	---
Tetrachloromethane (see Carbon tetrachloride)	---	---	---	---	---	---	---	---
Tetrachloronaphthalene	1335-88-2	---	2.0	---	---	---	---	X
Tetraethyl lead (as Pb)	70-00-2	---	0.075	---	---	---	---	---
Tetrahydrofuran	109-99-9	200	590	250	735	---	---	---
Tetramethyl lead (as Pb)	75-74-1	---	0.075	---	---	---	---	X
Tetramethyl succinonitrile	3333-52-6	0.5	3.0	---	---	---	---	---
Tetranitromethane	509-14-8	1.0	8.0	---	---	---	---	---
Tetrasodium pyrophosphate	7722-88-5	---	5.0	---	---	---	---	X
Tetryl (2, 4, 6-trinitrophenyl-methylnitramine)	479-45-8	---	1.5	---	---	---	---	---
Thallium (soluble compounds) (as Tl)	7440-28-0	---	0.1	---	---	---	---	X
4, 4-Thiobis (6-tert-butyl-m-cresol)	96-69-5	---	---	---	---	---	---	---
Total dust	---	---	10	---	---	---	---	---
Respirable fraction	---	---	5.0	---	---	---	---	X
Thioglycolic acid	68-11-1	1.0	4.0	---	---	---	---	---
Thionyl chloride	7719-09-7	---	---	---	---	1.0	5.0	---
Thiram <sup>®</sup> (see WAC 296-62-07519)	137-26-8	---	5.0	---	---	---	---	---
Tin (as Sn)	7440-31-5	---	2.0	---	---	---	---	---
Inorganic compounds (except oxides)	---	---	---	---	---	---	---	X
Tin, Organic compounds (as Sn)	7440-31-5	---	0.1	---	---	---	---	---
Tin Oxide (as Sn)	21651-19-4	---	2.0	---	---	---	---	---
Titanium dioxide	13463-67-7	---	---	---	---	---	---	---
Total dust	---	---	10	---	---	---	---	---
Toulene	108-88-3	100	375	150	560	---	---	---



HT/PEL  
TABLE 1.32TABLE 1: LIMITS FOR AIR CONTAMINANTS  
Permissible Exposure Limits (PEL)

Substance	CAS <sup>1/</sup> Number	TWA		STEL <sup>2/</sup>		CEILING		Skin Design- nation
		ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	
Toluene-2, 4-diisocyanate (TDI)	504-84-9	0.005	0.04	0.02	0.15	---	---	---
m-Toluidine	108-44-1	2.0	9.0	---	---	---	---	X
o-Toluidine	95-53-4	2.0	9.0	---	---	---	---	X
p-Toluidine	106-49-0	2.0	9.0	---	---	---	---	X
Toxaphene (see Chlorinated camphene)	---	---	---	---	---	---	---	---
Tremolite (see Silicates)	---	---	---	---	---	---	---	---
Tributyl phosphate	126-73-8	0.2	2.5	---	---	---	---	---
Trichloroacetic acid	76-03-9	1.0	7.0	---	---	---	---	---
1, 2, 4-Trichlorobenzene	120-82-1	---	---	---	---	5.0	40	---
1, 1, 1-Trichloroethane (see Methyl chloroform)	---	---	---	---	---	---	---	---
1, 1, 2-Trichloroethane	79-00-5	10	45	---	---	---	---	---
Trichloroethylene	79-01-6	50	270	200	1,080	---	---	---
Trichlorofluoromethane	75-69-4	---	---	---	---	1,000	5,600	---
Trichloromethane (see Chloroform)	---	---	---	---	---	---	---	---
Trichloronaphthalene	1321-65-9	---	5.0	---	---	---	---	X
1, 2, 3-Trichloropropane	96-18-4	10	60	---	---	---	---	X
1, 1, 2-Trichloro-1, 2, 2-trifluoroethane	76-13-1	1,000	7,600	1,250	5,500	---	---	---
Tricyclohexyltin hydroxide (see Cyhexatin)	---	---	---	---	---	---	---	---
Triethylamine	121-44-8	10	40	15	60	---	---	---
Trifluorobromomethane	75-63-8	1,000	6,100	---	---	---	---	---
Trimellitic anhydride	552-30-7	0.005	0.04	---	---	---	---	---
Trimethylamine	75-50-3	10	24	15	36	---	---	---
Trimethyl benzene	25551-13-7	25	125	---	---	---	---	---
Trimethyl phosphite	121-45-9	2.0	10	---	---	---	---	---
2, 4, 6-Trinitrophenol (see Picric acid)	---	---	---	---	---	---	---	---

HT/PEL  
TABLE 1.33TABLE 1: LIMITS FOR AIR CONTAMINANTS  
Permissible Exposure Limits (PEL)

Substance	CAS <sup>1/</sup> Number	TWA		STEL <sup>2/</sup>		CEILING		Skin Design- nation
		ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	
2, 4, 6-Trinitrophenyl- methylnitramine (see Tetryl)	---	---	---	---	---	---	---	---
2, 4, 6-Trinitrotoluene (TNT)	118-96-7	---	0.5	---	---	---	---	X
Triorthocresyl phosphate	78-30-8	---	0.1	---	---	---	---	X
Triphenyl amine	603-34-9	---	5.0	---	---	---	---	---
Triphenyl phosphate	115-86-6	---	3.0	---	---	---	---	---
Tungsten (as W)	7440-33-7	---	---	---	---	---	---	---
Soluble compounds	---	---	1.0	---	3.0	---	---	---
Insoluble compounds	---	---	5.0	---	10	---	---	---
Turpentine	8006-64-2	100	560	---	---	---	---	---
Uranium (as U)	7440-61-1	---	---	---	---	---	---	---
Soluble compounds	---	---	0.05	---	---	---	---	---
Insoluble compounds	---	---	0.2	---	0.6	---	---	---
n-Valeraldehyde	110-62-3	50	175	---	---	---	---	---
Vanadium (as V <sub>2</sub> O <sub>5</sub> ) Respirable dust and fume	1314-62-1	---	0.05	---	---	---	---	---
Vegetable oil mist	---	---	---	---	---	---	---	---
Total dust	---	---	10	---	---	---	---	---
Respirable fraction	---	---	5.0	---	---	---	---	---
Vinyl acetate	108-05-1	10	30	20	60	---	---	---
Vinyl benzene (see Styrene)	---	---	---	---	---	---	---	---
Vinyl bromide	593-60-2	5.0	20	---	---	---	---	---
Vinyl chloride (see WAC 296-62-07329)	75-01-4	---	---	---	---	---	---	---
Vinyl cyanid (see Acrylonitrile)	---	---	---	---	---	---	---	---
Vinyl cyclohexene dioxide	106-87-6	10	60	---	---	---	---	X
Vinyl toluene	25013-15-4	50	240	---	---	---	---	---
Vinylidene chloride (1, 1-Dichloroethylene)	75-35-4	1.0	4.0	---	---	---	---	---

HT/PEL  
TABLE 1.34

TABLE 1: LIMITS FOR AIR CONTAMINANTS  
Permissible Exposure Limits (PEL)

Substance	CAS <sup>1/</sup> Number	TWA		STEL <sup>c/</sup>		CEILING		Skin Designation
		ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	ppm <sup>a/</sup>	mg/m <sup>3</sup> <sup>b/</sup>	
YM & P Naphtha	8032-32-4	300	1,350	400	1,800	---	---	---
Warfarin	81-81-2	---	0.1	---	---	---	---	---
Welding fumes <sup>f/</sup> (total particulate)	---	---	5.0	---	---	---	---	---
Wood dust:	---	---	---	---	---	---	---	---
Nonallergenic; All soft woods and hard woods except allergenics	---	---	5.0	---	10	---	---	---
Allergenics; (e.g. cedar, mahogany and teak)	---	---	2.5	---	---	---	---	---
Xylenes(Xylol) (o-, m-, p-isomers)	1330-20-7	100	435	150	655	---	---	---
m-Xylene alpha, alpha-diamine	1477-55-0	---	---	---	---	---	0.1	X
Xylidine	1300-73-8	2.0	10	---	---	---	---	X
Yttrium	7440-65-5	---	1.0	---	---	---	---	---
Zinc chloride fume	7646-85-7	---	1.0	---	2.0	---	---	---
Zinc chromate (as CrO <sub>3</sub> )	Varies w/compound	---	0.05	---	---	---	0.1	---
Zinc oxide	1314-13-2	---	---	---	---	---	---	---
Total dust	---	---	10	---	---	---	---	---
Respirable fraction	---	---	5.0	---	---	---	---	---
Zinc oxide fume	1314-13-2	---	5.0	---	10	---	---	---
Zinc stearate	557-05-1	---	---	---	---	---	---	---
Total dust	---	---	10	---	---	---	---	---
Respirable fraction	---	---	5.0	---	---	---	---	---
Zirconium compounds (as Zr)	7440-67-2	---	5.0	---	10	---	---	---

Notes: <sup>a/</sup> Parts of vapor or gas per million parts of contaminated air by volume at 25°C and 760 mm. Hg. pressure (torr.).  
<sup>b/</sup> Approximate milligrams of substance per cubic meter of air.  
<sup>c/</sup> Duration is for 15 minutes, unless otherwise noted.  
<sup>d/</sup> The final benzene standard in WAC 296-62-07523 applies to all occupational exposures to benzene except some sub-segments of industry where exposures are consistently under the action level (i.e., distribution and sale of fuels, sealed containers and pipelines, coke production, oil and gas drilling and production, natural gas processing, and the percentage exclusion for liquid mixtures).

HT/PEL  
TABLE 1.35

- <sup>e/</sup> This 8-hour TWA applies to respirable dust as measured by a vertical elutriator cotton dust sampler or equivalent instrument. The time-weighted average applies to the cotton waste processing operations of waste recycling (sorting, blending, cleaning, and willowing) and garretting. See also WAC 296-62-14533 for cotton dust limits applicable to other sectors.
- <sup>f/</sup> As determined from breathing-zone air samples.
- <sup>g/</sup> Total dust formula for silica (as quartz) is:  $\frac{30 \text{ mg/m}^3}{\% \text{ SiO}_2 + 3}$
- <sup>h/</sup> Both concentration and percent quartz for the application of this limit are to be determined from the fraction passing a size-selector with the following characteristics:

Aerodynamic diameter (unit density sphere)	Percent passing selector
2	90
2.5	75
3.5	50
5.0	25
10	0

containing less than 1% quartz if 1% quartz, use quartz limit.

The measurements under this note refer to the use of an AEC (now NRC) instrument. The respirable fraction of coal dust is determined with an MRE the figure corresponding to that of 2.4 mg/m<sup>3</sup> in the table for coal dust is 4.5 mg/m<sup>3</sup>.

- Notes: <sup>1/</sup> The CAS number is for information only. Enforcement is based on the substance name. For an entry covering more than one metal compound measured as the metal, the CAS number for the metal is given -- not CAS numbers for the individual compounds.
- <sup>j/</sup> Compliance with the subtilisins PEL is assessed by sampling with a high volume sampler (600-800 liters per minute) for at least 60 minutes.

HT/PEL  
TABLE 1.36TABLE 2  
TRANSITIONAL LIMITS

The transitional limits listed are in effect until December 31, 1992. These limits require the use of engineering controls, where feasible, the additional protection to achieve the more protective limits listed in Table 1 may be achieved using protective control measures as set forth in WAC 296-62-07501(3).

Substance	PEL		Acceptable Ceiling Concentration	
	ppm	mg/m <sup>3</sup>	ppm	mg/m <sup>3</sup>
Carbon disulfide	10	---	15	---
Carbon monoxide	50	55	---	---
Carbon tetrachloride	5.0	---	20	---
Chloroform (Trichloromethane)	10	50	50	240
Coal dust-respirable (less than 5% SiO <sub>2</sub> )	---	2.4	---	---
Cobalt metal, dust and fume (as Co)	---	0.1	---	---
Ethylene dichloride	10	---	15	---
Ethylene glycol dinitrate	0.05	0.3	0.2	1.0
Nitrogen dioxide	---	---	5.0	9.0
Nitroglycerin	0.05	0.5	0.2	2.0
Perchloroethylene (Tetrachloroethylene)	50	---	200	---
Styrene	100	---	200	---

#### AMENDATORY SECTION (Amending Order 89-20, filed 1/11/90, effective 2/26/90)

WAC 296-62-07540 FORMALDEHYDE. (1) Scope and application. This standard applies to all occupational exposures to formaldehyde, i.e., from formaldehyde gas, its solutions, and materials that release formaldehyde.

(2) Definitions. For purposes of this standard, the following definitions shall apply:

(a) "Action level" means a concentration of 0.5 part formaldehyde per million parts of air (0.5 ppm) calculated as an 8-hour time-weighted average (TWA) concentration.

(b) "Approved" means approved by the director of the department of labor and industries or his authorized representative: PROVIDED, HOWEVER, That should a provision of this chapter state that approval by an agency or organization other than the department of labor and industries is required, such as Underwriters' Laboratories or the Bureau of Mines, the provision of WAC 296-24-006 shall apply.

(c) "Authorized person" means a person approved or assigned by the employer to perform a specific type of duty or duties or to be at a specific location or locations at the job site.

(d) "Director" means the director of the department of labor and industries, or his designated representative.

(e) "Emergency" is any occurrence, such as but not limited to equipment failure, rupture of containers, or failure of control equipment that results in an uncontrolled release of a significant amount of formaldehyde.

(f) "Employee exposure" means the exposure to airborne formaldehyde which would occur without corrections for protection provided by any respirator that is in use.

(g) "Formaldehyde" means the chemical substance, HCHO, Chemical Abstracts Service Registry No. 50-00-0.

(3) Permissible exposure limit (PEL).

(a) TWA: The employer shall assure that no employee is exposed to an airborne concentration of formaldehyde which exceeds one part formaldehyde per million parts of air (1 ppm) as an 8-hour TWA.

(b) Short term exposure limit (STEL): The employer shall assure that no employee is exposed to an airborne concentration of formaldehyde which exceeds two parts formaldehyde per million parts of air (2 ppm) as a fifteen-minute STEL.

(4) Exposure monitoring.

(a) General.

(i) Each employer who has a workplace covered by this standard shall monitor employees to determine their exposure to formaldehyde.

(ii) Exceptions.

(A) The employer need not initiate exposure monitoring unless there is a formaldehyde hazard as defined in subsection (13) of this section or there are employee health complaints possibly associated with formaldehyde exposure.

(B) Where the employer documents, using objective data, that the presence of formaldehyde or formaldehyde-releasing products in the workplace cannot result

in airborne concentrations of formaldehyde that would cause any employee to be exposed at or above the action level or the STEL under foreseeable conditions of use, the employer will not be required to measure employee exposure to formaldehyde unless there are employee health complaints possibly associated with formaldehyde exposure.

(iii) When an employee's exposure is determined from representative sampling, the measurements used shall be representative of the employee's full shift or short-term exposure to formaldehyde, as appropriate.

(iv) Representative samples for each job classification in each work area shall be taken for each shift unless the employer can document with objective data that exposure levels for a given job classification are equivalent for different workshifts.

(b) Initial monitoring. The employer shall identify all employees who may be exposed at or above the action level or at or above the STEL and accurately determine the exposure of each employee so identified.

(i) Unless the employer chooses to measure the exposure of each employee potentially exposed to formaldehyde, the employer shall develop a representative sampling strategy and measure sufficient exposures within each job classification for each workshift to correctly characterize and not underestimate the exposure of any employee within each exposure group.

(ii) The initial monitoring process shall be repeated each time there is a change in production, equipment, process, personnel, or control measures which may result in new or additional exposure to formaldehyde.

(c) Periodic monitoring.

(i) The employer shall periodically measure and accurately determine exposure to formaldehyde for employees shown by the initial monitoring to be exposed at or above the action level or at or above the STEL.

(ii) If the last monitoring results reveal employee exposure at or above the action level, the employer shall repeat monitoring of the employees at least every six months.

(iii) If the last monitoring results reveal employee exposure at or above the STEL, the employer shall repeat monitoring of the employees at least once a year under worst conditions.

(d) Termination of monitoring. The employer may discontinue periodic monitoring for employees if results from two consecutive sampling periods taken at least seven days apart show that employee exposure is below the action level and the STEL. The results must be statistically representative and consistent with the employer's knowledge of the job and work operation.

(e) Accuracy of monitoring. Monitoring shall be accurate, at the ninety-five percent confidence level, to within plus or minus twenty-five percent for airborne concentrations of formaldehyde at the TWA and the STEL and to within plus or minus thirty-five percent for airborne concentrations of formaldehyde at the action level.

(f) Employee notification of monitoring results. Within fifteen days of receiving the results of exposure monitoring conducted under this standard, the employer shall

notify the affected employees of these results. Notification shall be in writing, either by distributing copies of the results to the employees or by posting the results. If the employee exposure is over either PEL, the employer shall develop and implement a written plan to reduce employee exposure to or below both PELs, and give written notice to employees. The written notice shall contain a description of the corrective action being taken by the employer to decrease exposure.

(g) Observation of monitoring.

(i) The employer shall provide affected employees or their designated representatives an opportunity to observe any monitoring of employee exposure to formaldehyde required by this standard.

(ii) When observation of the monitoring of employee exposure to formaldehyde requires entry into an area where the use of protective clothing or equipment is required, the employer shall provide the clothing and equipment to the observer, require the observer to use such clothing and equipment, and assure that the observer complies with all other applicable safety and health procedures.

(5) Regulated areas.

(a) The employer shall establish regulated areas where the concentration of airborne formaldehyde exceeds either the TWA or the STEL and post all entrances and accessways with signs bearing the following information:

DANGER  
FORMALDEHYDE  
IRRITANT AND POTENTIAL CANCER HAZARD  
AUTHORIZED PERSONNEL ONLY

(b) The employer shall limit access to regulated areas to authorized persons who have been trained to recognize the hazards of formaldehyde.

(c) An employer at a multi-employer worksite who establishes a regulated area shall communicate the access restrictions and locations of these areas to other employers with work operations at that worksite.

(6) Methods of compliance.

(a) Engineering controls and work practices. The employer shall institute engineering and work practice controls to reduce and maintain employee exposures to formaldehyde at or below the TWA and the STEL.

(b) Exception. Whenever the employer has established that feasible engineering and work practice controls cannot reduce employee exposure to or below either of the PELs, the employer shall apply these controls to reduce employee exposures to the extent feasible and shall supplement them with respirators which satisfy this standard.

(7) Respiratory protection.

(a) General. Where respiratory protection is required, the employer shall provide the respirators at no cost to the employee and shall assure that they are properly used. The respirators shall comply with the requirements of this standard and shall reduce the concentration of formaldehyde inhaled by the employee to at or below both the TWA and the STEL. Respirators shall be used in the following circumstances:

(i) During the interval necessary to install or implement feasible engineering and work practice controls;

(ii) In work operations, such as maintenance and repair activities or vessel cleaning, for which the employer establishes that engineering and work practice controls are not feasible;

(iii) In work situations where feasible engineering and work practice controls are not yet sufficient to reduce exposure to or below the PELs; and

(iv) In emergencies.

(b) Respirator selection.

(i) The appropriate respirators as specified in Table 1 shall be selected from those approved by the Mine Safety and Health Administration (MSHA) and by the National Institute for Occupational Safety and Health (NIOSH) under the provisions of 30 CFR Part 11.

(ii) The employer shall make available a powered air-purifying respirator adequate to protect against formaldehyde exposure to any employee who experiences difficulty wearing a negative-pressure respirator to reduce exposure to formaldehyde.

(c) Respirator usage.

(i) Whenever respirator use is required by this standard, the employer shall institute a respiratory protection program in accordance with WAC 296-62-07109, 296-62-07111, 296-62-07115, and 296-62-07117.

(ii) The employer shall perform either quantitative or qualitative face fit tests in accordance with the procedures outlined in Appendix E at the time of initial fitting and at least annually thereafter for all employees required by this standard to wear negative-pressure respirators.

(A) Respirators selected shall be from those exhibiting the best facepiece fit.

(B) No respirator shall be chosen that would potentially permit the employee to inhale formaldehyde at concentrations in excess of either the TWA or the STEL.

TABLE 1  
MINIMUM REQUIREMENTS FOR RESPIRATORY PROTECTION AGAINST FORMALDEHYDE

Condition of use or formaldehyde concentration (ppm)	Minimum respirator required <sup>1</sup>
Up to 10 ppm.....	Full facepiece with cartridges or canisters specifically approved for protection against formaldehyde <sup>2</sup> .
Up to 100 ppm.....	Full-face mask with chin style or chest or back mounted type industrial size canister specifically approved for protection against formaldehyde.  Type C supplied-air respirator pressure demand or continuous flow type, with full facepiece, hood, or helmet.
Above 100 ppm or unknown (emergencies).....	Self-contained breathing apparatus (SCBA) with positive-pressure full facepiece.  Combination supplied-air, full facepiece positive-pressure respirator with auxiliary self-contained air supply.

TABLE 1  
MINIMUM REQUIREMENTS FOR RESPIRATORY PROTECTION AGAINST FORMALDEHYDE

Condition of use or formaldehyde concentration (ppm)	Minimum respirator required <sup>1</sup>
Firefighting.....	SCBA with positive-pressure in full facepiece.
Escape.....	SCBA in demand or pressure demand mode.  Full-face mask with chin style or front or back mounted type industrial size canister specifically approved for protection against formaldehyde.

<sup>1</sup> Respirators specified for use at higher concentrations may be used at lower concentrations.

<sup>2</sup> A half-mask respirator with cartridges specifically approved for protection against formaldehyde can be substituted for the full facepiece respirator providing that effective gas-proof goggles are provided and used in combination with the half-mask respirator.

(iii) Where air purifying chemical cartridge respirators are used, the cartridges shall be replaced after three hours of use or at the end of the workshift, whichever is sooner unless the cartridge contains a NIOSH-approved end-of-service indicator to show when breakthrough occurs.

(iv) Unless the canister contains a NIOSH-approved end-of-service life indicator to show when breakthrough occurs, canisters used in atmospheres up to 10 ppm shall be replaced every four hours and industrial sized canisters used in atmospheres up to 100 ppm shall be replaced every two hours or at the end of the workshift, whichever is sooner.

(v) Employers shall permit employees to leave the work area to wash their faces and respirator facepieces as needed to prevent skin irritation from respirator use.

(8) Protective equipment and clothing. Employers shall comply with the provisions of WAC 296-24-07501 and 296-24-078. When protective equipment or clothing is provided under these provisions, the employer shall provide these protective devices at no cost to the employee and assure that the employee wears them.

(a) Selection. The employer shall select protective clothing and equipment based upon the form of formaldehyde to be encountered, the conditions of use, and the hazard to be prevented.

(i) All contact of the eyes and skin with liquids containing one percent or more formaldehyde shall be prevented by the use of chemical protective clothing made of material impervious to formaldehyde and the use of other personal protective equipment, such as goggles and face shields, as appropriate to the operation.

(ii) Contact with irritating or sensitizing materials shall be prevented to the extent necessary to eliminate the hazard.

(iii) Where a face shield is worn, chemical safety goggles are also required if there is a danger of formaldehyde reaching the area of the eye.

(iv) Full body protection shall be worn for entry into areas where concentrations exceed 100 ppm and for emergency reentry into areas of unknown concentration.

(b) Maintenance of protective equipment and clothing.

(i) The employer shall assure that protective equipment and clothing that has become contaminated with formaldehyde is cleaned or laundered before its reuse.

(ii) When ventilating formaldehyde-contaminated clothing and equipment, the employer shall establish a storage area so that employee exposure is minimized. Containers for contaminated clothing and equipment and storage areas shall have labels and signs containing the following information:

DANGER  
FORMALDEHYDE-CONTAMINATED (CLOTHING)  
EQUIPMENT  
AVOID INHALATION AND SKIN CONTACT

(iii) The employer shall assure that only persons trained to recognize the hazards of formaldehyde remove the contaminated material from the storage area for purposes of cleaning, laundering, or disposal.

(iv) The employer shall assure that no employee takes home equipment or clothing that is contaminated with formaldehyde.

(v) The employer shall repair or replace all required protective clothing and equipment for each affected employee as necessary to assure its effectiveness.

(vi) The employer shall inform any person who launders, cleans, or repairs such clothing or equipment of formaldehyde's potentially harmful effects and of procedures to safely handle the clothing and equipment.

(9) Hygiene protection.

(a) The employer shall provide change rooms, as described in WAC 296-24-120 for employees who are required to change from work clothing into protective clothing to prevent skin contact with formaldehyde.

(b) If employees' skin may become splashed with solutions containing one percent or greater formaldehyde, for example because of equipment failure or improper work practices, the employer shall provide conveniently located quick drench showers and assure that affected employees use these facilities immediately.

(c) If there is any possibility that an employee's eyes may be splashed with solutions containing 0.1 percent or greater formaldehyde, the employer shall provide acceptable eyewash facilities within the immediate work area for emergency use.

(10) Housekeeping. For operations involving formaldehyde liquids or gas, the employer shall conduct a program to detect leaks and spills, including regular visual inspections.

(a) Preventative maintenance of equipment, including surveys for leaks, shall be undertaken at regular intervals.

(b) In work areas where spillage may occur, the employer shall make provisions to contain the spill, to decontaminate the work area, and to dispose of the waste.

(c) The employer shall assure that all leaks are repaired and spills are cleaned promptly by employees

wearing suitable protective equipment and trained in proper methods for cleanup and decontamination.

(d) Formaldehyde-contaminated waste and debris resulting from leaks or spills shall be placed for disposal in sealed containers bearing a label warning of formaldehyde's presence and of the hazards associated with formaldehyde.

(11) Emergencies. For each workplace where there is the possibility of an emergency involving formaldehyde, the employer shall assure appropriate procedures are adopted to minimize injury and loss of life. Appropriate procedures shall be implemented in the event of an emergency.

(12) Medical surveillance.

(a) Employees covered.

(i) The employer shall institute medical surveillance programs for all employees exposed to formaldehyde at concentrations at or exceeding the action level or exceeding the STEL.

(ii) The employer shall make medical surveillance available for employees who develop signs and symptoms of overexposure to formaldehyde and for all employees exposed to formaldehyde in emergencies. When determining whether an employee may be experiencing signs and symptoms of possible overexposure to formaldehyde, the employer may rely on the evidence that signs and symptoms associated with formaldehyde exposure will occur only in exceptional circumstances when airborne exposure is less than 0.1 ppm and when formaldehyde is present in materials in concentrations less than 0.1 percent.

(b) Examination by a physician. All medical procedures, including administration of medical disease questionnaires, shall be performed by or under the supervision of a licensed physician and shall be provided without cost to the employee, without loss of pay, and at a reasonable time and place.

(c) Medical disease questionnaire. The employer shall make the following medical surveillance available to employees prior to assignment to a job where formaldehyde exposure is at or above the action level or above the STEL and annually thereafter. The employer shall also make the following medical surveillance available promptly upon determining that an employee is experiencing signs and symptoms indicative of possible overexposure to formaldehyde.

(i) Administration of a medical disease questionnaire, such as in Appendix D, which is designed to elicit information on work history, smoking history, any evidence of eye, nose, or throat irritation; chronic airway problems or hyperreactive airway disease; allergic skin conditions or dermatitis; and upper or lower respiratory problems.

(ii) A determination by the physician, based on evaluation of the medical disease questionnaire, of whether a medical examination is necessary for employees not required to wear respirators to reduce exposure to formaldehyde.

(d) Medical examinations. Medical examinations shall be given to any employee who the physician feels, based on information in the medical disease questionnaire, may be at increased risk from exposure to formaldehyde and

at the time of initial assignment and at least annually thereafter to all employees required to wear a respirator to reduce exposure to formaldehyde. The medical examination shall include:

(i) A physical examination with emphasis on evidence of irritation or sensitization of the skin and respiratory system, shortness of breath, or irritation of the eyes.

(ii) Laboratory examinations for respirator wearers consisting of baseline and annual pulmonary function tests. As a minimum, these tests shall consist of forced vital capacity (FVC), forced expiratory volume in one second (FEV1), and forced expiratory flow (FEF).

(iii) Any other test which the examining physician deems necessary to complete the written opinion.

(iv) Counseling of employees having medical conditions that would be directly or indirectly aggravated by exposure to formaldehyde on the increased risk of impairment of their health.

(e) Examinations for employees exposed in an emergency. The employer shall make medical examinations available as soon as possible to all employees who have been exposed to formaldehyde in an emergency.

(i) The examination shall include a medical and work history with emphasis on any evidence of upper or lower respiratory problems, allergic conditions, skin reaction or hypersensitivity, and any evidence of eye, nose, or throat irritation.

(ii) Other examinations shall consist of those elements considered appropriate by the examining physician.

(f) Information provided to the physician. The employer shall provide the following information to the examining physician:

(i) A copy of this standard and Appendices A, C, D, and E;

(ii) A description of the affected employee's job duties as they relate to the employee's exposure to formaldehyde;

(iii) The representative exposure level for the employee's job assignment;

(iv) Information concerning any personal protective equipment and respiratory protection used or to be used by the employee; and

(v) Information from previous medical examinations of the affected employee within the control of the employer.

(vi) In the event of a nonroutine examination because of an emergency, the employer shall provide to the physician as soon as possible: A description of how the emergency occurred and the exposure the victim may have received.

(g) Physician's written opinion.

(i) For each examination required under this standard, the employer shall obtain a written opinion from the examining physician. This written opinion shall contain the results of the medical examination except that it shall not reveal specific findings or diagnoses unrelated to occupational exposure to formaldehyde. The written opinion shall include:

(A) The physician's opinion as to whether the employee has any medical condition that would place the employee at an increased risk of material impairment of health from exposure to formaldehyde;

(B) Any recommended limitations on the employee's exposure or changes in the use of personal protective equipment, including respirators;

(C) A statement that the employee has been informed by the physician of any medical conditions which would be aggravated by exposure to formaldehyde, whether these conditions may have resulted from past formaldehyde exposure or from exposure in an emergency, and whether there is a need for further examination or treatment.

(ii) The employer shall provide for retention of the results of the medical examination and tests conducted by the physician.

(iii) The employer shall provide a copy of the physician's written opinion to the affected employee within fifteen days of its receipt.

(13) Hazard communication.

(a) General. Notwithstanding any exemption granted in WAC 296-62-05403 (6)(c) for wood products, each employer who has a workplace covered by this standard shall comply with the requirements of WAC 296-62-05409 through 296-62-05419.

(i) For purposes of hazard communication, formaldehyde gas, all mixtures or solutions composed of greater than 0.1 percent formaldehyde, and materials capable of releasing formaldehyde into the air under any normal condition of use at concentrations reaching or exceeding 0.1 ppm shall be considered a health hazard.

(ii) As a minimum, specific health hazards that the employer shall address are: Cancer, irritation and sensitization of the skin and respiratory system, eye and throat irritation, and acute toxicity.

(b) Manufacturers and importers who produce or import formaldehyde or formaldehyde-containing products shall provide downstream employers using or handling these products with an objective determination through the required labels and MSDSs if these items may constitute a health hazard within the meaning of WAC 296-62-05407 under normal conditions of use.

(c) Labels.

(i) The employer shall assure that hazard warning labels complying with the requirements of WAC 296-62-05411 are affixed to all containers where the presence of formaldehyde constitutes a health hazard.

(ii) Information on labels. As a minimum, labels shall identify the hazardous chemical; list the name and address of the responsible party; contain the information "potential cancer hazard"; and appropriately warn of all other hazards as defined in Part C (WAC 296-62-054 through 296-62-05425), Appendices A and B.

(iii) Substitute warning labels. The employer may use warning labels required by other statutes, regulations, or ordinances which impart the same information as the warning statements required by this subitem.

(d) Material safety data sheets.

(i) Any employer who uses formaldehyde-containing materials that constitute a health hazard as defined in this standard shall comply with the requirements of WAC 296-62-05413 with regard to the development and updating of material safety data sheets.

(ii) Manufacturers, importers, and distributors of formaldehyde containing materials that constitute a

health hazard as defined in this standard shall assure that material safety data sheets and updated information are provided to all employers purchasing such materials at the time of the initial shipment and at the time of the first shipment after a material safety data sheet is updated.

(14) Employee information and training.

(a) Employee training. Written materials for employee training shall be updated as soon as possible, but no later than two months after the effective date of the standard.

(b) Participation. The employer shall assure that all employees who are assigned to workplaces where there is a health hazard from formaldehyde participate in a training program.

(c) Frequency.

(i) Employers shall provide employees with information and training on formaldehyde at the time of their initial assignment and whenever a new hazard from formaldehyde is introduced into their work area.

(ii) Employers shall provide such information and training at least annually for all employees exposed to formaldehyde concentrations at or above the action level or the STEL.

(d) Training program. The training program shall be conducted in a manner which the employee is able to understand and shall include:

(i) A discussion of the contents of this regulation and the contents of the material safety data sheet;

(ii) The purpose for and a description of the medical surveillance program required by this standard, including:

(A) A description of the potential health hazards associated with exposure to formaldehyde and a description of the signs and symptoms of exposure to formaldehyde.

(B) Instructions to immediately report to the employer the development of any adverse signs or symptoms that the employee suspects is attributable to formaldehyde exposure.

(iii) Description of operations in the work area where formaldehyde is present and an explanation of the safe work practices appropriate for limiting exposure to formaldehyde in each job;

(iv) The purpose for, proper use of, and limitations of personal protective clothing and equipment;

(v) Instructions for the handling of spills, emergencies, and clean-up procedures;

(vi) An explanation of the importance of engineering and work practice controls for employee protection and any necessary instruction in the use of these controls; and

(vii) A review of emergency procedures including the specific duties or assignments of each employee in the event of an emergency.

(e) Access to training materials.

(i) The employer shall inform all affected employees of the location of written training materials and shall make these materials readily available, without cost, to the affected employees.

(ii) The employer shall provide, upon request, all training materials relating to the employee training program to the director of labor and industries, or his designated representative.

(15) Recordkeeping.

(a) Exposure measurements. The employer shall establish and maintain an accurate record of all measurements taken to monitor employee exposure to formaldehyde. This record shall include:

(i) The date of measurement;

(ii) The operation being monitored;

(iii) The methods of sampling and analysis and evidence of their accuracy and precision;

(iv) The number, durations, time, and results of samples taken;

(v) The types of protective devices worn; and

(vi) The names, job classifications, Social Security numbers, and exposure estimates of the employees whose exposures are represented by the actual monitoring results.

(b) Exposure determinations. Where the employer has determined that no monitoring is required under this standard, the employer shall maintain a record of the objective data relied upon to support the determination that no employee is exposed to formaldehyde at or above the action level.

(c) Medical surveillance. The employer shall establish and maintain an accurate record for each employee subject to medical surveillance under this standard. This record shall include:

(i) The name and Social Security number of the employee;

(ii) The physician's written opinion;

(iii) A list of any employee health complaints that may be related to exposure to formaldehyde; and

(iv) A copy of the medical examination results, including medical disease questionnaires and results of any medical tests required by the standard or mandated by the examining physician.

(d) Respirator fit testing.

(i) The employer shall establish and maintain accurate records for employees subject to negative-pressure respirator fit testing required by this standard.

(ii) This record shall include:

(A) A copy of the protocol selected for respirator fit testing;

(B) A copy of the results of any fit testing performed;

(C) The size and manufacturer of the types of respirators available for selection; and

(D) The date of the most recent fit testing, the name and Social Security number of each tested employee, and the respirator type and facepiece selected.

(e) Record retention. The employer shall retain records required by this standard for at least the following periods:

(i) Exposure records and determinations shall be kept for at least thirty years;

(ii) Medical records shall be kept for the duration of employment plus thirty years; and

(iii) Respirator fit testing records shall be kept until replaced by a more recent record.

(f) Availability of records.



(i) Upon request, the employer shall make all records maintained as a requirement of this standard available for examination and copying to the director of labor and industries, or his designated representative.

(ii) The employer shall make employee exposure records, including estimates made from representative monitoring and available upon request for examination and copying, to the subject employee, or former employee, and employee representatives in accordance with WAC 296-62-052 through 296-62-05209 and 296-62-05213 through 296-62-05217.

(iii) Employee medical records required by this standard shall be provided upon request for examination and copying, to the subject employee, or former employee, or to anyone having the specific written consent of the subject employee or former employee in accordance with WAC 296-62-05201 through 296-62-05209, and 296-62-05213 through 296-62-05217.

(16) Effective dates.

(a) Laboratories. This standard shall become effective for anatomy, histology, and pathology laboratories thirty days after the adoption date, except as noted in (b) of this subsection. For all laboratories other than anatomy, histology, and pathology, subsections (2) and (4) through (15) of this section shall become effective on September 1, 1988, except as noted in (b) of this subsection.

(b) Engineering and work practice controls. Engineering and work practice controls required by this standard shall be implemented as soon as possible, but no later than February 2, 1989.

(c) Employee training. Written materials for employee training shall be updated as soon as possible, but no later than two months after the effective date of the standard.

**AMENDATORY SECTION** (Amending Order 89-20, filed 1/11/90, effective 2/26/90)

WAC 296-62-07544 APPENDIX B—SAMPLING STRATEGY AND ANALYTICAL METHODS FOR FORMALDEHYDE. (1) To protect the health of employees, exposure measurements must be unbiased and representative of employee exposure. The proper measurement of employee exposure requires more than a token commitment on the part of the employer. WISHA's mandatory requirements establish a baseline; under the best of circumstances all questions regarding employee exposure will be answered. Many employers, however, will wish to conduct more extensive monitoring before undertaking expensive commitments, such as engineering controls, to assure that the modifications are truly necessary. The following sampling strategy, which was developed at NIOSH by Nelson A. Leidel, Kenneth A. Busch, and Jeremiah R. Lynch and described in NIOSH publication No. 77-173 (Occupational Exposure Sampling Strategy Manual) will assist the employer in developing a strategy for determining the exposure of his or her employees.

(2) There is no one correct way to determine employee exposure. Obviously, measuring the exposure of every employee exposed to formaldehyde will provide the most

information on any given day. Where few employees are exposed, this may be a practical solution. For most employers, however, use of the following strategy will give just as much information at less cost.

(3) Exposure data collected on a single day will not automatically guarantee the employer that his or her workplace is always in compliance with the formaldehyde standard. This does not imply, however, that it is impossible for an employer to be sure that his or her worksite is in compliance with the standard. Indeed, a properly designed sampling strategy showing that all employees are exposed below the PELs, at least with a ninety-five percent certainty, is compelling evidence that the exposure limits are being achieved provided that measurements are conducted using valid sampling strategy and approved analytical methods.

(4) There are two PELs, the TWA concentration and the STEL.

(a) Most employers will find that one of these two limits is more critical in the control of their operations, and WISHA expects that the employer will concentrate monitoring efforts on the critical component.

(b) If the more difficult exposure is controlled, this information, along with calculations to support the assumptions, should be adequate to show that the other exposure limit is also being achieved.

(5) Sampling strategy.

(a) Determination of the need for exposure measurements.

(b) The employer must determine whether employees may be exposed to concentrations in excess of the action level. This determination becomes the first step in an employee exposure monitoring program that minimizes employer sampling burdens while providing adequate employee protection.

(c) If employees may be exposed above the action level, the employer must measure exposure. Otherwise, an objective determination that employee exposure is low provides adequate evidence that exposure potential has been examined.

(d) The employer should examine all available relevant information, e.g., insurance company and trade association data and information from suppliers or exposure data collected from similar operations.

(e) The employer may also use previously-conducted sampling including area monitoring. The employer must make a determination relevant to each operation although this need not be on a separate piece of paper.

(f) If the employer can demonstrate conclusively that no employee is exposed above the action level or the STEL through the use of objective data, the employer need proceed no further on employee exposure monitoring until such time that conditions have changed and the determination is no longer valid.

(g) If the employer cannot determine that employee exposure is less than the action level and the STEL, employee exposure monitoring will have to be conducted.

(6) Workplace material survey.

(a) The primary purpose of a survey of raw material is to determine if formaldehyde is being used in the work environment and if so, the conditions under which formaldehyde is being used.

(b) The first step is to tabulate all situations where formaldehyde is used in a manner such that it may be released into the workplace atmosphere or contaminate the skin. This information should be available through analysis of company records and information on the MSDSs available through provisions of this standard and the hazard communication standard.

(c) If there is an indication from materials handling records and accompanying MSDSs that formaldehyde is being used in the following types of processes or work operations, there may be a potential for releasing formaldehyde into the workplace atmosphere:

(i) Any operation that involves grinding, sanding, sawing, cutting, crushing, screening, sieving, or any other manipulation of material that generates formaldehyde-bearing dust.

(ii) Any processes where there have been employee complaints or symptoms indicative of exposure to formaldehyde.

(iii) Any liquid or spray process involving formaldehyde.

(iv) Any process that uses formaldehyde in preserved tissue.

(v) Any process that involves the heating of a formaldehyde-bearing resin.

Processes and work operations that use formaldehyde in these manners will probably require further investigation at the worksite to determine the extent of employee monitoring that should be conducted.

(7) Workplace observations.

(a) To this point, the only intention has been to provide an indication as to the existence of potentially exposed employees. With this information, a visit to the workplace is needed to observe work operations, to identify potential health hazards, and to determine whether any employees may be exposed to hazardous concentrations of formaldehyde.

(b) In many circumstances, sources of formaldehyde can be identified through the sense of smell. However, this method of detection should be used with caution because of olfactory fatigue.

(c) Employee location in relation to source of formaldehyde is important in determining if an employee may be significantly exposed to formaldehyde. In most instances, the closer a worker is to the source, the higher the probability that a significant exposure will occur.

(d) Other characteristics should be considered. Certain high temperature operations give rise to higher evaporation rates. Locations of open doors and windows provide natural ventilation that tend to dilute formaldehyde emissions. General room ventilation also provides a measure of control.

(8) Calculation of potential exposure concentrations.

(a) By knowing the ventilation rate in a workplace and the quantity of formaldehyde generated, the employer may be able to determine by calculation if the PELs might be exceeded.

(b) To account for poor mixing of formaldehyde into the entire room, locations of fans and proximity of employees to the work operation, the employer must include a safety factor.

(c) If an employee is relatively close to a source, particularly if he or she is located downwind, a safety factor of one hundred may be necessary.

(d) For other situations, a factor of ten may be acceptable. If the employer can demonstrate through such calculations that employee exposure does not exceed the action level or the STEL, the employer may use this information as objective data to demonstrate compliance with the standard.

(9) Sampling strategy.

(a) Once the employer determines that there is a possibility of substantial employee exposure to formaldehyde, the employer is obligated to measure employee exposure.

(b) The next step is selection of a maximum risk employee. When there are different processes where employees may be exposed to formaldehyde, a maximum risk employee should be selected for each work operation.

(c) Selection of the maximum risk employee requires professional judgment. The best procedure for selecting the maximum risk employee is to observe employees and select the person closest to the source of formaldehyde. Employee mobility may affect this selection; e.g., if the closest employee is mobile in his tasks, he may not be the maximum risk employee. Air movement patterns and differences in work habits will also affect selection of the maximum risk employee.

(d) When many employees perform essentially the same task, a maximum risk employee cannot be selected. In this circumstance, it is necessary to resort to random sampling of the group of workers. The objective is to select a subgroup of adequate size so that there is a high probability that the random sample will contain at least one worker with high exposure if one exists. The number of persons in the group influences the number that need to be sampled to ensure that at least one individual from the highest ten percent exposure group is contained in the sample. For example, to have ninety percent confidence in the results, if the group size is ten, nine should be sampled; for fifty, only eighteen need to be sampled.

(e) If measurement shows exposure to formaldehyde at or above the action level or the STEL, the employer needs to identify all other employees who may be exposed at or above the action level or STEL and measure or otherwise accurately characterize the exposure of these employees.

(f) Whether representative monitoring or random sampling are conducted, the purpose remains the same to determine if the exposure of any employee is above the action level. If the exposure of the most exposed employee is less than the action level and the STEL, regardless of how the employee is identified, then it is reasonable to assume that measurements of exposure of the other employees in that operation would be below the action level and the STEL.

(10) Exposure measurements.

(a) There is no "best" measurement strategy for all situations. Some elements to consider in developing a strategy are:

- (i) Availability and cost of sampling equipment;
- (ii) Availability and cost of analytic facilities;

(iii) Availability and cost of personnel to take samples;

(iv) Location of employees and work operations;

(v) Intraday and interday variations in the process;

(vi) Precision and accuracy of sampling and analytic methods; and

(vii) Number of samples needed.

(b) Samples taken for determining compliance with the STEL differ from those that measure the TWA concentration in important ways. STEL samples are best taken in a nonrandom fashion using all available knowledge relating to the area, the individual, and the process to obtain samples during periods of maximum expected concentrations. At least three measurements on a shift are generally needed to spot gross errors or mistakes; however, only the highest value represents the STEL.

(c) If an operation remains constant throughout the workshift, a much greater number of samples would need to be taken over the thirty-two discrete nonoverlapping periods in an 8-hour workshift to verify compliance with a STEL. If employee exposure is truly uniform throughout the workshift, however, an employer in compliance with the 1 ppm TWA would be in compliance with the 2 ppm STEL, and this determination can probably be made using objective data.

(11) Need to repeat the monitoring strategy.

(a) Interday and intraday fluctuations in employee exposure are mostly influenced by the physical processes that generate formaldehyde and the work habits of the employee. Hence, in-plant process variations influence the employer's determination of whether or not additional controls need to be imposed. Measurements that employee exposure is low on a day that is not representative of worst conditions may not provide sufficient information to determine whether or not additional engineering controls should be installed to achieve the PELs.

(b) The person responsible for conducting sampling must be aware of systematic changes which will negate the validity of the sampling results. Systematic changes in formaldehyde exposure concentration for an employee can occur due to:

(i) The employee changing patterns of movement in the workplace;

(ii) Closing of plant doors and windows;

(iii) Changes in ventilation from season to season;

(iv) Decreases in ventilation efficiency or abrupt failure of engineering control equipment; and

(v) Changes in the production process or work habits of the employee.

(c) Any of these changes, if they may result in additional exposure that reaches the next level of action (i.e., 0.5 or 1.0 ppm as an 8-hour average or 2 ppm over fifteen minutes) require the employer to perform additional monitoring to reassess employee exposure.

(d) A number of methods are suitable for measuring employee exposure to formaldehyde or for characterizing emissions within the worksite. The preamble to this standard describes some methods that have been widely used or subjected to validation testing. A detailed analytical procedure derived from the WISHA Method A.C.R.O. for acrolein and formaldehyde is presented below for informational purposes.

(e) Inclusion of WISHA's method in this appendix in no way implies that it is the only acceptable way to measure employee exposure to formaldehyde. Other methods that are free from significant interferences and that can determine formaldehyde at the permissible exposure limits within  $\pm 25$  percent of the "true" value at the ninety-five percent confidence level are also acceptable. Where applicable, the method should also be capable of measuring formaldehyde at the action level to  $\pm 35$  percent of the "true" value with a ninety-five percent confidence level. WISHA encourages employers to choose methods that will be best for their individual needs. The employer must exercise caution, however, in choosing an appropriate method since some techniques suffer from interferences that are likely to be present in workplaces of certain industry sectors where formaldehyde is used.

(12) WISHA's analytical laboratory method.

A.C.R.O. (also use methods F.O.R.M. and F.O.R.M. 2 when applicable).

(a) Matrix: Air.

((~~f~~)) (b) Target concentration: 1 ppm (1.2 mg/m<sup>3</sup>).

((~~f~~)) (c) Procedures: Air samples are collected by drawing known volumes of air through sampling tubes containing XAD-2 adsorbent which have been coated with 2-(hydroxymethyl) piperidine. The samples are desorbed with toluene and then analyzed by gas chromatography using a nitrogen selective detector.

((~~f~~)) (d) Recommended sampling rate and air volumes: 0.1 L/min and 24 L.

((~~f~~)) (e) Reliable quantitation limit: 16 ppb (20 ug/m<sup>3</sup>).

((~~f~~)) (f) Standard error of estimate at the target concentration: 7.3%.

((~~f~~)) (g) Status of the method: A sampling and analytical method that has been subjected to the established evaluation procedures of the organic methods evaluation branch.

((~~f~~)) (h) Date: March, 1985.

((~~f~~)) (13) General discussion.

((~~f~~)) (a) Background: The current WISHA method for collecting acrolein vapor recommends the use of activated 13X molecular sieves. The samples must be stored in an ice bath during and after sampling and also they must be analyzed within forty-eight hours of collection. The current WISHA method for collecting formaldehyde vapor recommends the use of bubblers containing ten percent methanol in water as the trapping solution.

(b) This work was undertaken to resolve the sample stability problems associated with acrolein and also to eliminate the need to use bubblers to sample formaldehyde. A goal of this work was to develop and/or to evaluate a common sampling and analytical procedure for acrolein and formaldehyde.

(c) NIOSH has developed independent methodologies for acrolein and formaldehyde which recommend the use of reagent-coated adsorbent tubes to collect the aldehydes as stable derivatives. The formaldehyde sampling tubes contain Chromosorb 102 adsorbent coated with N-benzylethanolamine (BEA) which reacts with formaldehyde vapor to form a stable oxazolidine compound.

The acrolein sampling tubes contain XAD-2 adsorbent coated with 2-(hydroxymethyl) piperidine (2-HMP) which reacts with acrolein vapor to form a different, stable oxazolidine derivative. Acrolein does not appear to react with BEA to give a suitable reaction product. Therefore, the formaldehyde procedure cannot provide a common method for both aldehydes. However, formaldehyde does react with 2-HMP to form a very suitable reaction product. It is the quantitative reaction of acrolein and formaldehyde with 2-HMP that provides the basis for this evaluation.

(d) This sampling and analytical procedure is very similar to the method recommended by NIOSH for acrolein. Some changes in the NIOSH methodology were necessary to permit the simultaneous determination of both aldehydes and also to accommodate WISHA laboratory equipment and analytical techniques.

((fii)) (14) Limit-defining parameters: The analyte air concentrations reported in this method are based on the recommended air volume for each analyte collected separately and a desorption volume of 1 mL. The amounts are presented as acrolein and/or formaldehyde, even though the derivatives are the actual species analyzed.

((fA)) (15) Detection limits of the analytical procedure: The detection limit of the analytical procedure was 386 pg per injection for formaldehyde. This was the amount of analyte which gave a peak whose height was about five times the height of the peak given by the residual formaldehyde derivative in a typical blank front section of the recommended sampling tube.

((fB)) (16) Detection limits of the overall procedure: The detection limits of the overall procedure were 482 ng per sample (16 ppb or 20 ug/m<sup>3</sup> for formaldehyde). This was the amount of analyte spiked on the sampling device which allowed recoveries approximately equal to the detection limit of the analytical procedure.

((fC)) (17) Reliable quantitation limits:

(a) The reliable quantitation limit was 482 ng per sample (16 ppb or 20 ug/m<sup>3</sup>) for formaldehyde. These were the smallest amounts of analyte which could be quantitated within the limits of a recovery of at least seventy-five percent and a precision ( $\pm 1.96$  SD) of  $\pm 25\%$  or better.

(b) The reliable quantitation limit and detection limits reported in the method are based upon optimization of the instrument for the smallest possible amount of analyte. When the target concentration of an analyte is exceptionally higher than these limits, they may not be attainable at the routine operating parameters.

((fD)) (18) Sensitivity: The sensitivity of the analytical procedure over concentration ranges representing 0.4 to 2 times the target concentration, based on the recommended air volumes, was seven thousand five hundred eighty-nine area units per ug/mL for formaldehyde. This value was determined from the slope of the calibration curve. The sensitivity may vary with the particular instrument used in the analysis.

((fE)) (19) Recovery: The recovery of formaldehyde from samples used in an eighteen-day storage test remained above ninety-two percent when the samples were

stored at ambient temperature. These values were determined from regression lines which were calculated from the storage data. The recovery of the analyte from the collection device must be at least seventy-five percent following storage.

((fF)) (20) Precision (analytical method only): The pooled coefficient of variation obtained from replicate determinations of analytical standards over the range of 0.4 to 2 times the target concentration was 0.0052 for formaldehyde ((d)(C)(iii) of this subsection).

((fG)) (21) Precision (overall procedure): The precision at the ninety-five percent confidence level for the ambient temperature storage tests was  $\pm 14.3\%$  for formaldehyde. These values each include an additional  $\pm 5\%$  for sampling error. The overall procedure must provide results at the target concentrations that are  $\pm 25\%$  at the ninety-five percent confidence level.

((fH)) (22) Reproducibility: Samples collected from controlled test atmospheres and a draft copy of this procedure were given to a chemist unassociated with this evaluation. The formaldehyde samples were analyzed following fifteen days storage. The average recovery was 96.3% and the standard deviation was 1.7%.

((fii)) (23) Advantages:

((fA)) (a) The sampling and analytical procedures permit the simultaneous determination of acrolein and formaldehyde.

((fB)) (b) Samples are stable following storage at ambient temperature for at least eighteen days.

((fiv)) (24) Disadvantages: None.

((fB)) (25) Sampling procedure.

((fi)) (a) Apparatus:

((fA)) (i) Samples are collected by use of a personal sampling pump that can be calibrated to within  $\pm 5\%$  of the recommended 0.1 L/min sampling rate with the sampling tube in line.

((fB)) (ii) Samples are collected with laboratory prepared sampling tubes. The sampling tube is constructed of silane treated glass and is about 8-cm long. The ID is 4 mm and the OD is 6 mm. One end of the tube is tapered so that a glass wool end plug will hold the contents of the tube in place during sampling. The other end of the sampling tube is open to its full 4-mm ID to facilitate packing of the tube. Both ends of the tube are fire-polished for safety. The tube is packed with a 75-mg backup section, located nearest the tapered end and a 150-mg sampling section of pretreated XAD-2 adsorbent which has been coated with 2-HMP. The two sections of coated adsorbent are separated and retained with small plugs of silanized glass wool. Following packing, the sampling tubes are sealed with two 7/32 inch OD plastic and caps. Instructions for the pretreatment and the coating of XAD-2 adsorbent are presented in (d) of this subsection.

((fC)) (b) Sampling tubes, similar to those recommended in this method, are marketed by Supelco, Inc. These tubes were not available when this work was initiated; therefore, they were not evaluated.

((fii)) (26) Reagents: None required.

((fiii)) (27) Technique:

((fA)) (a) Properly label the sampling tube before sampling and then remove the plastic end caps.

~~((B))~~ (b) Attach the sampling tube to the pump using a section of flexible plastic tubing such that the large, front section of the sampling tube is exposed directly to the atmosphere. Do not place any tubing ahead of the sampling tube. The sampling tube should be attached in the worker's breathing zone in a vertical manner such that it does not impede work performance.

~~((C))~~ (c) After sampling for the appropriate time, remove the sampling tube from the pump and then seal the tube with plastic end caps.

~~((D))~~ (d) Include at least one blank for each sampling set. The blank should be handled in the same manner as the samples with the exception that air is not drawn through it.

~~((E))~~ (e) List any potential interferences on the sample data sheet.

~~((iv))~~ (28) Breakthrough:

~~((A))~~ (a) Breakthrough was defined as the relative amount of analyte found on a backup sample in relation to the total amount of analyte collected on the sampling train.

~~((B))~~ (b) For formaldehyde collected from test atmospheres containing six times the PEL, the average five percent breakthrough air volume was 41 L. The sampling rate was 0.1 L/min and the average mass of formaldehyde collected was 250 ug.

~~((v))~~ (29) Desorption efficiency: No desorption efficiency corrections are necessary to compute air sample results because analytical standards are prepared using coated adsorbent. Desorption efficiencies were determined, however, to investigate the recoveries of the analytes from the sampling device. The average recovery over the range of 0.4 to 2 times the target concentration, based on the recommended air volumes, was 96.2% for formaldehyde. Desorption efficiencies were essentially constant over the ranges studied.

~~((vi))~~ (30) Recommended air volume and sampling rate:

~~((A))~~ (a) The recommended air volume for formaldehyde is 24 L.

~~((B))~~ (b) The recommended sampling rate is 0.1 L/min.

~~((vii))~~ (31) Interferences:

~~((A))~~ (a) Any collected substance that is capable of reacting with 2-HMP and thereby depleting the derivatizing agent is a potential interference. Chemicals which contain a carbonyl group, such as acetone, may be capable of reacting with 2-HMP.

(b) There are no other known interferences to the sampling method.

~~((viii))~~ (32) Safety precautions:

~~((A))~~ (a) Attach the sampling equipment to the worker in such a manner that it will not interfere with work performance or safety.

~~((B))~~ (b) Follow all safety practices that apply to the work area being sampled.

~~((c))~~ (33) Analytical procedure.

~~((i))~~ (a) Apparatus:

~~((A))~~ (i) A gas chromatograph (GC), equipped with a nitrogen selective detector. A Hewlett-Packard model

5840A GC fitted with a nitrogen phosphorus flame ionization detector (NPD) was used for this evaluation. Injections were performed using a Hewlett-Packard model 7671A automatic sampler.

~~((B))~~ (ii) A GC column capable of resolving the analytes from any interference. A 6 ft x 1/4 in OD (2mm ID) glass GC column containing 10% UCON 50-HB-5100 + 2% KOH on 80/100 mesh Chromosorb W-AW was used for the evaluation. Injections were performed on-column.

~~((C))~~ (iii) Vials, glass 2-mL with Teflon-lined caps.

~~((D))~~ (iv) Volumetric flasks, pipets, and syringes for preparing standards, making dilutions, and performing injections.

~~((iii))~~ (b) Reagents:

~~((A))~~ (i) Toluene and dimethylformamide. Burdick and Jackson solvents were used in this evaluation.

~~((B))~~ (ii) Helium, hydrogen, and air, GC grade.

~~((C))~~ (iii) Formaldehyde, thirty-seven percent by weight, in water. Aldrich Chemical, ACS Reagent Grade formaldehyde was used in this evaluation.

~~((D))~~ ~~Ambrlite~~ (iv) Amberlite XAD-2 adsorbent coated with 2-(hydroxymethyl) piperidine (2-HMP), 10% by weight ((d) of this subsection).

~~((E))~~ (v) Desorbing solution with internal standard. This solution was prepared by adding 20 uL of dimethylformamide to 100 mL of toluene.

~~((iii))~~ (c) Standard preparation:

~~((A))~~ (i) Formaldehyde: Prepare stock standards by diluting known volumes of thirty-seven percent formaldehyde solution with methanol. A procedure to determine the formaldehyde content of these standards is presented in (d) of this subsection. A standard containing 7.7 mg/mL formaldehyde was prepared by diluting 1 mL of the thirty-seven percent reagent to 50 mL with methanol.

~~((B))~~ (ii) It is recommended that analytical standards be prepared about sixteen hours before the air samples are to be analyzed in order to ensure the complete reaction of the analytes with 2-HMP. However, rate studies have shown the reaction to be greater than ninety-five percent complete after four hours. Therefore, one or two standards can be analyzed after this reduced time if sample results are outside the concentration range of the prepared standards.

~~((C))~~ (iii) Place 150-mg portions of coated XAD-2 adsorbent, from the same lot number as used to collect the air samples, into each of several glass 2-mL vials. Seal each vial with a Teflon-lined cap.

~~((D))~~ (iv) Prepare fresh analytical standards each day by injecting appropriate amounts of the diluted analyte directly onto 150-mg portions of coated adsorbent. It is permissible to inject both acrolein and formaldehyde on the same adsorbent portion. Allow the standards to stand at room temperature. A standard, approximately the target levels, was prepared by injecting 11 uL of the acrolein and 12 uL of the formaldehyde stock standards onto a single coated XAD-2 adsorbent portion.

~~((E))~~ (v) Prepare a sufficient number of standards to generate the calibration curves. Analytical standard concentrations should bracket sample concentrations.

Thus, if samples are not in the concentration range of the prepared standards, additional standards must be prepared to determine detector response.

((F)) (vi) Desorb the standards in the same manner as the samples following the sixteen-hour reaction time.

((v)) (d) Sample preparation:

((A)) (i) Transfer the 150-mg section of the sampling tube to a 2-mL vial. Place the 75-mg section in a separate vial. If the glass wool plugs contain a significant number of adsorbent beads, place them with the appropriate sampling tube section. Discard the glass wool plugs if they do not contain a significant number of adsorbent beads.

((B)) (ii) Add 1 mL of desorbing solution to each vial.

((C)) (iii) Seal the vials with Teflon-lined caps and then allow them to desorb for one hour. Shake the vials by hand with vigorous force several times during the desorption time.

((D)) (iv) Save the used sampling tubes to be cleaned and recycled.

((E)) (e) Analysis:

((A)) (f) GC conditions.

(34) Column temperature:

(a) Bi-level temperature program.

(i) First level: 100°C to 140°C at 4°C/min following completion of the first level.

(ii) Second level: 140°C to 180°C at 20°C/min following completion of the first level.

(b) Isothermal period: Hold column at 180°C until the recorder pen returns to baseline (usually about twenty-five minutes after injection).

(c) Injector temperature: 180°C.

(d) Helium flow rate: 30 mL/min (detector response will be reduced if nitrogen is substituted for helium carrier gas).

(e) Injection volume: 51 0.8 uL.

(f) GC column: Six-ft x 1/4-in OD (2 mm ID) glass GC column containing 10% UCON 50-HB-5100NZG651+512% KOH on 80/100 Chromosorb W-AW.

(g) NPD conditions:

(i) Hydrogen flow rate: 3 mL/min.

(ii) Air flow rate: 50 mL/min.

(h) Detector temperature: 275 5151C.

((B)) (i) Use a suitable method, such as electronic integration, to measure detector response.

((C)) (ii) Use an internal standard method to prepare the calibration curve with several standard solutions of different concentrations. Prepare the calibration curve daily. Program the integrator to report results in ug/mL.

((D)) (iii) Bracket sample concentrations with standards.

((E)) (iv) Interferences (analytical).

(A) Any compound with the same general retention time as the analytes and which also gives a detector response is a potential interference. Possible interferences should be reported to the laboratory with submitted samples by the industrial hygienist.

(B) GC parameters (temperature, column, etc.), may be changed to circumvent interferences.

(C) A useful means of structure designation is GC/MS. It is recommended this procedure be used to confirm samples whenever possible.

(D) The coated adsorbent usually contains a very small amount of residual formaldehyde derivative.

((v)) (i) Calculations:

((A)) (i) Results are obtained by use of calibration curves. Calibration curves are prepared by plotting detector response against concentration for each standard. The best line through the data points is determined by curve fitting.

((B)) (ii) The concentration, in ug/mL, for a particular sample is determined by comparing its detector response to the calibration curve. If either of the analytes is found on the backup section, it is added to the amount found on the front section. Blank corrections should be performed before adding the results together.

((C)) (iii) The acrolein and/or formaldehyde air concentration can be expressed using the following equation:

$$\text{Mg/m}^3 = (A)(B)/C.$$

where A=ug/mL from 3.7.2, B=desorption volume, and C=L of air sampled.

No desorption efficiency corrections are required.

((D)) (iv) The following equation can be used to convert results in mg/m<sup>3</sup> to ppm.

$$\text{ppm} = (\text{mg/m}^3)(24.45)/\text{MW}$$

where mg/m<sup>3</sup>=result from 3.7.3, 24.45=molar volume of an ideal gas at 760 mm Hg and 25 5151C, MW=molecular weight (Formaldehyde=30.0).

((E)) (j) Backup data. ((F)) Backup data on detection limits, reliable quantitation limits, sensitivity and precision of the analytical method, breakthrough, desorption efficiency, storage, reproducibility, and generation of test atmospheres are available in OSHA Method 52, developed by the Organics Methods Evaluation Branch, OSHA Analytical Laboratory, Salt Lake City, Utah.

((G)) (k) Procedure to coat XAD-2 adsorbent with 2-HMP:

((A)) (i) Apparatus: Soxhlet extraction apparatus, rotary evaporation apparatus, vacuum dessicator, 1-L vacuum flask, 1-L round-bottomed evaporative flask, 1-L Erlenmeyer flask, 250-mL Buchner funnel with a coarse fritted disc, etc.

((B)) (ii) Reagents:

((C)) (A) Methanol, isooctane, and toluene.

((D)) (B) (Hydroxymethyl) piperidine.

((E)) (C) Amberlite XAD-2 nonionic polymeric adsorbent, twenty to sixty mesh, Aldrich Chemical XAD-2 was used in this evaluation.

((F)) (l) Procedure: Weigh 125 g of crude XAD-2 adsorbent into a 1-L Erlenmeyer flask. Add about 200 mL of water to the flask and then swirl the mixture to wash the adsorbent. Discard any adsorbent that floats to the top of the water and then filter the mixture using a fritted Buchner funnel. Air dry the adsorbent for two minutes. Transfer the adsorbent back to the Erlenmeyer flask and then add about 200 mL of methanol to the flask. Swirl and then filter the mixture as before. Transfer the washed adsorbent back to the Erlenmeyer flask and then add about 200 mL of methanol to the flask.

Swirl and then filter the mixture as before. Transfer the washed adsorbent to a 1-L round-bottomed evaporative flask, add 13 g of 2-HMP and then 200 mL of methanol, swirl the mixture and then allow it to stand for one hour. Remove the methanol at about 40°C and reduced pressure using a rotary evaporation apparatus. Transfer the coated adsorbent to a suitable container and store it in a vacuum desiccator at room temperature overnight. Transfer the coated adsorbent to a Soxhlet extractor and then extract the material with toluene for about twenty-four hours. Discard the contaminated toluene, add methanol in its place and then continue the Soxhlet extraction for an additional four hours. Transfer the adsorbent to a weighted 1-L round-bottom evaporative flask and remove the methanol using the rotary evaporation apparatus. Determine the weight of the adsorbent and then add an amount of 2-HMP, which is ten percent by weight of the adsorbent. Add 200 mL of methanol and then swirl the mixture. Allow the mixture to stand for one hour. Remove the methanol by rotary evaporation. Transfer the coated adsorbent to a suitable container and store it in a vacuum desiccator until all traces of solvents are gone. Typically, this will take two to three days. The coated adsorbent should be protected from contamination. XAD-2 adsorbent treated in this manner will probably not contain residual acrolein derivative. However, this adsorbent will often contain residual formaldehyde derivative levels of about 0.1 ug per 150 mg of adsorbent. If the blank values for a batch of coated adsorbent are too high, then the batch should be returned to the Soxhlet extractor, extracted with toluene again and then recoated. This process can be repeated until the desired blank levels are attained.

The coated adsorbent is now ready to be packed into sampling tubes. The sampling tubes should be stored in a sealed container to prevent contamination. Sampling tubes should be stored in the dark at room temperature. The sampling tubes should be segregated by coated adsorbent lot number. A sufficient amount of each lot number of coated adsorbent should be retained to prepare analytical standards for use with air samples from that lot number.

~~((iii))~~ (m) A procedure to determine formaldehyde by acid titration:

(i) Standardize the 0.1 N HCl solution using sodium carbonate and methyl orange indicator.

(ii) Place 50 mL of 0.1 M sodium sulfite and three drops of thymophthalein indicator into a 250-mL Erlenmeyer flask. Titrate the contents of the flask to a colorless endpoint with 0.1 N HCl (usually one or two drops is sufficient). Transfer 10 mL of the formaldehyde/methanol solution ~~((b)(iii)(A))~~ of this subsection) into the same flask and titrate the mixture with 0.1 N HCl, again, to a colorless endpoint. The formaldehyde concentration of the standard may be calculated by the following equation:

$$\text{Formaldehyde, mg/mL} = \frac{\text{acid titer} \times \text{acid normality} \times 30.0}{\text{mL of Sample}}$$

(iii) This method is based on the quantitative liberation of sodium hydroxide when formaldehyde reacts with

sodium sulfite to form the formaldehyde-bisulfite addition product. The volume of sample may be varied depending on the formaldehyde content but the solution to be titrated must contain excess sodium sulfite. Formaldehyde solutions containing substantial amounts of acid or base must be neutralized before analysis.

AMENDATORY SECTION (Amending Order 73-3, filed 5/7/73)

WAC 296-62-09007 PRESSURE. (1) ~~((Workmen))~~ Employees exposed to pressures above normal atmospheric pressure which may produce physiological injury shall adhere to decompression schedules or other tables as are or may be adopted by the department of labor and industries: for example, state of Washington "safety standards for compressed air work" and "safety ~~((regulations for scuba diving))~~ standards for commercial diving operations." The employer shall provide and supervise the use of decompression equipment and schedules in accordance with applicable requirements.

(2) If no specific requirements prevail for an unusual condition, a plan based on the recommendations of professionally qualified advisors, experienced with hazards associated with such exposures, shall be followed by both the employer and employee.

AMENDATORY SECTION (Amending Order 73-3, filed 5/7/73)

WAC 296-62-11011 DESIGN AND OPERATION. Ventilation systems shall be designed and operated in such a manner that ~~((workmen))~~ employees will not be subjected to excessive air velocities.

AMENDATORY SECTION (Amending Order 73-3, filed 5/7/73)

WAC 296-62-14503 PERSONNEL REQUIREMENTS FOR ENTRY INTO CONFINED SPACES. ~~((Workmen))~~ Employees required to enter confined spaces shall be protected from the hazards which may result from the entry.

(1) Management shall be responsible for procedures, training, and planning for entry into confined spaces which present a problem due to toxicity, flammability, oxygen deficiency or excess, mechanical, electrical, corrosive or temperature hazard.

(2) Management shall develop, distribute and enforce a written procedure which shall include planning, general precautions, procedures, evaluation of hazards, ventilation requirements, personal protection, isolation and responsibilities.

(3) For each project or job, individuals who are competent in the evaluation of hazards, precautions, first aid and artificial respiration shall specifically be assigned. All personnel shall be trained in the use of personal protective equipment required for the job assignment.

(4) Management shall instruct all involved employees in the safe procedures to be followed.



**AMENDATORY SECTION** (Amending Order 90-14, filed 10/1/90, effective 11/15/90)

**WAC 296-62-3050 MEDICAL SURVEILLANCE.** (1) General. Employers engaged in operations specified in WAC 296-62-300 (1)(a) through (d) and not covered by WAC 296-62-300(2), exceptions; and employers of employees specified in WAC 296-62-3112(9) shall institute a medical surveillance program in accordance with this subsection.

(2) Employees covered. The medical surveillance program shall be instituted by the employer for the following employees:

(a) All employees who are or may be exposed to hazardous substances or health hazards at or above the permissible exposure limits or, if there is no permissible exposure limit, above the published exposure levels for these substances, without regard to the use of respirators, for 30 days or more a year;

(b) All employees who wear a respirator for 30 days or more a year or as required by WAC 296-62-071; and

(c) All employees who are injured, become ill or develop signs or symptoms due to possible overexposure involving hazardous substances or health hazards from an emergency response or hazardous waste operation; and

(d) Members of HAZMAT teams.

(3) Frequency of medical examinations and consultations. Medical examinations and consultations shall be made available by the employer to each employee covered under subsection (1) of this section on the following schedules:

(a) For employees covered under WAC (~~296-62-3150~~) 296-62-3050 (2)(a), (b), and (d):

(i) Prior to assignment;

(ii) At least once every twelve months for each employee covered unless the attending physician believes a longer interval (not greater than biennially) is appropriate;

(iii) At termination of employment or reassignment to an area where the employee would not be covered if the employee has not had an examination within the last six months;

(iv) As soon as possible upon notification by an employee that the employee has developed signs or symptoms indicating possible overexposure to hazardous substances or health hazards, or that the employee has been injured or exposed above the permissible exposure limits, or published exposure levels in an emergency situation;

(v) At more frequent times, if the examining physician determines that an increased frequency of examination is medically necessary.

(b) For employees covered under subsection (~~((+))~~) (2)(c) of this section and for all employees including those employees covered by WAC 296-62-300 (1)(e) who may have been injured, received a health impairment, developed signs or symptoms which may have resulted from exposure to hazardous substances resulting from an emergency incident, or exposed during an emergency incident to hazardous substances at concentrations above the permissible exposure limits or the

published exposure levels without the necessary personal protective equipment being used:

(i) As soon as possible following the emergency incident or development of signs or symptoms;

(ii) At additional times, if the examining physician determines that follow-up examinations or consultations are medically necessary.

(4) Content of medical examinations and consultations.

(a) Medical examinations required by subsection (3) of this section shall include a medical and work history (or updated history if one is in the employee's file) with special emphasis on symptoms related to the handling of hazardous substances and health hazards, and to fitness for duty including the ability to wear any required PPE under conditions (i.e., temperature extremes) that may be expected at the worksite.

(b) The content of medical examinations or consultations made available to employees pursuant to this section shall be determined by the examining physician. The guidelines in the Occupational Safety and Health Guidance Manual for Hazardous Waste Site Activities (See Appendix D, Reference #10) should be consulted.

(5) Examination by a physician and costs. All medical examinations and procedures shall be performed by or under the supervision of a licensed physician, preferably one knowledgeable in occupational medicine, and shall be provided without cost to the employee, without loss of pay, and at a reasonable time and place.

(6) Information provided to the physician. The employer shall provide one copy of this standard and its appendices to the examining physician, and in addition, the following for each employee:

(a) A description of the employee's duties as they relate to the employee's exposures;

(b) The employee's exposure levels or anticipated exposure levels;

(c) A description of any personal protective equipment used or to be used;

(d) Information from previous medical examinations of the employee which is not readily available to the examining physician; and

(e) Information required in WAC 296-62-071 through 296-62-07121.

(7) Physician's written opinion.

(a) The employer shall obtain and furnish the employee with a copy of a written opinion from the examining physician containing the following:

(i) The physician's opinion as to whether the employee has any detected medical conditions which would place the employee at increased risk of material impairment of the employee's health from work in hazardous waste operations or emergency response or from respirators use.

(ii) The physician's recommended limitations upon the employees assigned work.

(iii) The results of the medical examination and tests if requested by the employee.

(iv) A statement that the employee has been informed by the physician of the results of the medical examination and any medical conditions which require further examination or treatment.



(b) The written opinion obtained by the employer shall not reveal specific findings or diagnoses unrelated to occupational exposures.

(8) Recordkeeping.

(a) An accurate record of the medical surveillance required by this section shall be retained. This record shall be retained for the period specified and meet the criteria of Part B of chapter 296-62 WAC.

(b) The record required in (a) of this subsection shall include at least the following information:

(i) The name and Social Security number of the employee;

(ii) Physicians' written opinions, recommended limitations, and results of examinations and tests;

(iii) Any employee medical complaints related to exposure to hazardous substances;

(iv) A copy of the information provided to the examining physician by the employer, with the exception of the standard and its appendices.

AMENDATORY SECTION (Amending WSR 89-21-018, filed 10/10/89, effective 11/24/89)

WAC 296-62-3090 HANDLING DRUMS AND CONTAINERS. (1) General.

(a) Hazardous substances and contaminated soils, liquids, and other residues shall be handled, transported, labeled, and disposed of in accordance with this section.

(b) Drums and containers used during the clean-up shall meet the appropriate DOT, OSHA, WISHA, and EPA regulations for the wastes that they contain.

(c) When practical, drums and containers shall be inspected and their integrity shall be assured prior to being moved. Drums or containers that cannot be inspected before being moved because of storage conditions (i.e., buried beneath the earth, stacked behind other drums, stacked several tiers high in a pile, etc.) shall be moved to an accessible location and inspected prior to further handling.

(d) Unlabeled drums and containers shall be considered to contain hazardous substances and handled accordingly until the contents are positively identified and labeled.

(e) Site operations shall be organized to minimize the amount of drum or container movement.

(f) Prior to movement of drums or containers, all employees exposed to the transfer operation shall be warned of the potential hazards associated with the contents of the drums or containers.

(g) United States Department of Transportation specified salvage drums or containers and suitable quantities of proper absorbent shall be kept available and used in areas where spills, leaks, or ruptures may occur.

(h) Where major spills may occur, a spill containment program, which is part of the employer's safety and health program required in WAC 296-62-3010, shall be implemented to contain and isolate the entire volume of the hazardous substance being transferred.

(i) Drums and containers that cannot be moved without rupture, leakage, or spillage shall be emptied into a sound container using a device classified for the material being transferred.

(j) A ground-penetrating system or other type of detection system or device shall be used to estimate the location and depth of buried drums or containers.

(k) Soil or covering material shall be removed with caution to prevent drum or container rupture.

(l) Fire extinguishing equipment meeting the requirements of Part G of chapter 296-24 WAC shall be on hand and ready for use to control incipient fires.

(2) Opening drums and containers. The following procedures shall be followed in areas where drums or containers are being opened:

(a) Where an airline respirator system is used, connections to the source of air supply shall be protected from contamination and the entire system shall be protected from physical damage.

(b) Employees not actually involved in opening drums or containers shall be kept a safe distance from the drums or containers being opened.

(c) If employees must work near or adjacent to drums or containers being opened, a suitable shield that does not interfere with the work operation shall be placed between the employee and the drums or containers being opened to protect the employee in case of accidental explosion.

(d) Controls for drum or container opening equipment, monitoring equipment, and fire suppression equipment shall be located behind the explosion-resistant barrier.

(e) When there is a reasonable possibility of flammable atmospheres being present, material handling equipment and hand tools shall be of the type to prevent sources of ignition.

(f) Drums and containers shall be opened in such a manner that excess interior pressure will be safely relieved. If pressure cannot be relieved from a remote location, appropriate shielding shall be placed between the employee and the drums or containers to reduce the risk of employee injury.

(g) Employees shall not stand upon or work from drums or containers.

(3) Material handling equipment. Material handling equipment used to transfer drums and containers shall be selected, positioned, and operated to minimize sources of ignition related to the equipment from igniting vapors released from ruptured drums or containers.

(4) Radioactive wastes. Drums and containers containing radioactive wastes shall not be handled until such time as their hazard to employees is properly assessed.

(5) Shock-sensitive wastes.

As a minimum, the following special precautions shall be taken when drums and containers containing or suspected of containing shock-sensitive wastes are handled:

(a) All nonessential employees shall be evacuated from the area of transfer.

(b) Material handling equipment shall be provided with explosive containment devices or protective shields to protect equipment operators from exploding containers.

(c) An employee alarm system capable of being perceived above surrounding light and noise conditions shall

be used to signal the commencement and completion of explosive waste handling activities.

(d) Continuous communications (i.e., portable radios, hand signals, telephones, as appropriate) shall be maintained between the employee-in-charge of the immediate handling area and the site safety and health supervisor and/or command post until such time as the handling operation is completed. Communication equipment or methods that could cause shock-sensitive materials to explode shall not be used.

(e) Drums and containers under pressure, as evidenced by bulging or swelling, shall not be moved until such time as the cause for excess pressure is determined and appropriate containment procedures have been implemented to protect employees from explosive relief of the drum.

(f) Drums and containers containing packaged laboratory wastes shall be considered to contain shock-sensitive or explosive materials until they have been characterized.

Caution: Shipping of shock-sensitive wastes may be prohibited under United States Department of Transportation regulations. Employers and their shippers should refer to WAC 480-12-195.

(6) Laboratory waste packs. In addition to the requirements of subsection (4) of this section, the following precautions shall be taken, as a minimum, in handling laboratory waste packs (lab packs):

(a) Lab packs shall be opened only when necessary and then only by an individual knowledgeable in the inspection, classification, and segregation of the containers within the pack according to the hazards of the wastes.

(b) If crystalline material is noted on any container, the contents shall be handled as a shock-sensitive waste until the contents are identified.

(7) Sampling of drum and container contents. Sampling of containers and drums shall be done in accordance with a sampling procedure which is part of the site safety and health plan developed for and available to employees and others at the specific worksite.

(8) Shipping and transport.

(a) Drums and containers shall be identified and classified prior to packaging for shipment.

(b) Drum or container staging areas shall be kept to the minimum number necessary to identify and classify materials safely and prepare them for transport.

(c) Staging areas shall be provided with adequate access and egress routes.

(d) Bulking of hazardous wastes shall be permitted only after a thorough characterization of the materials has been completed.

(9) Tank and vault procedures.

(a) Tanks and vaults containing hazardous substances shall be handled in a manner similar to that for drums and containers, taking into consideration the size of the tank or vault.

(b) Appropriate tank or vault entry procedures as described in WAC 296-62-14503 and the employer's safety and health plan shall be followed whenever employees must enter a tank or vault.

**AMENDATORY SECTION** (Amending Order 89-20, filed 1/11/90, effective 2/26/90)

WAC 296-99-050 HOUSEKEEPING. (1) The employer shall develop and implement a written housekeeping program that establishes the frequency and method(s) determined best to reduce accumulations of fugitive grain dust on ledges, floors, equipment, and other exposed surfaces.

(2) In addition, the housekeeping program for grain elevators shall ~~((require that a special emphasis be made with respect to keeping))~~ address fugitive grain dust accumulations at priority housekeeping areas ~~((free from accumulations of fugitive grain dust))~~.

(a) Priority housekeeping areas shall include at least the following:

(i) Floor areas within thirty-five feet (10.7 m) of inside bucket elevators;

(ii) Floors of enclosed areas containing grinding equipment;

(iii) Floors of enclosed areas containing grain dryers located inside the facility.

(b) ~~((Employers shall not permit fugitive grain dust to accumulate in priority housekeeping areas described in (2)(a)(i), (ii), and (iii) of this section.))~~ The employer shall immediately remove any fugitive grain dust accumulations whenever they exceed one-eighth inch (.32 cm) at priority housekeeping areas, pursuant to the housekeeping program, or shall demonstrate and assure, through the development and implementation of the housekeeping program, that equivalent protection is provided.

(3) The use of compressed air to blow dust from ledges, walls, and other areas shall only be permitted when all machinery that presents an ignition source in the area is shut-down, and all other known potential ignition sources in the area are removed or controlled.

(4) Grain and product spills shall not be considered fugitive grain dust accumulations. However, the housekeeping program shall address the procedures for removing such spills from the work area.

**AMENDATORY SECTION** (Amending Order 89-03, filed 5/15/89, effective 6/30/89)

WAC 296-155-205 HEAD PROTECTION. (1) All employees on any construction site shall be provided an individual hard hat which meets all requirements of (a) and (b) of this subsection. Employers shall provide individual hard hats at no cost to the employees.

(a) Hard hats for the protection of employees against impact and/or penetration of falling and flying objects shall meet the specifications contained in American National Standards Institute, Z89.1-1969, Safety Requirements for Industrial Head Protection.

(b) Hard hats for the head protection of employees exposed to high voltage electrical shock and burns shall meet the specifications contained in American National Standards Institute, Z89.2-1971.

(2) All employees must have their individual hard hats on site and readily available at all times.

(3) All employees shall wear a hard hat on any construction site whenever there is a potential exposure to

danger of flying or falling objects to persons working or occupying the area.

Note: The hard hat may be removed whenever there is no potential exposure to a hazard.

~~(4) ((Employers of members of the Old Order Amish or the Sikh Dharma Brotherhood will not be cited for the failure to provide head protection and to require these employees to wear head protection provided these employees [employees] have so notified their employer of their religious objection to the wearing of hard hats, in writing.~~

~~(5))~~ Employees working on asphalt paving crews when they are exposed to extreme temperatures from hot mix and when they are not exposed to falling objects need not wear protective hard hats. Flaggers working in conjunction with asphalt paving operations shall wear protective hard hats.

~~((6))~~ (5) Caps with metal buttons or metal visors shall not be worn around electrical hazards.

~~((7))~~ (6) Employees working near moving machinery or in locations which present a hair-catching or fire hazard shall wear caps, nets or other head and face protection that will completely contain the hair.

AMENDATORY SECTION (Amending Order 86-14, filed 1/21/86)

WAC 296-155-363 SAFETY REQUIREMENTS FOR POWDER ACTUATED FASTENING SYSTEMS, IN ACCORDANCE WITH ANSI A10.3-~~((1977))~~ 1985, SAFETY REQUIREMENTS FOR POWDER ACTUATED FASTENING SYSTEMS.

AMENDATORY SECTION (Amending Order 89-03, filed 5/15/89, effective 6/30/89)

WAC 296-155-36313 OPERATION. (1) Acceptable tools. Only tools meeting the requirements of this standard shall be used.

(2) Qualified operators. Only qualified operators shall operate tools.

(3) Use lowest velocity. The lowest velocity class of tool that will properly set the fastener shall be used.

(4) Operating limitations. Tools shall be operated in strict accordance with the manufacturer's instructions.

(5) Personal protection. Eye or face protection, or both, shall be worn by operators, assistants, and adjacent personnel when tool is in use. Hearing protection shall be used when making fastenings in confined areas.

(6) Daily inspections. Each day, prior to use, the operator shall inspect the tool to determine that it is in proper working condition in accordance with the testing methods recommended by the manufacturer of the tool.

(7) Defective tools. Any tool found not to be in proper working condition shall be immediately removed from service and tagged "DEFECTIVE"; it shall not be used until it has been properly repaired in accordance with the manufacturer's instructions.

(8) Proper accessories. The proper shield, fixture, adapter, or accessory, suited for the application, as recommended and supplied by the manufacturer, shall be used.

(9) Proper loads and fasteners. Only those types of fasteners and power loads recommended by the tool manufacturer for a particular tool, or those providing the same level of safety and performance, shall be used.

(10) Questionable material. Before fastening into any questionable material, the operator shall determine its suitability by using a fastener as a center punch. If the fastener point does not easily penetrate, is not blunted, and does not fracture the material, initial test fastenings shall then be made in accordance with the tool manufacturer's recommendations. (See WAC 296-155-36315(3).)

(11) Tool safety. No tool shall be loaded unless it is being prepared for immediate use. If the work is interrupted after loading, the tool shall be unloaded at once.

(12) Powder actuated magazine or clip-fed tools are not considered loaded unless a power load is actually in the ram (firing chamber), even though the magazine or clip is inserted in the tool. If work is interrupted, the firing chamber shall be cleared and the magazine or clip removed.

(13) Pointing tools. Tools shall not be loaded until just prior to the intended firing time. Neither loaded nor empty tools are to be pointed at any person; hands shall be kept clear of the open barrel end.

(14) Tool perpendicular to work. The tool shall always be held perpendicular to the work surface when fastening into any material, except for specific applications recommended by the tool manufacturer.

(15) Misfires. In the event of a misfire, the operator shall hold the tool firmly against the work surface for a period of thirty seconds and then follow the explicit instructions set forth in the manufacturer's instructions.

(16) Different power levels. Power loads of different power levels and types shall be kept in separate compartments or containers.

(17) Signs. A sign, at least 20 x 25 cm (8 x 10 in), using boldface type no less than 2.5 cm (1 in) in height, shall be posted in plain sight on all construction projects where tools are used. The sign shall bear wording similar to the following: "POWDER ACTUATED TOOL IN USE."

AMENDATORY SECTION (Amending Order 74-26, filed 5/7/74, effective 6/6/74)

WAC 296-155-375 JACKS—LEVER AND RATCHET, SCREW, AND HYDRAULIC. ~~((+))~~ General requirements.

~~((+))~~ (1) The manufacturer's rated capacity shall be legibly marked on all jacks and this capacity shall not be exceeded.

~~((b))~~ (2) All jacks shall have a positive stop to prevent over-travel.

~~((+))~~ (3) Specially designed jacks constructed for specific purposes shall meet the approval of the division of Industrial Safety and Health before being placed in service.

~~((d))~~ (4) Control parts shall be so designed that the operator will not be subjected to hazard.

~~((2))~~ Lift slab construction:

~~(a) Hydraulic jacks used in lift slab construction shall have a safety device which will cause the jacks to support the load in any position in the event the jack malfunctions.~~

~~(b) If lift slabs are automatically controlled, a device shall be installed which will stop the operation when the 1/2-inch leveling tolerance is exceeded.~~

~~(3) Blocking. When it is necessary, to provide a firm foundation, the base of the jack shall be blocked or cribbed. Where there is a possibility of slippage of the metal cap of the jack, a wood block shall be placed between the cap and the load.))~~

AMENDATORY SECTION (Amending Order 89-20, filed 1/11/90, effective 2/26/90)

WAC 296-155-675 SCOPE, APPLICATION, AND DEFINITIONS APPLICABLE TO THIS PART. (1) Scope and application. This subpart sets forth requirements to protect all construction employees from the hazards associated with concrete and masonry construction operations performed in workplaces covered under chapter 296-155 WAC.

(2) Definitions applicable to this part.

(a) "Bull float" means a tool used to spread out and smooth the concrete.

(b) "Formwork" means the total system of support for freshly placed or partially cured concrete, including the mold or sheeting (form) that is in contact with the concrete as well as all supporting members including shores, reshores, hardware, braces, and related hardware.

(c) "Jacking operation" means the task of lifting a slab (or group of slabs) vertically from one location to another (e.g., from the casting location to a temporary (parked) location, or from a temporary location to another temporary location, or to its final location in the structure), during the construction of a building/structure where the lift-slab process is being used.

(d) "Lift slab" means a method of concrete construction in which floor and roof slabs are cast on or at ground level and, using jacks, lifted into position.

~~((f))~~ (e) "Limited access zone" means an area alongside a masonry wall, which is under construction, and which is clearly demarcated to limit access by employees.

~~((e))~~ (f) "Precast concrete" means concrete members (such as walls, panels, slabs, columns, and beams) which have been formed, cast, and cured prior to final placement in a structure.

~~((f))~~ (g) "Reshoring" means the construction operation in which shoring equipment (also called reshores or reshoring equipment) is placed, as the original forms and shores are removed, in order to support partially cured concrete and construction loads.

~~((g))~~ (h) "Shore" means a supporting member that resists a compressive force imposed by a load.

~~((h))~~ (i) "Vertical slip forms" means forms which are jacked vertically during the placement of concrete.

~~((i))~~ (j) "Guy" means a line that steadies a high piece or structure by pulling against an off-center load.

AMENDATORY SECTION (Amending Order 89-20, filed 1/11/90, effective 2/26/90)

WAC 296-155-694 REQUIREMENTS FOR LIFT-SLAB CONSTRUCTION OPERATIONS.

~~((1) General. The safety requirements and recommendations in this section apply specifically to lift-slab construction operations.~~

~~(2) Design and planning. Lift-slab operations shall be designed and planned by a qualified professional engineer or architect. Such plans and designs shall include detailed instructions and sketches indicating the prescribed method of erection.~~

~~(3) Jacking equipment.~~

~~(a) Jacking equipment shall not be loaded beyond its safe working capacity, and then threaded rods and other members that transmit loads to the jacks shall have a minimum safety factor of 2.5. Jacking equipment used in lift-slab operations shall meet the criteria in (a) through (d) of this subsection. (Note: ANSI has interpreted this provision to mean that the safety factor of 2.5 must be met for all jacking components such as jacks, threaded rods, lifting nuts, lifting angles, as well as shearheads, columns and footings.)~~

~~(b) Jacks shall be so designed and installed so that they will not continue to lift when overloaded.~~

~~(c) Jacks shall be installed with a safety device which will enable them to continue to support the load in any position should the jack malfunction and lose its lifting ability.~~

~~(d) The maximum number of manually controlled jacks on one slab shall be limited to 14, and in no event should the number be too great to permit the operator to maintain the slab level within specified tolerances.~~

~~(4) Uniform lifting. Jacking operations shall be synchronized in such a manner as to insure even and uniform lifting of the slab. During lifting, all points of the slab support shall be kept within one-half inch of that needed to maintain the slab in a level position. If leveling is automatically controlled, a device shall be installed which will stop the operation when the one-half-inch tolerance is exceeded or when there is a malfunction in the jacking system. If level is maintained by manual controls, such controls shall be located in a central location and attended by a trained operator while lifting is in progress.~~

~~(5) Falling hazard. No one shall be permitted under the slab during jacking operations. (Note: ANSI has interpreted this provision as follows: "No one is permitted in the building during jacking operations except those employees required for the jacking operation and to secure slabs.))~~

(1) Lift-slab operations shall be designed and planned by a registered professional engineer who has experience in lift-slab construction. Such plans and designs shall be implemented by the employer and shall include detailed instructions and sketches indicating the prescribed method of erection. These plans and designs shall also include provisions for ensuring lateral stability of the building/structure during construction.

(2) Jacks/lifting units shall be marked to indicate their rated capacity as established by the manufacturer.

(3) Jacks/lifting units shall not be loaded beyond their rated capacity as established by the manufacturer.

(4) Jacking equipment shall be capable of supporting at least two and one-half times the load being lifted during jacking operations and the equipment shall not be overloaded. For the purpose of this provision, jacking equipment includes any load bearing component which is used to carry out the lifting operation(s). Such equipment includes, but is not limited to, the following: Threaded rods, lifting attachments, lifting nuts, hook-up collars, T-caps, shearheads, columns, and footings.

(5) Jacks/lifting units shall be designed and installed so that they will neither lift nor continue to lift when they are loaded in excess of their rated capacity.

(6) Jacks/lifting units shall have a safety device installed which will cause the jacks/lifting units to support the load in any position in the event any jack/lifting unit malfunctions or loses its lifting ability.

(7) Jacking operations shall be synchronized in such a manner to ensure even and uniform lifting of the slab. During lifting, all points at which the slab is supported shall be kept within 1/2 inch of that needed to maintain the slab in a level position.

(8) If leveling is automatically controlled, a device shall be installed that will stop the operation when the 1/2 inch tolerance set forth in subsection (7) of this section is exceeded or where there is a malfunction in the jacking (lifting) system.

(9) If leveling is maintained by manual controls, such controls shall be located in a central location and attended by a competent person while lifting is in progress. In addition to meeting the definition in WAC 296-155-012(4), the competent person must be experienced in the lifting operation and with the lifting equipment being used.

(10) The maximum number of manually controlled jacks/lifting units on one slab shall be limited to a number that will permit the operator to maintain the slab level within specified tolerances of subsection (7) of this section, but in no case shall that number exceed 14.

(11) No employee, except those essential to the jacking operation, shall be permitted in the building/structure while any jacking operation is taking place unless the building/structure has been reinforced sufficiently to ensure its integrity during erection. The phrase "reinforced sufficiently to ensure its integrity" used in this subsection means that a registered professional engineer, independent of the engineer who designed and planned the lifting operation, has determined from the plans that if there is a loss of support at any jack location, that loss will be confined to that location and the structure as a whole will remain stable.

(a) Under no circumstances, shall any employee who is not essential to the jacking operation be permitted immediately beneath a slab while it is being lifted.

(b) For the purpose of subsection (11) of this section, a jacking operation begins when a slab or group of slabs is lifted and ends when such slabs are secured (with either temporary connections or permanent connections).

(c) Employers who comply with appendix A to WAC 296-155-694 shall be considered to be in compliance

with the provisions of subsections (11) through (11)(c) of this section.

(12) When making temporary connections to support slabs, wedges shall be secured by tack welding, or an equivalent method of securing the wedges to prevent them from falling out of position. Lifting rods may not be released until the wedges at that column have been secured.

(13) All welding on temporary and permanent connections shall be performed by a certified welder, familiar with the welding requirements specified in the plans and specifications for the lift-slab operation.

(14) Load transfer from jack/lifting units to building columns shall not be executed until the welds on the column shear plates (weld blocks) are cooled to air temperature.

(15) Jacks/lifting units shall be positively secured to building columns so that they do not become dislodged or dislocated.

(16) Equipment shall be designed and installed so that the lifting rods cannot slip out of position or the employer shall institute other measures, such as the use of locking or blocking devices, which will provide positive connection between the lifting rods and attachments and will prevent components from disengaging during lifting operations.

Appendix to WAC 296-155-694—Lift-Slab Operations

(This Appendix is non-mandatory.)

In WAC 296-155-694(11), WISHA requires employees to be removed from the building/structure during jacking operations unless an independent registered professional engineer, other than the engineer who designed and planned the lifting operation, has determined that the building/structure has been sufficiently reinforced to insure the integrity of the building/structure. One method to comply with this provision is for the employer to ensure that continuous bottom steel is provided in every slab and in both directions through every wall or column head area. (Column head area means the distance between lines that are one and one half times the thickness of the slab or drop panel. These lines are located outside opposite faces of the outer edges of the shearhead sections—See Figure 1). The amount of bottom steel shall be established by assuming loss of support at a given lifting jack and then determining the steel necessary to carry, by catenary action over the span between surrounding supports, the slab service dead load plus any service dead and live loads likely to be acting on the slab during jacking. In addition, the surrounding supports must be capable of resisting any additional load transferred to them as a result of the loss of support at the lifting jack considered.

AMENDATORY SECTION (Amending Order 89-20, filed 1/11/90, effective 2/26/90)

WAC 296-155-730 TUNNELS AND SHAFTS.

(1) Scope and application.

(a) This section applies to the construction of underground tunnels, shafts, chambers, and passageways. This section also applies to cut-and-cover excavations which are both physically connected to ongoing underground

construction operations within the scope of this section, and covered in such a manner as to create conditions characteristic of underground construction.

(b) This section does not apply to excavation and trenching operations covered by Part N of this chapter, such as foundation operations for above-ground structures that are not physically connected to underground construction operations, and surface excavation.

(c) The employer shall comply with the requirements of this part and chapter in addition to applicable requirements of chapter 296-36 WAC, Safety standards—Compressed air work.

(2) Access and egress.

(a) Each operation shall have a check-in/check-out system that will provide positive identification of every employee underground. An accurate record of identification and location of the employees shall be kept on the surface. This procedure is not required when the construction of underground facilities designed for human occupancy has been sufficiently completed so that the permanent environmental controls are effective, and when the remaining construction activity will not cause any environmental hazard, or structural failure within the facilities.

(b) The employer shall provide and maintain safe means of access and egress to all work stations.

(c) The employer shall provide access and egress in such a manner that employees are protected from being struck by excavators, haulage machines, trains, and other mobile equipment.

(d) The employer shall control access to all openings to prevent unauthorized entry underground. Unused chutes, manways, or other openings shall be tightly covered, bulkheaded, or fenced off, and shall be posted with warning signs indicating "keep out" or similar language. Completed or unused sections of the underground facility shall be barricaded.

(3) Safety instruction. All employees shall be instructed in the recognition and avoidance of hazards associated with underground construction activities including, where appropriate, the following subjects:

- (a) Air monitoring;
- (b) Ventilation;
- (c) Confined space entry procedures;
- (d) Illumination;
- (e) Communications;
- (f) Flood control;
- (g) Mechanical equipment;
- (h) Personal protective equipment;
- (i) Explosives;
- (j) Fire prevention and protection; and
- (k) Emergency procedures, including evacuation plans and check-in/check-out systems.

(4) Notification.

(a) Oncoming shifts shall be informed of any hazardous occurrences or conditions that have affected, or might affect employee safety, including liberation of gas, equipment failures, earth or rock slides, cave-ins, floodings, fire(s), or explosions.

(b) Information specified in (a) of this subsection shall be recorded in a shift journal which shall be current prior to the end of each shift, and shall be located above ground.

(c) Oncoming supervisory personnel shall read the notification prior to going underground, and shall signify their understanding of the contents by affixing their respective initials to the log.

(d) The hazard notification log shall be retained on the site until the completion of the project.

(e) The employer shall establish and maintain direct communications for coordination of activities with other employers whose operations at the jobsite affect or may affect the safety of employees underground.

(5) Communications.

(a) When natural unassisted voice communication is ineffective, a power-assisted means of voice communication shall be used to provide communication between the work face, the bottom of the shaft, and the surface.

(b) Two effective means of communication, at least one of which shall be voice communication, shall be provided in all shafts which are being developed or used either for personnel access or for hoisting. Additional requirements for hoist operator communication are contained in subsection (22)(c)(xv) of this section.

(c) Powered communication systems shall operate on an independent power supply, and shall be installed so that the use of or disruption of any one phone or signal location will not disrupt the operation of the system from any other location.

(d) Communication systems shall be tested upon initial entry of each shift to the underground, and as often as necessary at later times, to ensure that they are in working order.

(e) Any employee working alone underground in a hazardous location, who is both out of the range of natural unassisted voice communication and not under observation by other persons, shall be provided with an effective means of obtaining assistance in an emergency.

(6) Emergency provisions. Hoisting capability. When a shaft is used as a means of egress, the employer shall make advance arrangements for power-assisted hoisting capability to be readily available in an emergency, unless the regular hoisting means can continue to function in the event of an electrical power failure at the jobsite. Such hoisting means shall be designed so that the load hoist drum is powered in both directions of rotation and so that the brake is automatically applied upon power release or failure.

(7) Self-rescuers. The employer shall provide self-rescuers having current approval from the National Institute for Occupational Safety and Health and the Mine Safety and Health Administration to be immediately available to all employees at work stations in underground areas where employees might be trapped by smoke or gas. The selection, issuance, use, and care of respirators shall be in accordance with the requirements of WAC 296-62-071 through 296-62-07121.

(8) Designated person. At least one designated person shall be on duty above ground whenever any employee is working underground. This designated person shall be responsible for securing immediate aid and keeping an

accurate record of the number, identification, and location of employees who are underground in case of emergency. The designated person must not be so busy with other responsibilities that the personnel counting and identification function is encumbered.

(9) Emergency lighting. Each employee underground shall have an acceptable portable hand lamp or cap lamp in his or her work area for emergency use, unless natural light or an emergency lighting system provides adequate illumination for escape.

(10) Rescue teams.

(a) On jobsites where 25 or more employees work underground at one time, the employer shall provide (or make arrangements in advance with locally available rescue services to provide) at least two 5-person rescue teams, one on the jobsite or within one-half hour travel time from the entry point, and the other within 2 hours travel time.

(b) On jobsites where less than 25 employees work underground at one time, the employer shall provide (or make arrangements in advance with locally available rescue services to provide) at least one 5-person rescue team to be either on the jobsite or within one-half hour travel time from the entry point.

(c) Rescue team members shall be qualified in rescue procedures, the use and limitations of breathing apparatus, and the use of firefighting equipment. Qualifications shall be reviewed not less than annually.

(d) On jobsites where flammable or noxious gases are encountered or anticipated in hazardous quantities, rescue team members shall practice donning and using pressure demand mode, self-contained breathing apparatuses monthly.

(e) The employer shall ensure that rescue teams are familiar with conditions at the jobsite.

(11) Hazardous classifications.

(a) Potentially gassy operations. Underground construction operations shall be classified as potentially gassy if either:

(i) Air monitoring discloses 10 percent or more of the lower explosive limit for methane or other flammable gases measured at 12 inches (304.8 mm)  $\pm$  0.25 inch (6.35 mm) from the roof, face, floor, or walls in any underground work area for more than a 24-hour period; or

(ii) The history of the geographical area or geological formation indicates that 10 percent or more of the lower explosive limit for methane or other flammable gases is likely to be encountered in such underground operations.

(b) Gassy operations. Underground construction operations shall be classified as gassy if:

(i) Air monitoring discloses 10 percent or more of the lower explosive limit for methane or other flammable gases measured at 12 inches (304.8 mm)  $\pm$  0.25 inch (6.35 mm) from the roof, face, floor, or walls in any underground work area for three consecutive days; or

(ii) There has been an ignition of methane or of other flammable gases emanating from the strata that indicates the presence of such gases; or

(iii) The underground construction operation is both connected to an underground work area which is currently classified as gassy and is also subject to a continuous course of air containing the flammable gas concentration.

(c) Declassification to potentially gassy operations. Underground construction gassy operations may be declassified to potentially gassy when air monitoring results remain under 10 percent of the lower explosive limit for methane or other flammable gases for three consecutive days.

(12) Gassy operations—Additional requirements. Only acceptable equipment, maintained in suitable condition, shall be used in gassy operations.

(a) Mobile diesel-powered equipment used in gassy operations shall be either approved in accordance with the requirements of 30 CFR Part 36 (formerly Schedule 31) by MSHA, or shall be demonstrated by the employer to be fully equivalent to such MSHA-approved equipment, and shall be operated in accordance with that part.

(b) Each entrance to a gassy operation shall be prominently posted with signs notifying all entrants of the gassy classification.

(c) Smoking shall be prohibited in all gassy operations and the employer shall be responsible for collecting all personal sources of ignition, such as matches and lighters, from all persons entering a gassy operation.

(d) A fire watch as described in WAC 296-155-410(5) shall be maintained when hot work is performed.

(e) Once an operation has met the criteria in subsection (11)(a)(i) of this section, warranting classification as gassy, all operations in the affected area, except the following, shall be discontinued until the operation either is in compliance with all of the gassy operation requirements or has been declassified in accordance with (c) of this subsection:

(i) Operations related to the control of the gas concentration;

(ii) Installation of new equipment, or conversion of existing equipment, to comply with this subsection; and

(iii) Installation of above-ground controls for reversing the air flow.

(13) Air quality and monitoring.

(a) General. Air quality limits and control requirements specified in chapter 296-62 WAC shall apply except as modified by this subsection.

(b) The employer shall assign a competent person who shall perform all air monitoring required by this section.

(c) Where this paragraph requires monitoring of airborne contaminants "as often as necessary," the competent person shall make a reasonable determination as to which substances to monitor and how frequently to monitor, considering at least the following factors:

(i) Location of jobsite: Proximity to fuel tanks, sewers, gas lines, old landfills, coal deposits, and swamps;

(ii) Geology: Geological studies of the jobsite, particularly involving the soil type and its permeability;

(iii) History: Presence of air contaminants in nearby jobsites, changes in levels of substances monitored on the prior shift; and



(iv) Work practices and jobsite conditions: The use of diesel engines, use of explosives, use of fuel gas, volume and flow of ventilation, visible atmospheric conditions, decompression of the atmosphere, welding, cutting and hot work, and employees' physical reactions to working underground.

(d) The employer shall provide testing and monitoring instruments which are capable of achieving compliance with the provisions of this subsection, and:

(i) Shall maintain the testing and monitoring instruments in good condition;

(ii) Shall calibrate the instruments on a frequency not to exceed 6 months.

(e) Exposure to airborne contaminants shall not exceed the levels established by chapter 296-62 WAC.

(f) Respirators shall not be substituted for environmental control measures. However, where environmental controls have not yet been developed, or when necessary by the nature of the work involved (for example, welding, sand blasting, lead burning), an employee may work for short periods of time in concentrations of airborne contaminants which exceed the limit of permissible exposure referred to in (d) of this subsection, if the employee wears a respiratory protective device approved by MSHA-NIOSH as protection against the particular hazards involved, and the selection and use of respirators complies with the provisions of WAC 296-62-071 through 296-62-07121.

(g) Employees shall be withdrawn from areas in which there is a concentration of an airborne contaminant which exceeds the permissible exposure limit listed for that contaminant, except as modified in ~~((s)(i))~~ (t)(i) and (ii) of this subsection.

(h) The atmosphere in all underground work areas shall be tested as often as necessary to assure that the atmosphere at normal atmospheric pressure contains at least 19.5 percent oxygen and no more than 22 percent oxygen.

(i) Tests for oxygen content shall be made before tests for air contaminants.

(j) Field-type oxygen analyzers, or other suitable devices, shall be used to test for oxygen deficiency.

(k) The atmosphere in all underground work areas shall be tested quantitatively for carbon monoxide, nitrogen dioxide, hydrogen sulfide, and other toxic gases, dust, vapors, mists, and fumes as often as necessary to ensure that the permissible exposure limits prescribed in chapter 296-62 WAC, are not exceeded.

(l) The atmosphere in all underground work areas shall be tested quantitatively for methane and other flammable gases as often as necessary to determine:

(i) Whether action is to be taken under (q), (r), and (s) of this subsection; and

(ii) Whether an operation is to be classified potentially gassy or gassy under subsection (11) of this section.

(m) If diesel-engine or gasoline-engine driven ventilating fans or compressors are used, an initial test shall be made of the inlet air of the fan or compressor, with the engines operating, to ensure that the air supply is not contaminated by engine exhaust.

(n) Testing shall be performed as often as necessary to ensure that the ventilation requirements of subsection (15) of this section are met.

(o) When rapid excavation machines are used, a continuous flammable gas monitor shall be operated at the face with the sensor(s) placed as high and close to the front of the machine's cutter head as practicable.

(p) Whenever air monitoring indicates the presence of 5 ppm or more of hydrogen sulfide, a test shall be conducted in the affected underground work area(s), at least at the beginning and midpoint of each shift, until the concentration of hydrogen sulfide has been less than 5 ppm for 3 consecutive days.

(i) Whenever hydrogen sulfide is detected in an amount exceeding 10 ppm, a continuous sampling and indicating hydrogen sulfide monitor shall be used to monitor the affected work area.

(ii) Employees shall be informed when a concentration of 10 ppm hydrogen sulfide is exceeded.

(iii) The continuous sampling and indicating hydrogen sulfide monitor shall be designed, installed, and maintained to provide a visual and aural alarm when the hydrogen sulfide concentration reaches 20 ppm to signal that additional measures, such as respirator use, increased ventilation, or evacuation, might be necessary to maintain hydrogen sulfide exposure below the permissible exposure limit.

(q) When the competent person determines, on the basis of air monitoring results or other information, that air contaminants may be present in sufficient quantity to be dangerous to life, the employer shall:

(i) Prominently post a notice at all entrances to the underground jobsite to inform all entrants of the hazardous condition; and

(ii) Immediately increase sampling frequency levels to insure workers are not exposed to identified contaminants in excess of the permissible exposure limit(s); and

(iii) Ensure that all necessary precautions are taken to comply with pertinent requirements of this section, and chapter 296-62 WAC.

(r) Whenever five percent or more of the lower explosive limit for methane or other flammable gases is detected in any underground work area(s) or in the air return, steps shall be taken to increase ventilation air volume or otherwise control the gas concentration, unless the employer is operating in accordance with the potentially gassy or gassy operation requirements. Such additional ventilation controls may be discontinued when gas concentrations are reduced below five percent of the lower explosive limit, but shall be reinstated whenever the five percent level is exceeded.

(s) Whenever 10 percent or more of the lower explosive limit for methane or other flammable gases is detected in the vicinity of welding, cutting, or other hot work, such work shall be suspended until the concentration of such flammable gas is reduced to less than 10 percent of the lower explosive limit.

(t) Whenever 20 percent or more of the lower explosive limit for methane or other flammable gases is detected in any underground work area(s) or in the air return:



(i) All employees, except those necessary to eliminate the hazard, shall be immediately withdrawn to a safe location above ground; and

(ii) Employees who remain underground to correct or eliminate the hazard described in (t) above shall be equipped with approved, pressure demand mode, self-contained breathing apparatus, and shall have received adequate training in the proper use of that equipment.

(iii) Electrical power, except for acceptable pumping and ventilation equipment, shall be cut off to the area endangered by the flammable gas until the concentration of such gas is reduced to less than 20 percent of the lower explosive limit.

(14) Additional monitoring for potentially gassy and gassy operations. Operations which meet the criteria for potentially gassy and gassy operations set forth in subsection (13) of this section shall be subject to the additional monitoring requirements of this subsection.

(a) A test for oxygen content shall be conducted in the affected underground work areas and work areas immediately adjacent to such areas at least at the beginning and midpoint of each shift.

(b) When using rapid excavation machines, continuous automatic flammable gas monitoring equipment shall be used to monitor the air at the heading, on the rib, and in the return air duct. The continuous monitor shall signal the heading, and shut down electric power in the affected underground work area, except for acceptable pumping and ventilation equipment, when 20 percent or more of the lower explosive limit for methane or other flammable gases is encountered.

(i) A manual flammable gas monitor shall be used as needed, but at least at the beginning and midpoint of each shift, to ensure that the limits prescribed in subsections (11) and (13) of this section are not exceeded. In addition, a manual electrical shut down control shall be provided near the heading.

(ii) Local gas tests shall be made prior to and continuously during any welding, cutting, or other hot work.

(iii) In underground operations driven by drill-and-blast methods, the air in the affected area shall be tested for flammable gas prior to re-entry after blasting, and continuously when employees are working underground.

(c) Recordkeeping. A record of all air quality tests shall be maintained above ground at the worksite and be made available to the director or his representatives upon request. The record shall include the location, date, time, substance and amount monitored. Records of exposures to toxic substances shall be retained in accordance with Part B, chapter 296-62 WAC. All other air quality test records shall be retained until completion of the project.

#### (15) Ventilation.

(a)(i) Fresh air shall be supplied to all underground work areas in sufficient quantities to prevent dangerous or harmful accumulation of dust, fumes, mists, vapors, or gases.

(ii) Mechanical ventilation shall be provided in all underground work areas except when the employer can demonstrate that natural ventilation provides the necessary air quality through sufficient air volume and air flow.

(b) A minimum of 200 cubic feet (5.7 m<sup>3</sup>) of fresh air per minute shall be supplied for each employee underground.

(c) The linear velocity of air flow in the tunnel bore, in shafts, and in all other underground work areas shall be at least 30 feet (9.15 m) per minute where blasting or rock drilling is conducted, or where other conditions likely to produce dust, fumes, mists, vapors, or gases in harmful or explosive quantities are present.

(d) The direction of mechanical air flow shall be reversible.

(e) Air that has passed through underground oil or fuel-storage areas shall not be used to ventilate working areas.

(f) Following blasting, ventilation systems shall exhaust smoke and fumes to the outside atmosphere before work is resumed in affected areas.

(g) Ventilation doors shall be designed and installed so that they remain closed when in use, regardless of the direction of the air flow.

(h) When ventilation has been reduced to the extent that hazardous levels of methane or flammable gas may have accumulated, a competent person shall test all affected areas after ventilation has been restored and shall determine whether the atmosphere is within flammable limits before any power, other than for acceptable equipment, is restored or work is resumed.

(i) Whenever the ventilation system has been shut down with all employees out of the underground area, only competent persons authorized to test for air contaminants shall be allowed underground until the ventilation has been restored and all affected areas have been tested for air contaminants and declared safe.

(j) When drilling rock or concrete, appropriate dust control measures shall be taken to maintain dust levels within limits set in WAC 296-155-160. Such measures may include, but are not limited to, wet drilling, the use of vacuum collectors, and water mix spray systems.

(k)(i) Internal combustion engines, except diesel-powered engines on mobile equipment, are prohibited underground.

(ii) Mobile diesel-powered equipment used underground in atmospheres other than gassy operations shall be either approved by MSHA in accordance with the provisions of 30 CFR Part 32 (formerly Schedule 24), or shall be demonstrated by the employer to be fully equivalent to such MSHA-approved equipment, and shall be operated in accordance with that Part. (Each brake horsepower of a diesel engine requires at least 100 cubic feet (28.32 m<sup>3</sup>) of air per minute for suitable operation in addition to the air requirements for personnel. Some engines may require a greater amount of air to ensure that the allowable levels of carbon monoxide, nitric oxide, and nitrogen dioxide are not exceeded.)

(iii) Application shall be made to the mining section, division of industrial safety and health, department of labor and industries, for permission to use specified diesel equipment in a specified underground area and shall include the following:

(A) The type of construction and complete identification data and specifications including analysis of the undiluted exhaust gases of the diesel equipment.

(B) The location where the diesel equipment is to be used.

(C) Before the diesel equipment is taken underground, written permission shall be obtained from the division of industrial safety and health or its duly authorized representative. A satisfactory test on surface, to show that the exhaust gases do not exceed the maximum percentage of carbon monoxide permitted, shall be required.

(D) Diesel equipment shall only be used underground where the ventilation is controlled by mechanical means and shall not be operated if the ventilating current is less than 100 CFM per horsepower based on the maximum brake horsepower of the engines.

(E) Air measurements shall be made at least once daily in the diesel engine working area and the measurements entered in the Underground Diesel Engine Record Book. Permissible maximum amounts of noxious gases are as follows:

At engine exhaust ports	Carbon Monoxide	.10%	1,000 ppm <sup>3</sup>
Next to equipment	Carbon Monoxide	.005%	50 ppm
General atmosphere	Carbon Monoxide	.005%	50 ppm
General atmosphere	Nitrogen Dioxide	.0003%	3 ppm
General atmosphere	Aldehydes	.0002%	2 ppm

<sup>3</sup>Parts of vapor or gas per million parts of contaminated air by volume at 25°C and 760 mm Hg. pressure.

(I) Potentially gassy or gassy operations shall have ventilation systems installed which shall:

- (i) Be constructed of fire-resistant materials; and
- (ii) Have acceptable electrical systems, including fan motors.

(m) Gassy operations shall be provided with controls located above ground for reversing the air flow of ventilation systems.

(n) In potentially gassy or gassy operations, wherever mine-type ventilation systems using an offset main fan installed on the surface are used, they shall be equipped with explosion-doors or a weak-wall having an area at least equivalent to the cross-sectional area of the airway.

(16) Illumination.

(a) Sufficient lighting shall be provided, in accordance with the requirements of ~~((Table B-3 of Part B of this chapter))~~ WAC 296-155-165 (1) through (4), to permit safe operations at the face as well as in the general tunnel or shaft area and at the employees' workplace.

(b) Only acceptable portable lighting ~~((as defined in WAC 296-155-462(1)))~~ shall be used within 50 feet (15.24 m) of any underground heading during explosive handling.

(17) Fire prevention and control. Fire prevention and protection requirements applicable to underground construction operations are found in Part D of this chapter except as modified by the following additional standards.

(a) Open flames and fires are prohibited in all underground construction operations except as permitted for welding, cutting, and other hot work operations.

(i) Smoking may be allowed only in areas free of fire and explosion hazards.

(ii) Readily visible signs prohibiting smoking and open flames shall be posted in areas having fire or explosion hazards.

(iii) The carrying of matches, lighters, or other flame-producing smoking materials shall be prohibited in all underground operations where fire or explosion hazards exist.

(b) The employer may store underground no more than a 24-hour supply of diesel fuel for the underground equipment used at the worksite.

(c) The piping of diesel fuel from the surface to an underground location is permitted only if:

(i) Diesel fuel is contained at the surface in a tank whose maximum capacity is no more than the amount of fuel required to supply for a 24-hour period the equipment serviced by the underground fueling station; and

(ii) The surface tank is connected to the underground fueling station by an acceptable pipe or hose system that is controlled at the surface by a valve, and at the shaft bottom by a hose nozzle; and

(iii) The pipe is empty at all times except when transferring diesel fuel from the surface tank to a piece of equipment in use underground; and

(iv) Hoisting operations in the shaft are suspended during refueling operations if the supply piping in the shaft is not protected from damage.

(d)(i) Gasoline shall not be carried, stored, or used underground.

(ii) Acetylene, liquefied petroleum gas, and Methylacetylene Propadiene Stabilized gas may be used underground only for welding, cutting and other hot work, and only in accordance with Part H of this chapter and subsections (13), (15), (17), and (18) of this section.

(e) Oil, grease, and diesel fuel stored underground shall be kept in tightly sealed containers in fire-resistant areas at least 300 feet (91.44 m) from underground explosive magazines, and at least 100 feet (30.48 m) from shaft stations and steeply inclined passageways. Storage areas shall be positioned or diked so that the contents of ruptured or overturned containers will not flow from the storage area.

(f) Flammable or combustible materials shall not be stored above ground within 100 feet (30.48 m) of any access opening to any underground operation. Where this is not feasible because of space limitations at the jobsite, such materials may be located within the 100-foot limit, provided that:

(i) They are located as far as practicable from the opening; and

(ii) Either a fire-resistant barrier of not less than one-hour rating is placed between the stored material and the opening, or additional precautions are taken which will protect the materials from ignition sources.

(g) Fire-resistant hydraulic fluids shall be used in hydraulically-actuated underground machinery and equipment unless such equipment is protected by a fire suppression system or by multipurpose fire extinguisher(s) rated at a sufficient capacity for the type and size of hydraulic equipment involved, but rated at least 4A:4OB:C.

(h)(i) Electrical installations in underground areas where oil, grease, or diesel fuel are stored shall be used only for lighting fixtures.

(ii) Lighting fixtures in storage areas, or within 25 feet (7.62 m) of underground areas where oil, grease, or diesel fuel are stored, shall be approved for Class I, Division 2 locations, in accordance with Part I of this chapter.

(i) Leaks and spills of flammable or combustible fluids shall be cleaned up immediately.

(j) A fire extinguisher of at least 4A:4OB:C rating or other equivalent extinguishing means shall be provided at the head pulley and at the tail pulley of underground belt conveyors, and at 300-foot intervals along the belt.

(k) Any structure located underground or within 100 feet (30.48 m) of an opening to the underground shall be constructed of material having a fire-resistance rating of at least one hour.

(18) Welding, cutting, and other hot work. In addition to the requirements of Part H of this chapter, the following requirements shall apply to underground welding, cutting, and other hot work.

(a) No more than the amount of fuel gas and oxygen cylinders necessary to perform welding, cutting, or other hot work during the next 24-hour period shall be permitted underground.

(b) Noncombustible barriers shall be installed below welding, cutting, or other hot work being done in or over a shaft or raise.

(19) Ground support.

(a) In tunnels (other than hard rock) timber sets, steel rings, steel frames, concrete liners, or other engineered tunnel support systems shall be used. Every tunnel support system shall be designed by a licensed professional engineer. Design specifications shall be available at the worksite.

(b) Portal areas. Portal openings and access areas shall be guarded by shoring, fencing, head walls, shotcreting, or other equivalent protection to ensure safe access of employees and equipment. Adjacent areas shall be scaled or otherwise secured to prevent loose soil, rock, or fractured materials from endangering the portal and access area.

(c) Subsidence areas. The employer shall ensure ground stability in hazardous subsidence areas by shoring, by filling in, or by erecting barricades and posting warning signs to prevent entry.

(d) Underground areas.

(i)(A) A competent person shall inspect the roof, face, and walls of the work area at the start of each shift and as often as necessary to determine ground stability.

(B) Competent persons conducting such inspections shall be protected from loose ground by location, ground support, or equivalent means.

(ii) Ground conditions along haulageways and travelways shall be inspected as frequently as necessary to ensure safe passage.

(iii) Loose ground that might be hazardous to employees shall be taken down, scaled, or supported.

(iv) ~~(Torque meters and torque wrenches shall be available at tunnels where rock bolts are used for ground support. Frequent tests shall be made to determine if bolts meet the required torque. The test frequency shall be determined by rock conditions and distance from vibration sources.~~

~~(v)(A))~~ Torque wrenches shall be used wherever bolts that depend on torsionally applied force are used for ground support.

~~((B))~~ (v) A competent person shall determine whether rock bolts meet the necessary torque, and shall determine the testing frequency in light of the bolt system, ground conditions, and the distance from vibration sources.

(vi) Suitable protection shall be provided for employees exposed to the hazard of loose ground while installing ground support systems.

(vii) Support sets shall be installed so that the bottoms have sufficient anchorage to prevent ground pressures from dislodging the support base of the sets. Lateral bracing (collar bracing, tie rods, or spreaders) shall be provided between immediately adjacent sets to ensure added stability.

(viii) Damaged or dislodged ground supports that create a hazardous condition shall be promptly repaired or replaced. When replacing supports, the new supports shall be installed before the damaged supports are removed.

(ix) A shield or other type of support shall be used to maintain a safe travelway for employees working in dead-end areas ahead of any support replacement operation.

(e) Shafts.

(i) Shafts and wells over 4 feet (1.219 m) in depth that employees must enter shall be supported by a steel casing, concrete pipe, timber, solid rock, or other suitable material.

(ii)(A) The full depth of the shaft shall be supported by casing or bracing except where the shaft penetrates into solid rock having characteristics that will not change as a result of exposure. Where the shaft passes through earth into solid rock, or through solid rock into earth, and where there is potential for shear, the casing or bracing shall extend at least 5 feet (1.53 m) into the solid rock. When the shaft terminates in solid rock, the casing or bracing shall extend to the end of the shaft or 5 feet (1.53 m) into the solid rock, whichever is less.

(B) The casing or bracing shall extend 42 inches (1.07 m) plus or minus 3 inches (8 cm) above ground level, except that the minimum casing height may be reduced to 12 inches (0.3 m), provided that a standard railing is installed; that the ground adjacent to the top of the shaft is sloped away from the shaft collar to prevent entry of liquids; and that effective barriers are used to prevent mobile equipment operating near the shaft from jumping over the 12-inch (0.3 m) barrier.

(iii) After blasting operations in shafts, a competent person shall determine if the walls, ladders, timbers, blocking, or wedges have loosened. If so, necessary repairs shall be made before employees other than those assigned to make the repairs are allowed in or below the affected areas.

(f) Blasting. This subsection applies in addition to the requirements for blasting and explosives operations, including handling of misfires, which are found in chapter 296-52 WAC.

(i) Blasting wires shall be kept clear of electrical lines, pipes, rails, and other conductive material, excluding

earth, to prevent explosives initiation or employee exposure to electric current.

(ii) Following blasting, an employee shall not enter a work area until the air quality meets the requirements of subsection (13) of this section.

(g) Drilling.

(i) A competent person shall inspect all drilling and associated equipment prior to each use. Equipment defects affecting safety shall be corrected before the equipment is used.

(ii) The drilling area shall be inspected for hazards before the drilling operation is started.

(iii) Employees shall not be allowed on a drill mast while the drill bit is in operation or the drill machine is being moved.

(iv) When a drill machine is being moved from one drilling area to another, drill steel, tools, and other equipment shall be secured and the mast shall be placed in a safe position.

(v) Receptacles or racks shall be provided for storing drill steel located on jumbos.

(vi) Employees working below jumbo decks shall be warned whenever drilling is about to begin.

(vii) Drills on columns shall be anchored firmly before starting drilling, and shall be retightened as necessary thereafter.

(viii) The employer shall provide mechanical means on the top deck of a jumbo for lifting unwieldy or heavy material.

(ix) When jumbo decks are over 10 feet (3.05 m) in height, the employer shall install stairs wide enough for two persons.

(x) Jumbo decks more than 10 feet (3.05 m) in height shall be equipped with guardrails on all open sides, excluding access openings of platforms, unless an adjacent surface provides equivalent fall protection.

(xi) Only employees assisting the operator shall be allowed to ride on jumbos, unless the jumbo meets the requirements of subsection (20)(e) of this section.

(xii) Jumbos shall be chocked to prevent movement while employees are working on them.

(xiii) Walking and working surfaces of jumbos shall be maintained to prevent the hazards of slipping, tripping, and falling.

(xiv) Jumbo decks and stair treads shall be designed to be slip-resistant and secured to prevent accidental displacement.

(xv) Scaling bars shall be available at scaling operations and shall be maintained in good condition at all times. Blunted or severely worn bars shall not be used.

(xvi) Before commencing the drill cycle, the face and lifters shall be examined for misfires (residual explosives) and, if found, they shall be removed before drilling commences at the face. ((Lifters)) Blasting holes shall not be drilled through blasted rock (muck) or water.

(xvii) Employees in a shaft shall be protected either by location or by suitable barrier(s) if powered mechanical loading equipment is used to remove muck containing unfired explosives.

(xviii) A caution sign reading "buried line," or similar wording shall be posted where air lines are buried or otherwise hidden by water or debris.

(20) Haulage.

(a) A competent person shall inspect haulage equipment before each shift.

(i) Equipment defects affecting safety and health shall be corrected before the equipment is used.

(ii) Powered mobile haulage equipment shall be provided with adequate brakes.

(iii) Power mobile haulage equipment, including trains, shall have audible warning devices to warn employees to stay clear. The operator shall sound the warning device before moving the equipment and whenever necessary during travel.

(iv) The operator shall assure that lights which are visible to employees at both ends of any mobile equipment, including a train, are turned on whenever the equipment is operating.

(v) In those cabs where glazing is used, the glass shall be safety glass, or its equivalent, and shall be maintained and cleaned so that vision is not obstructed.

(b) Antirrollback devices or brakes shall be installed on inclined conveyor drive units to prevent conveyors from inadvertently running in reverse. Employees shall not be permitted to ride a power-driven chain, belt, or bucket conveyor unless the conveyor is specifically designed for the transportation of persons.

(c) Endless belt-type manlifts are prohibited in underground construction.

(d) General requirements also applicable to underground construction for use of conveyors in construction are found in WAC 296-155-545 (1) through (17).

(e) No employee shall ride haulage equipment unless it is equipped with seating for each passenger and protects passengers from being struck, crushed, or caught between other equipment or surfaces. Members of train crews may ride on a locomotive if it is equipped with handholds and nonslip steps or footboards. Requirements applicable to underground construction for motor vehicle transportation of employees are found in WAC 296-155-610.

(f) Conveyor lockout.

(i) Conveyors shall be deenergized and locked out with a padlock, and tagged out with a "Do Not Operate" tag at any time repair, maintenance, or clean-up work is being performed on the conveyor.

(ii) Tags or push button stops are not acceptable.

(iii) Persons shall not be allowed to walk on conveyors except for emergency purposes and then only after the conveyor has been deenergized and locked out in accordance with (f) above, and persons can do so safely.

(g) Powered mobile haulage equipment, including trains, shall not be left unattended unless the master switch or motor is turned off; operating controls are in neutral or park position; and the brakes are set, or equivalent precautions are taken to prevent rolling.

(h) Whenever rails serve as a return for a trolley circuit, both rails shall be bonded at every joint and crossbonded every 200 feet (60.96 m).

(i) When dumping cars by hand, the car dumps shall have tiedown chains, bumper blocks, or other locking or holding devices to prevent the cars from overturning.

(j) Rocker-bottom or bottom-dump cars shall be equipped with positive locking devices to prevent unintended dumping.

(k) Equipment to be hauled shall be loaded and secured to prevent sliding or dislodgement.

(l)(i) Mobile equipment, including rail-mounted equipment, shall be stopped for manual connecting or service work, and;

(ii) Employees shall not reach between moving cars during coupling operations.

(iii) Couplings shall not be aligned, shifted, or cleaned on moving cars or locomotives.

(iv) Safety chains or other connections shall be used in addition to couplers to connect man cars or powder cars whenever the locomotive is uphill of the cars.

(v) When the grade exceeds one percent and there is a potential for runaway cars, safety chains or other connections shall be used in addition to couplers to connect haulage cars or, as an alternative, the locomotive must be downhill of the train.

(vi) Such safety chains or other connections shall be capable of maintaining connection between cars in the event of either coupler disconnect, failure or breakage.

(m) Parked rail equipment shall be chocked, blocked, or have brakes set to prevent inadvertent movement.

(n) Berms, bumper blocks, safety hooks, or equivalent means shall be provided to prevent overtravel and overturning of haulage equipment at dumping locations.

(o) Bumper blocks or equivalent stopping devices shall be provided at all track dead ends.

(p)(i) Only small handtools, lunch pails, or similar small items may be transported with employees in man cars, or on top of a locomotive.

(ii) When small hand tools or other small items are carried on top of a locomotive, the top shall be designed or modified to retain them while traveling.

(q)(i) Where switching facilities are available, occupied personnel cars shall be pulled, not pushed. If personnel cars must be pushed and visibility of the track ahead is hampered, then a qualified person shall be stationed in the lead car to give signals to the locomotive operator.

(ii) Crew trips shall consist of personnel loads only.

(21) Electrical safety. This paragraph applies in addition to the general requirements for electrical safety which are found in Part I of this chapter.

(a) Electric power lines shall be insulated or located away from water lines, telephone lines, air lines, or other conductive materials so that a damaged circuit will not energize the other systems.

(b) Lighting circuits shall be located so that movement of personnel or equipment will not damage the circuits or disrupt service.

(c) Oil-filled transformers shall not be used underground unless they are located in a fire-resistant enclosure suitably vented to the outside and surrounded by a dike to retain the contents of the transformers in the event of rupture.

(22) Hoisting unique to underground construction except as modified by this section, the following provisions of chapter 296-155 WAC, Part L apply: Requirements for cranes are found in WAC 296-155-525. WAC 296-

155-48533 contains rules applicable to crane hoisting of personnel, except, that the limitations imposed by WAC 296-155-48533(2) do not apply to the routine access of employees to the underground via a shaft. Requirements for personnel hoists, material hoists, and elevators are found in WAC 296-155-530 and in this subsection.

(a) General requirements for cranes and hoists.

(i) Materials, tools, and supplies being raised or lowered, whether within a cage or otherwise, shall be secured or stacked in a manner to prevent the load from shifting, snagging, or falling into the shaft.

(ii) A warning light suitably located to warn employees at the shaft bottom and subsurface shaft entrances shall flash whenever a load is above the shaft bottom or subsurface entrances, or the load is being moved in the shaft. This paragraph does not apply to fully enclosed hoistways.

(iii) Whenever a hoistway is not fully enclosed and employees are at the shaft bottom, conveyances or equipment shall be stopped at least 15 feet (4.57 m) above the bottom of the shaft and held there until the signalman at the bottom of the shaft directs the operator to continue lowering the load, except that the load may be lowered without stopping if the load or conveyance is within full view of a bottom signalman who is in constant voice communication with the operator.

(iv)(A) Before maintenance, repairs, or other work is commenced in the shaft served by a cage, skip, or bucket, the operator and other employees in the area shall be informed and given suitable instructions.

(B) A sign warning that work is being done in the shaft shall be installed at the shaft collar, at the operator's station, and at each underground landing.

(v) Any connection between the hoisting rope and the cage or skip shall be compatible with the type of wire rope used for hoisting.

(vi) Spin-type connections, where used, shall be maintained in a clean condition and protected from foreign matter that could affect their operation.

(vii) Cage, skip, and load connections to the hoist rope shall be made so that the force of the hoist pull, vibration, misalignment, release of lift force, or impact will not disengage the connection. Only closed shackles shall be used for cage and skip rigging.

(viii) When using wire rope wedge sockets, means shall be provided to prevent wedge escapement and to ensure that the wedge is properly seated.

(b) Additional requirements for cranes. Cranes shall be equipped with a limit switch to prevent overtravel at the boom tip. Limit switches are to be used only to limit travel of loads when operational controls malfunction and shall not be used as a substitute for other operational controls.

(c) Additional requirements for hoists.

(i) Hoists shall be designed so that the load hoist drum is powered in both directions of rotation, and so that brakes are automatically applied upon power release or failure.

(ii) Control levers shall be of the "deadman type" which return automatically to their center (neutral) position upon release.

(iii) When a hoist is used for both personnel hoisting and material hoisting, load and speed ratings for personnel and for materials shall be assigned to the equipment.

(iv) Hoist machines with cast metal parts shall not be used.

(v) Material hoisting may be performed at speeds higher than the rated speed for personnel hoisting if the hoist and components have been designed for such higher speeds and if shaft conditions permit.

(vi) Employees shall not ride on top of any cage, skip, or bucket except when necessary to perform inspection or maintenance of the hoisting system, in which case they shall be protected by a body belt/harness system to prevent falling.

(vii) Personnel and materials (other than small tools and supplies secured in a manner that will not create a hazard to employees) shall not be hoisted together in the same conveyance. However, if the operator is protected from the shifting of materials, then the operator may ride with materials in cages or skips which are designed to be controlled by an operator within the cage or skip.

(viii) Line speed shall not exceed the design limitations of the systems.

(ix) Hoists shall be equipped with landing level indicators at the operator's station. Marking of the hoist rope does not satisfy this requirement.

(x) Whenever glazing is used in the hoist house, it shall be safety glass, or its equivalent, and be free of distortions and obstructions.

(xi) A fire extinguisher that is rated at least 2A:10B:C (multipurpose, dry chemical) shall be mounted in each hoist house.

(xii) Hoist controls shall be arranged so that the operator can perform all operating cycle functions and reach the emergency power cutoff without having to reach beyond the operator's normal operating position.

(xiii) Hoists shall be equipped with limit switches to prevent overtravel at the top and bottom of the hoistway.

(xiv) Limit switches are to be used only to limit travel of loads when operational controls malfunction and shall not be used as a substitute for other operational controls.

(xv) Hoist operators shall be provided with a closed-circuit voice communication system to each landing station, with speaker-microphones so located that the operator can communicate with individual landing stations during hoist use.

(xvi) When sinking shafts 75 feet (22.86 m) or less in depth, cages, skips, and buckets that may swing, bump, or snag against shaft sides or other structural protrusions shall be guided by fenders, rails, ropes, or a combination of those means.

(xvii) When sinking shafts more than 75 feet (22.86 m) in depth, all cages, skips, and buckets shall be rope or rail-guided to within a rail length from the sinking operation.

(xviii) Cages, skips, and buckets in all completed shafts, or in all shafts being used as completed shafts, shall be rope or rail-guided for the full length of their travel.

(xix) Wire rope used in load lines of material hoists shall be capable of supporting, without failure, at least

five times the maximum intended load or the factor recommended by the rope manufacturer, whichever is greater. Refer to WAC 296-155-530 (3)(r)(i), (ii), and (iii) for design factors for wire rope used in personnel hoists. The design factors shall be calculated by dividing the breaking strength of wire rope, as reported in the manufacturer's rating tables, by the total static load, including the weight of the wire rope in the shaft when fully extended.

(xx) A competent person shall visually check all hoisting machinery, equipment, anchorages, and hoisting rope at the beginning of each shift and during hoist use, as necessary.

(xxi) Each safety device shall be checked by a competent person at least weekly during hoist use to ensure suitable operation and safe condition.

(xxii) In order to ensure suitable operation and safe condition of all functions and safety devices, each hoist assembly shall be inspected and load-tested to 100 percent of its rated capacity: At the time of installation; after any repairs or alterations affecting its structural integrity; after the operation of any safety device; and annually when in use. The employer shall prepare a certification record which includes the date each inspection and load-test was performed; the signature of the person who performed the inspection and test; and a serial number or other identifier for the hoist that was inspected and tested. The most recent certification record shall be maintained on file until completion of the project.

(xxiii) Before hoisting personnel or material, the operator shall perform a test run of any cage or skip whenever it has been out of service for one complete shift, and whenever the assembly or components have been repaired or adjusted.

(xiv) Unsafe conditions shall be corrected before using the equipment.

(d) Additional requirements for personnel hoists.

(i) Hoist drum systems shall be equipped with at least two means of stopping the load, each of which shall be capable of stopping and holding 150 percent of the hoist's rated line pull. A broken-rope safety, safety catch, or arrestment device is not a permissible means of stopping under this subsection.

(ii) The operator shall remain within sight and sound of the signals at the operator's station.

(iii) All sides of personnel cages shall be enclosed by one-half inch (12.70 mm) wire mesh (not less than No. 14 gauge or equivalent) to a height of not less than 6 feet (1.83 m). However, when the cage or skip is being used as a work platform, its sides may be reduced in height to 42 inches (1.07 m) when the conveyance is not in motion.

(iv) All personnel cages shall be provided with a positive locking door that does not open outward.

(v) All personnel cages shall be provided with a protective canopy. The canopy shall be made of steel plate, at least 3/16 -inch (4.763 mm) in thickness, or material of equivalent strength and impact resistance. The canopy shall be sloped to the outside, and so designed that a section may be readily pushed upward to afford emergency egress. The canopy shall cover the top in such a

manner as to protect those inside from objects falling in the shaft.

(vi) Personnel platforms operating on guide rails or guide ropes shall be equipped with broken-rope safety devices, safety catches, or arrestment devices that will stop and hold 150 percent of the weight of the personnel platform and its maximum rated load.

(vii) During sinking operations in shafts where guides and safeties are not yet used, the travel speed of the personnel platform shall not exceed 200 feet (60.96 m) per minute. Governor controls set for 200 feet (60.96 m) per minute shall be installed in the control system and shall be used during personnel hoisting.

(viii) The personnel platform may travel over the controlled length of the hoistway at rated speeds up to 600 feet (182.88 m) per minute during sinking operations in shafts where guides and safeties are used.

(ix) The personnel platform may travel at rated speeds greater than 600 feet (182.88 m) per minute in complete shafts.

AMENDATORY SECTION (Amending Order 83-34, filed 11/30/83)

WAC 296-305-06009 BODY PROTECTION. (1) Body protection shall be coordinated with foot and leg protection to ensure full protection for the wearer. This shall be achieved by one of the following methods:

(a) Wearing of a fire resistive coat with fully extended hip boots meeting the requirements of WAC 296-305-06007; or

(b) Wearing of a fire resistant coat with fire resistant trousers; or

(c) Wearing of ancillary clothing as specified in WAC 296-305-060 (3)(a) of this chapter.

(2) Fire resistant coat and trousers shall be at least equivalent to the requirements of the NFPA Standard #1971, protective clothing for structural fire fighters(~~except that the outer shell fabric shall weigh not less than 7.5 oz/yd<sup>2</sup>~~).

AMENDATORY SECTION (Amending Order 76-28, filed 9/28/76)

WAC 296-306-260 ROLLOVER PROTECTIVE STRUCTURES (ROPS) FOR MATERIAL HANDLING EQUIPMENT. (1) Coverage. (a) This section applies to the following types of material handling equipment: To all rubber-tired, self-propelled scrapers, rubber-tired front-end loaders, rubber-tired dozers, wheel-type agricultural and industrial tractors, crawler tractors, crawler-type loaders, and motor graders, with or without attachments, that are used in agricultural work. This requirement does not apply to side-boom pipelaying tractors.

(2) Material handling machinery described in subsection (1) of this section and manufactured on or after October 25, 1976, shall be equipped with rollover protective structures which meet the minimum performance standards prescribed in WAC 296-306-260 and 296-306-265, as applicable.

(3) Rollover protective structures and supporting attachment shall meet the minimum performance criteria

detailed in WAC (~~(296-306-260)~~) 296-303-26001 and 296-306-265, as applicable, or shall be designed, fabricated, and installed in a manner which will support, based on the ultimate strength of the metal, at least two times the weight of the prime mover applied at the point of impact.

(a) The design objective shall be to minimize the likelihood of a complete overturn and thereby minimize the possibility of the operator being crushed as a result of a rollover or upset.

(b) The design shall provide a vertical clearance of at least 52 inches from the work deck to the ROPS at the point of ingress or egress.

(4) Remounting. ROPS removed for any reason, shall be remounted with equal quality, or better, bolts or welding as required for the original mounting.

(5) Labeling. Each ROPS shall have the following information permanently affixed to the structure:

(a) Manufacturer or fabricator's name and address;

(b) ROPS model number, if any;

(c) Machine make, model, or series number that the structure is designed to fit.

AMENDATORY SECTION (Amending Order 76-28, filed 9/28/76)

WAC 296-306-265 PROTECTIVE FRAME (ROPS) TEST PROCEDURES AND PERFORMANCE REQUIREMENTS FOR WHEEL-TYPE AGRICULTURAL AND INDUSTRIAL TRACTORS USED IN AGRICULTURE. (1) Definitions applicable to this section. (a) SAE J333a, Operator Protection for Wheel-Type Agricultural and Industrial Tractors (July 1970) defines "agricultural tractor" as a "wheel-type vehicle of more than 20 engine horsepower designed to furnish the power to pull, carry, propel, or drive implements that are designed for agricultural usage." Since this chapter applies only to agriculture work, the following definition of "agricultural tractor" is adopted for purposes of this part: "Agricultural tractor" means a wheel-type vehicle of more than 20 engine horsepower, which is designed to furnish the power to pull, propel, or drive implements.

(b) "Industrial tractor" means that class of wheeled type tractor of more than 20 engine horsepower (other than rubber-tired loaders and dozers described in WAC (~~(296-306-260)~~) 296-306-26001), used in operations such as landscaping, construction services, loading, digging, grounds keeping, and highway maintenance.

(c) The following symbols, terms, and explanations apply to this section:

E<sub>is</sub> = Energy input to be absorbed during side loading.  $E_{is} = 723 + 0.4 W \text{ ft.-lb. (E'is} = 100 + 0.12 W', \text{m.-kg.)}$ .

E<sub>ir</sub> = Energy input to be absorbed during rear loading.  $E_{ir} = 0.47 W \text{ ft. - lb. (E'ir} = 0.14 W', \text{m. - kg.)}$ .

W = Tractor weight as prescribed in WAC 296-306-265 (5)(a) and (5)(c) in lb. (W', kg).

L = Static load, lb. (kg.).

D = Deflection under L, in. (mm.).

L-D = Static load-deflection diagram.



Lm-Dm = Modified static load-deflection diagram (Figure V-20). To account for increase in strength due to increase in strain rate, raise L in plastic range to  $L \times K$ .

K = Increase in yield strength induced by higher rate of loading (1.3 for hot rolled low carbon steel 1010-1030). Low carbon is preferable; however, if higher carbon or other material is used, K must be determined in the laboratory. Refer to Charles H. Norris, et al., *Structural Design for Dynamic Loads* (1959), p. 3.

Lmax = Maximum observed static load.  
Load

Limit = Point on L-D curve where observed static load is 0.8 Lmax (refer to Figure V-19).

Eu = Strain energy absorbed by the frame, ft.-lb. (m. - kg) area under Lm-Dm curve.

FER = Factor of energy ratio,  $FER = Eu/Eis$ ; also  $= Eu/Eir$ .

Pb = Maximum observed force in mounting connection under static load, L, lb. (kg.).

FSB = Design margin for mounting connection  $FSB = (Pu/Pb)-1$ .

H = Vertical height of lift of 4,410 lb. (2,000 kg.) weight, in. (H', mm.). The weight shall be pulled back so that the height of its center of gravity above the point of impact is defined as follows:  $H = 4.92 + 0.00190 W$  or  $(H' = 125 + 0.107 W')$  (Figure V-24).

((††)) (d) Source of standard. The standard in this section is derived from, and restates, Society of Automotive Engineers Standard J334a (July 1970), *Protective Frame Test Procedures and Performance Requirements*. This standard shall be resorted to in the event that questions of interpretation arise. The standard appears in the 1971 SAE handbook.

(2) General.

(a) The purpose of this section is to set forth requirements for frames for the protection of operators of wheel type agricultural and industrial tractors to minimize the possibility of operator injury resulting from accidental upsets during normal operation. With respect to agricultural and industrial tractors, the provisions of WAC 296-306-260 and 296-306-270 for rubber-tired dozers and rubber-tired loaders may be utilized in lieu of the requirements of this section.

(b) The protective frame which is the subject of this standard is a structure mounted to the tractor that extends above the operator's seat and conforms generally to Figure V-15.

(c) If an overhead weather shield is attached to the protective frame, it may be in place during tests: PROVIDED, That it does not contribute to the strength of the protective frame. If such an overhead weather shield is attached, it must meet the requirements of subsection (10) of this section.

(d) For overhead protection requirements, see WAC 296-306-270.

(e) If protective enclosures are used on wheel-type agricultural and industrial tractors, they shall meet the requirements of Society of Automotive Engineers Standard J168 (July 1970), *Protective Enclosures, Test Procedures, and Performance Requirements*.

(3) Applicability. The requirements of this section apply to wheel-type agricultural tractors used in agriculture work and to wheel-type industrial tractors used in construction type work. See subsection (1) of this section for definitions of agricultural tractors and industrial tractors.

(4) Performance requirements.

(a) Either a laboratory test or a field test is required in order to determine the performance requirements set forth in subsection (10) of this section.

(b) A laboratory test may be either static or dynamic. The laboratory test must be under conditions of repeatable and controlled loading in order to permit analysis of the protective frame.

(c) A field upset test, if used, shall be conducted under reasonably controlled conditions, both rearward and sideways, to verify the effectiveness of the protective frame under actual dynamic conditions.

(5) Test procedure—General.

(a) The tractor used shall be the tractor with the greatest weight on which the protective frame is to be used.

(b) A new protective frame and mounting connections of the same design shall be used for each test procedure.

(c) Instantaneous and permanent frame deformation shall be measured and recorded for each segment of the test.

(d) Dimensions relative to the seat shall be determined with the seat unloaded and adjusted to its highest and most rearward latched position provided for a seated operator.

(e) If the seat is offset, the frame loading shall be on the side with the least space between the centerline of the seat and the upright.

(f) The low temperature impact strength of the material used in the protective structure shall be verified by suitable material tests or material certifications in accordance with WAC 296-306-26001 (7)(b)(iv).

(6) Test procedure for vehicle overturn.

(a) Vehicle weight. The weight of the tractor, for purposes of this section, includes the protective frame, all fuels, and other components required for normal use of the tractor. Ballast must be added if necessary to achieve a minimum total weight of 130 lb. (59 kg.) per maximum power takeoff horsepower at rated engine speed. The weight of the front end must be at least 33 lb. (15 kg.) per maximum power takeoff horsepower. In case power takeoff horsepower is unavailable, 95 percent of net engine flywheel horsepower shall be used.

(b) Agricultural tractors shall be tested at the weight set forth in subdivision (a) of this subsection.

(c) Industrial tractors shall be tested with items of integral or mounted equipment and ballast that are sold as standard equipment or approved by the vehicle manufacturer for use with the vehicle where the protective frame is expected to provide protection for the operator with such equipment installed. The total vehicle weight



and front end weight as tested shall not be less than the weights established in subdivision (a) of this subsection.

(d) The test shall be conducted on a dry, firm soil bank as illustrated in Figure V-16. The soil in the impact area shall have an average cone index in the 0.6 in. (153 mm.) layer not less than 150 according to American Society of Agricultural Engineers Recommendations ASAE R313, Soil Cone Penetrometer. The path of travel of the vehicle shall be  $12^\circ \pm 2^\circ$  to the top edge of the bank.

(e) The upper edge of the bank shall be equipped with an 18 in. (457 mm.) high ramp as described in Figure V-16 to assist in tipping the vehicle.

(f) The front and rear wheel tread settings, where adjustable, shall be at the position nearest to halfway between the minimum and maximum settings obtainable on the vehicle. Where only two settings are obtainable, the minimum setting shall be used.

(g) Vehicle overturn test—Sideways and rearward. (i) The tractor shall be driven under its own power along the specified path of travel at a minimum speed of 10 m.p.h. (16 km./hr.) or maximum vehicle speed if under 10 m.p.h. (16 km./hr.) up the ramp as described in subdivision (e) of this subsection to induce sideways overturn.

(ii) Rear upset shall be induced by engine power with the tractor operating in gear to obtain 3-5 m.p.h. (4.8-8 km./hr.) at maximum governed engine r.p.m. preferably by driving forward directly up a minimum slope of two vertical to one horizontal. The engine clutch may be used to aid in inducing the upset.

(7) Other test procedures. When the field upset test is not used to determine ROPS performance, either the static test or the dynamic test, contained in subsection (8) or (9) of this section, shall be made.

(8) Static test.

(a) Test conditions.

(i) The laboratory mounting base shall include that part of the tractor chassis to which the protective frame is attached including the mounting parts.

(ii) The protective frame shall be instrumented with the necessary equipment to obtain the required load deflection data at the locations and directions specified in Figure V-17, V-18, and V-19.

(iii) The protective frame and mounting connections shall be instrumented with the necessary recording equipment to obtain the required load-deflection data to be used in calculating FSB (see subsection (1)(c) of this section). The gauges shall be placed on mounting connections before the installation load is applied.

(b) Test procedure.

(i) The side load application shall be at the upper extremity of the frame upright at a  $90^\circ$  angle to the centerline of the vehicle. The side load "L" shall be applied according to Figure V-17. "L" and "D" shall be recorded simultaneously. The test shall be stopped when:

(A) The strain energy absorbed by the frame is equal to the required input energy (Eis) or

(B) Deflection of the frame exceeds the allowable deflection, or

(C) The frame load limit occurs before the allowable deflection is reached in the side load.

(ii) The L-D diagram, as shown by means of a typical example in Figure V-20, shall be constructed, using the data obtained in accordance with item (i) of this subdivision.

(iii) The modified Lm-Dm diagram shall be constructed according to item (ii) of this subdivision and according to Figure V-21. The strain energy absorbed by the frame (Eu) shall then be determined.

(iv) Eis, FER, and FSB shall be calculated.

(v) The test procedure shall be repeated on the same frame utilizing L (rear input; see Figure V-19) and Eir. Rear load application shall be uniformly distributed along a maximum projected dimension of 27 in. (686 mm.) and a maximum area of 160 sq. in. (1,032 sq. cm.) normal to the direction of load application. The load shall be applied to the upper extremity of the frame at the point which is midway between the centerline of the seat and the inside of the frame upright.

(9) Dynamic test.

(a) Test conditions.

(i) The protective frame and tractor shall meet the requirements of subsection (6)(b) or (c) of this section, as appropriate.

(ii) The dynamic loading shall be produced by use of a 4,410 lb. (2,000 kg.) weight acting as a pendulum. The impact face of the weight shall be 27 plus or minus 1 in. by 27 plus or minus 1 in. (686 + or - 25 mm.) and shall be constructed so that its center of gravity is within 1 in. (25.4 mm.) of its geometric center. The weight shall be suspended from a pivot point 18-22 ft. (5.5-6.7 m.) above the point of impact on the frame and shall be conveniently and safely adjustable for height. (See Figure V-((22)) 21.)

(iii) For each phase of testing, the tractor shall be restrained from moving when the dynamic load is applied. The restraining members shall be of 0.5-0.63 in. (12.5-16 mm.) steel cable and points of attaching restraining members shall be located an appropriate distance behind the rear axle and in front of the front axle to provide a  $15^\circ$ - $30^\circ$  angle between a restraining cable and the horizontal. The restraining member shall either be in the plane in which the center gravity of the pendulum will swing or more than one restraining cable shall give a resultant force in this plane. (See Figure V-((23)) 22.)

(iv) The wheel tread setting shall comply with the requirements of subsection (6)(f) of this section. The tires shall have no liquid ballast and shall be inflated to the maximum operating pressure recommended by the tire manufacturer. With specified tire inflation, the restraining cables shall be tightened to provide tire deflection of 6-8 percent of nominal tire section width. After the vehicle is properly restrained, a wooden beam 6 x 6 in. (15 x 15 cm.) shall be driven tightly against the appropriate wheels and clamped. For the test to the side, an additional wooden beam shall be placed as a prop against the wheel nearest the operator's station and shall be secured to the floor so that it is held tightly against the wheel rim during impact. The length of this beam shall be chosen so that when it is positioned against the wheel rim it is at an angle of  $25^\circ$ - $40^\circ$  to the horizontal. It shall have a length 20-25 times its depth and a width

two to three times its depth. (See Figures V-((23)) 22 and V-((24)) 23.)

(v) Means shall be provided indicating the maximum instantaneous deflection along the line of impact. A simple friction device is illustrated in Figure V-((24)) 23.

(vi) No repair or adjustments may be carried out during the test.

(vii) If any cables, props, or blocking shift or break during the test, the test shall be repeated.

(b) Test procedure.

(i) General. The frame shall be evaluated by imposing dynamic loading to rear followed by a load to the side on the same frame. The pendulum dropped from the height (see definition "H" in subsection (1)(c) of this section) imposes the dynamic load. The position of the pendulum shall be so selected that the initial point of impact on the frame shall be in line with the arc of travel of the center of gravity of the pendulum. A quick release mechanism should be used but, if used, shall not influence the attitude of the block.

(ii) Impact at rear. The tractor shall be properly restrained according to subdivisions (a)(iii) and (iv) of this section. The tractor shall be positioned with respect to the pivot point of the pendulum such that the pendulum is 20° from the vertical prior to impact, as shown in Figure V-((23)) 22. The impact shall be applied to the upper extremity of the frame at the point which is midway between the centerline of the seat and the inside of the frame upright of a new frame.

(iii) Impact at side. The block and restraining shall conform to subdivisions (a)(iii) and (iv) of this subsection. The point of impact shall be that structural member of the protective frame likely to hit the ground first in a sideways accidental upset. The side impact shall be applied to the side opposite that used for rear impact.

(10) Performance requirements.

(a) General.

(i) The frame, overhead weather shield, fenders, or other parts in the operator area may be deformed but shall not shatter or leave sharp edges exposed to the operator, or violate dimensions as shown in Figures V-((17)) 16 and V-((18)) 17 as follows:

- D = 2 in. (51 mm.) inside of frame upright to vertical centerline of seat.
- E = 30 in. (762 mm.).
- F = Not less than 0 in. and not more than 12 in. (305 mm.), measured at centerline front of seat backrest to crossbar along the line of load application as shown in Figure V-17.
- G = 24 in. (610 mm.).

(ii) The material and design combination used in the protective structure must be such that the structure can meet all prescribed performance tests at zero degrees Fahrenheit in accordance with WAC 296-306-26001(7)(b)(iv).

(b) Vehicle overturn performance requirements. The requirements of this subsection (10) must be met in both side and rear overturns.

(c) Static test performance requirements. Design factors shall be incorporated in each design to withstand an overturn test as prescribed in this subsection (10). The structural requirements will be generally met if FER is greater than 1 and FSB is greater than K-1 in both side and rear loadings.

(d) Dynamic test performance requirements. Design factors shall be incorporated in each design to withstand the overturn test prescribed in this subsection (10). The structural requirements will be generally met if the dimensions in this subsection (10) are adhered to in both side and rear loads.

AMENDATORY SECTION (Amending Order 87-24, filed 11/30/87)

WAC 296-306-27095 EXHIBIT B—FIGURES V-1 THROUGH V-28.

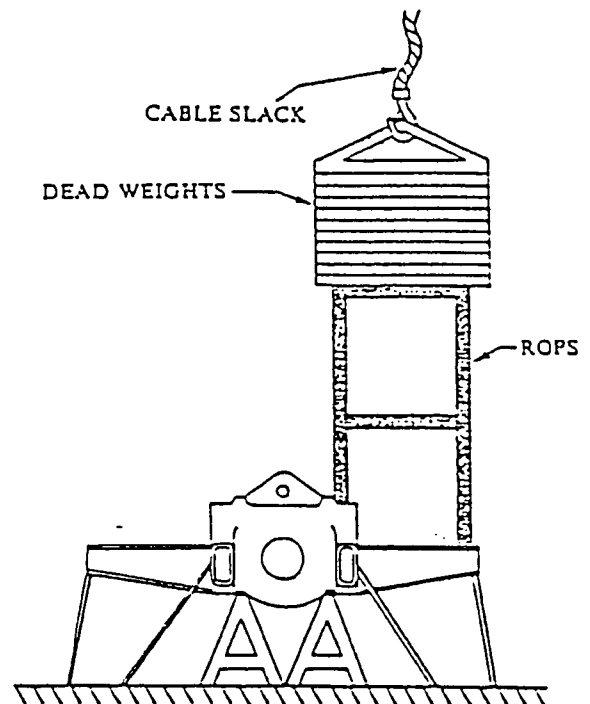


Figure V-1  
Vertical loading setup for all types of equipment described in WAC ((296-306-270)) 296-306-26001(2).

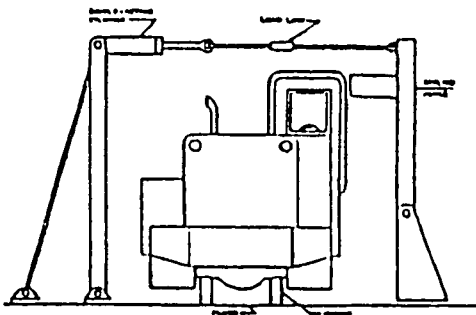


Figure V-2  
Test setup for rubber-tired self-propelled scrapers.

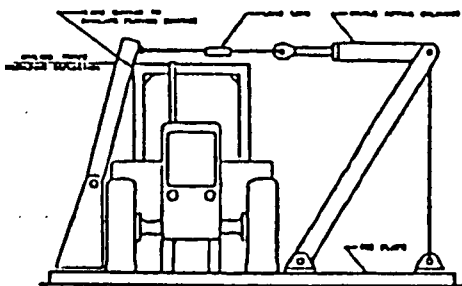


Figure V-3  
Test setup for rubber-tired front-end loaders, rubber-tired ((dozens)) dozers, and motor graders.

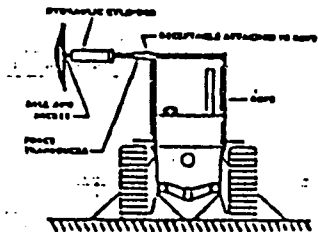
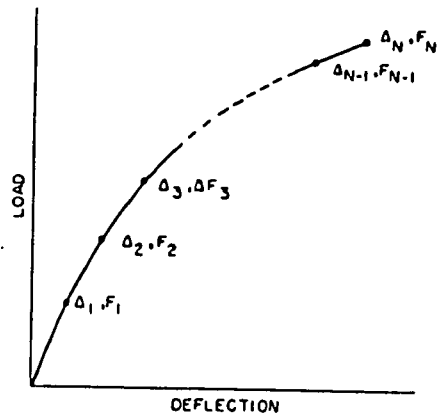


Figure V-4  
Side-loading setup for crawler tractors and crawler loaders.



Δ - TOTAL DEFLECTION  
F - FORCE APPLIED

$$\text{AREA} = \frac{\Delta_1 F_1}{2} + (\Delta_2 - \Delta_1) \frac{F_1 + F_2}{2} + (\Delta_3 - \Delta_2) \frac{F_2 + F_3}{2} + \dots + (\Delta_N - \Delta_{N-1}) \frac{F_{N-1} + F_N}{2}$$

Figure V-5  
Determination of energy area under force deflection curve for all types of ROPS equipment defined in WAC 296-306-26001(2).

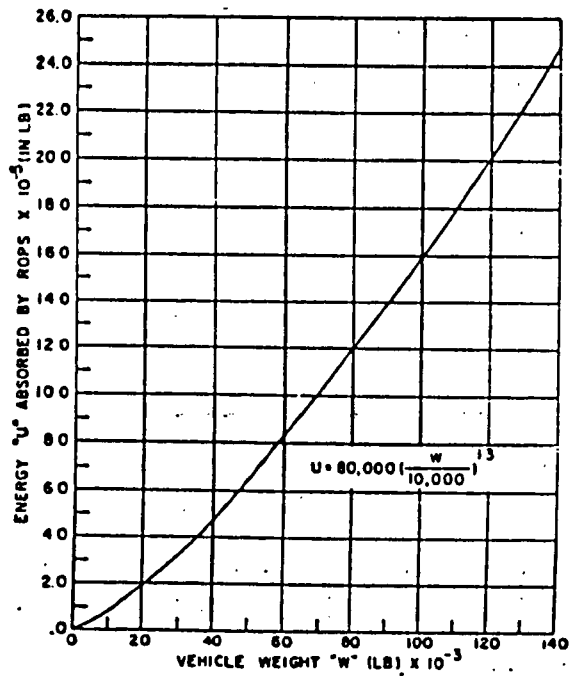


Figure V-6  
Energy absorbed versus vehicle weight.

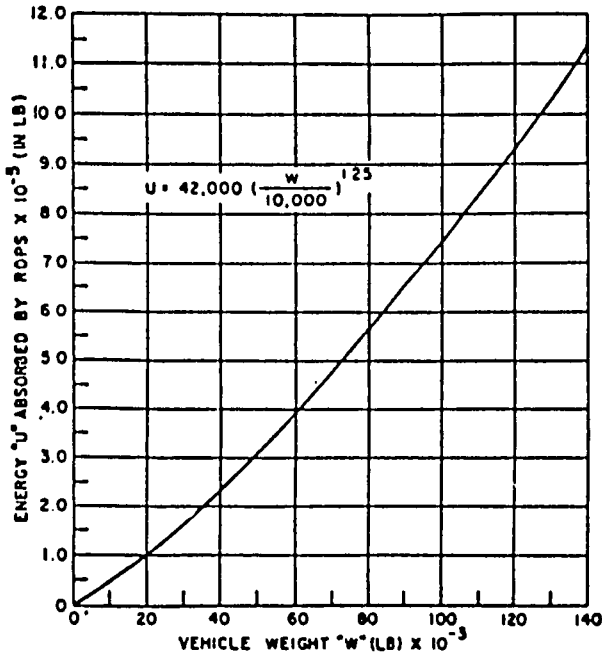


Figure V-7  
Energy absorbed versus vehicle weight.

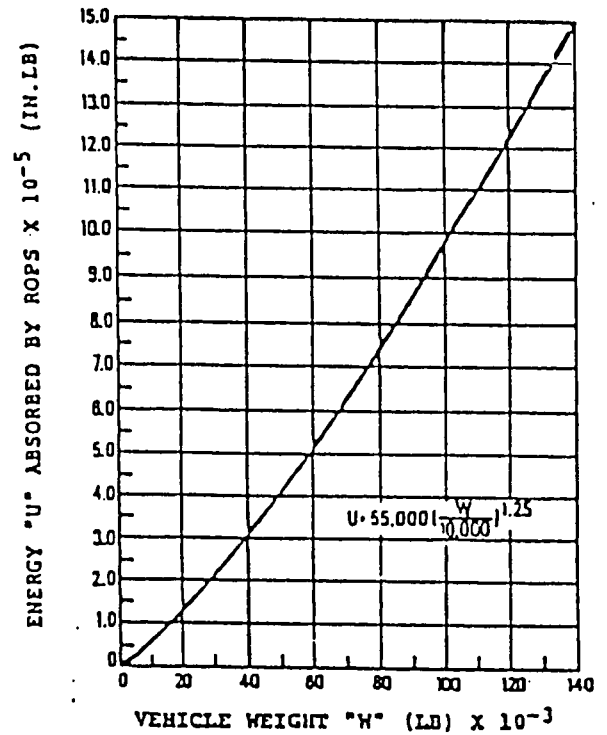


Figure V-9  
Energy absorbed versus vehicle weight.

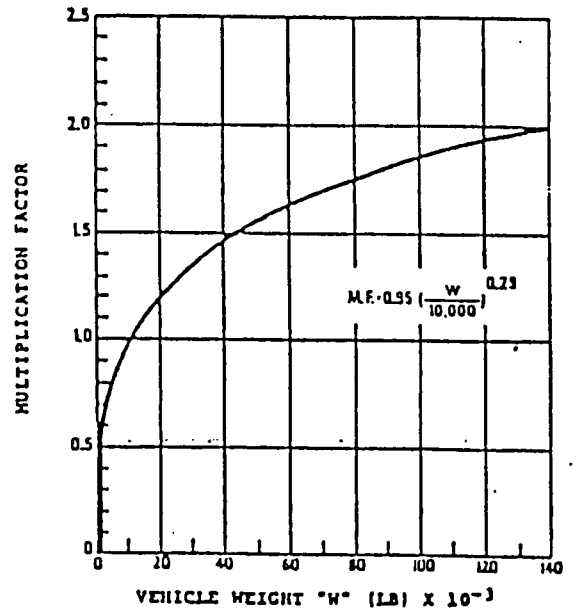
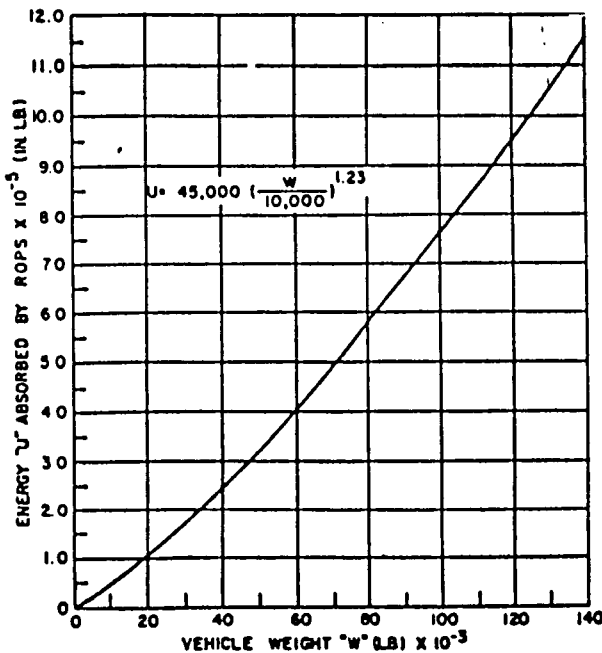


Figure V-10  
Minimum horizontal load factor for self-propelled scrapers.

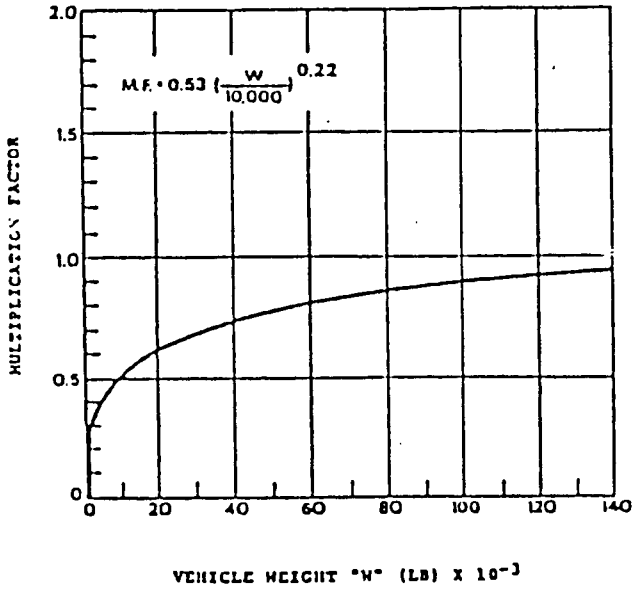


Figure V-11  
Minimum horizontal load factor for rubber-tired loaders and dozers.

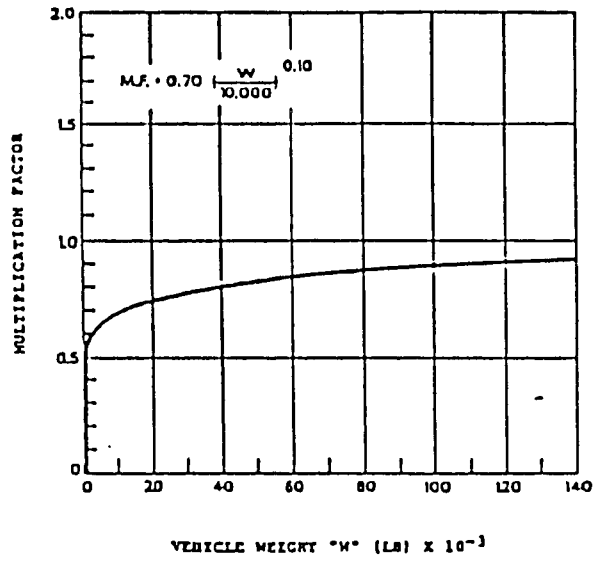


Figure V-13  
Minimum horizontal load factor for motor graders.

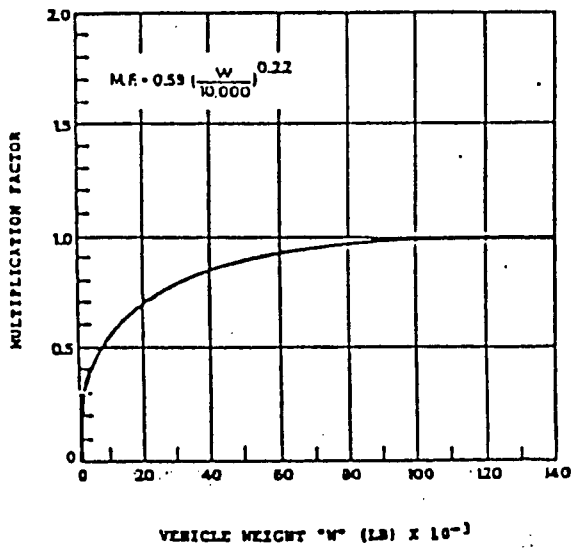


Figure V-12  
Minimum horizontal load factor for crawler tractors and crawler-type loaders.

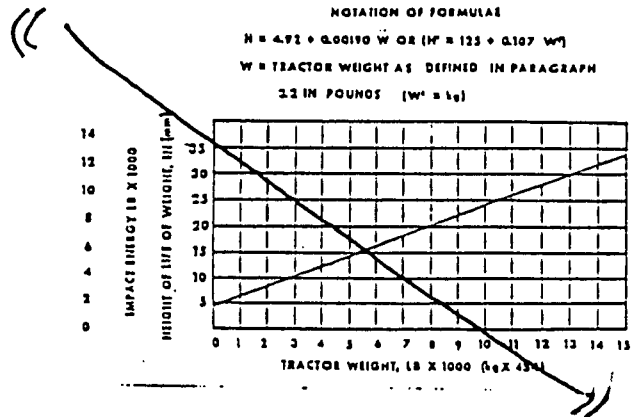


Figure V-14  
Impact energy and corresponding lift height of 4,410-lb. (2,000 kg.) weight.)

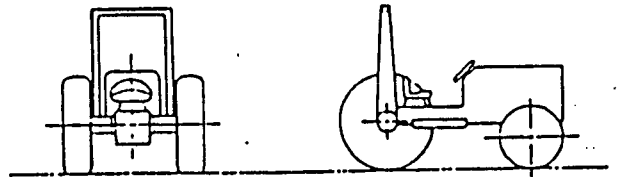


Figure V-14  
Typical frame configuration.

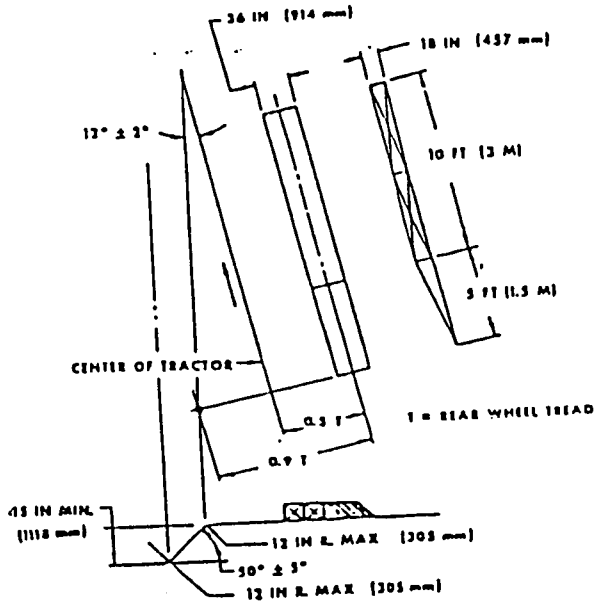


Figure V-((+6)) 15  
Bank and ramp configuration for side overturn testing.

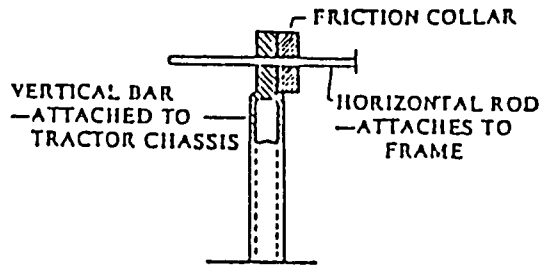


Figure V-((+9)) 18  
Method of measuring instantaneous deflection.

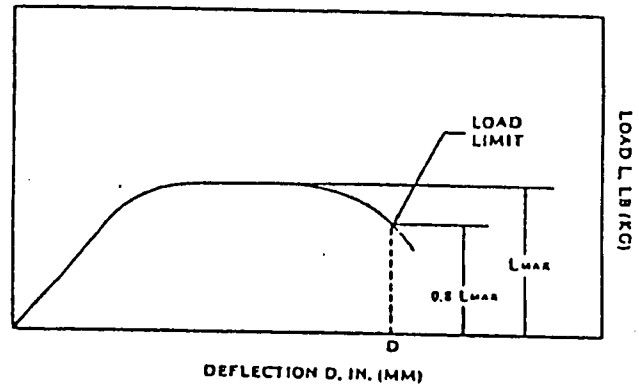


Figure V-((20)) 19  
Typical L-D diagram.

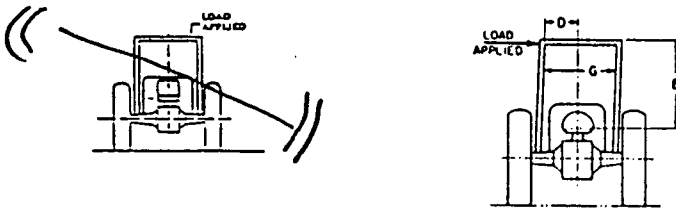


Figure V-((+7)) 16  
Side load application.

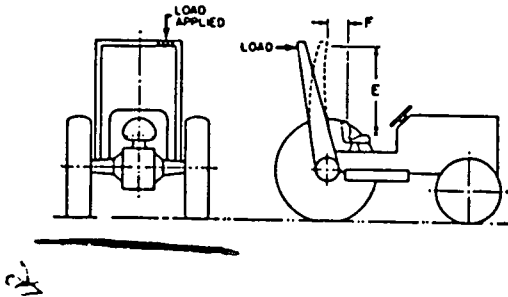


Figure V-((+8)) 17  
Rear load application.

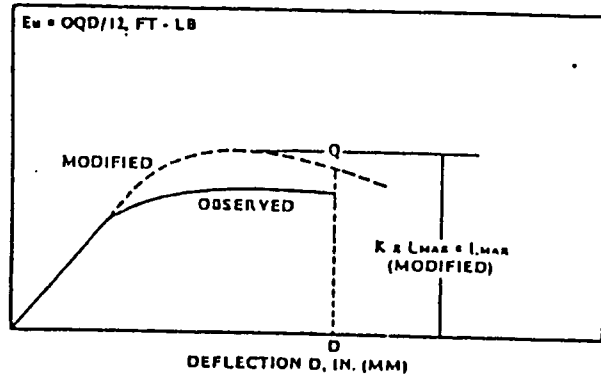


Figure V-((21)) 20  
Typical modified  $L_m$ - $D_m$  diagram.

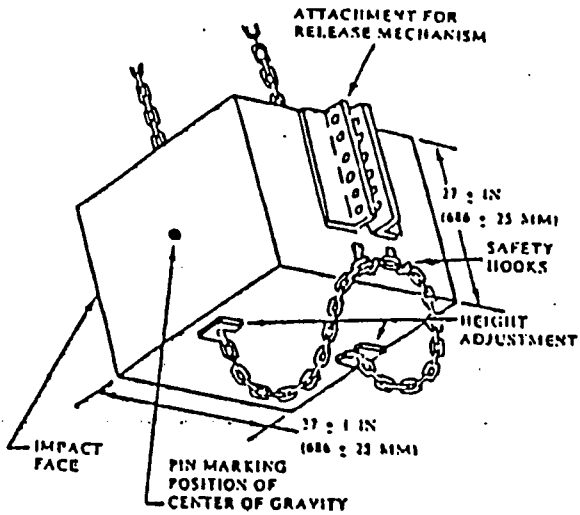


Figure V-((22)) 21  
Pendulum.

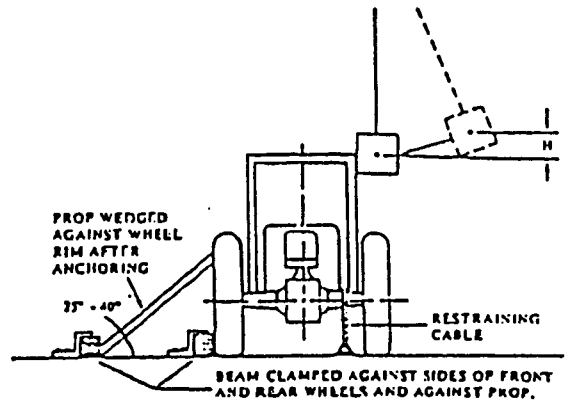


Figure V-((24)) 23  
Method of impact from side.

NOTATION OF FORMULAE

$$H = 4.91 + 0.00190 W \text{ OR } (H' = 125 + 0.107 W')$$

W = TRACTOR WEIGHT AS DEFINED IN PARAGRAPH

3.2 IN POUNDS ( $W' = kg$ )

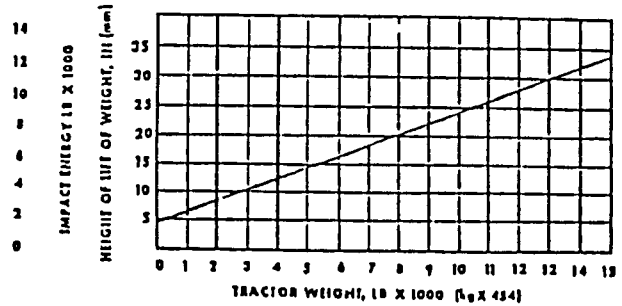


Figure V-24  
Impact energy and corresponding lift height of 4,410 lb.  
(2,000 kg.) weight.

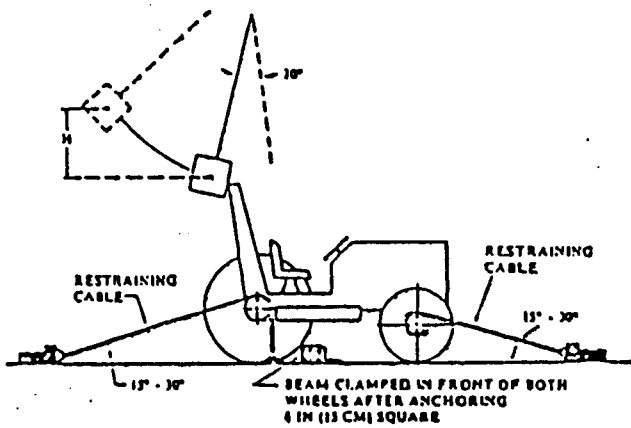


Figure V-((23)) 22  
Method of impact from rear.

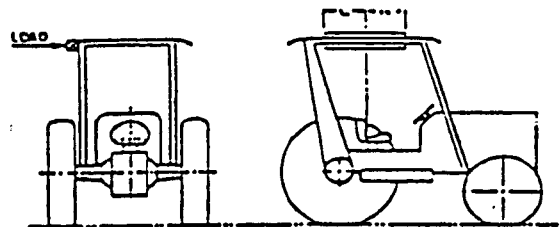


Figure V-25  
Location for side load.

ALL POSSIBLE LATERAL WORKING POSITIONS OF SEAT

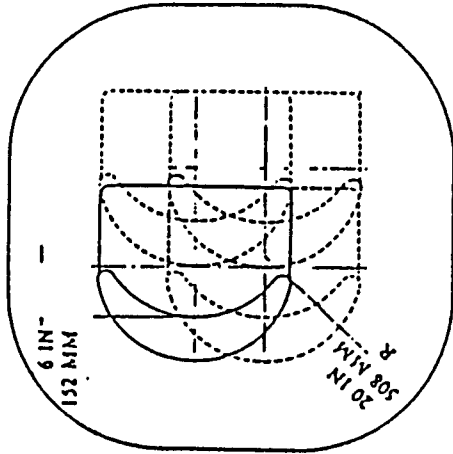


Figure V-26  
Zone of protection for drop test.

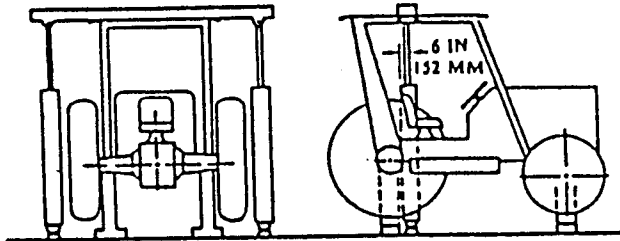


Figure V-27  
Method of load application for crush test.

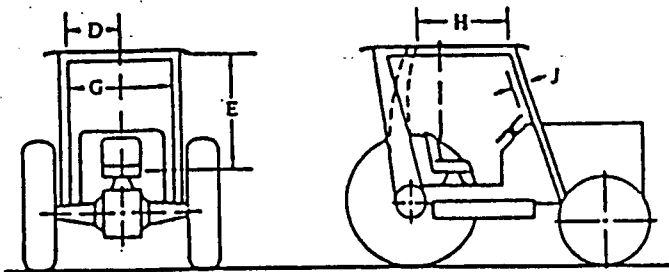


Figure V-28  
Protected zone during crush and drop tests.

**AMENDATORY SECTION** (Amending Order 89-03, filed 5/15/89, effective 6/30/89)

**WAC 296-306-310 FIELD SANITATION—DEFINITIONS.** (1) "Agricultural employer" means

any person, corporation, association, or other legal entity that owns or operates an agricultural establishment or on whose premises or in whose interest an agricultural establishment is operated and any person, corporation, association, or other legal entity who is responsible for the management and condition of an agricultural establishment or who acts directly or indirectly in the interest of an employer in relation to any employee.

(2) "Agricultural establishment" is a business operation that uses paid employees in the production of food, fiber, or other materials such as seed, seedlings, plants, or parts of plants.

(3) "Accessible" means no more than one-fourth mile or five minutes travel time from the work location served.

(4) "Hand-labor operations" means agricultural activities or operations performed by hand or with hand tools. Some examples of "hand-labor operations" are the hand cultivation, weeding, planting or harvesting of vegetables, nuts, fruit, seedlings or other crops, including mushrooms, and the hand packing into containers. "Hand-labor" does not include such activities as logging operations, the care or feeding of livestock, or hand-labor operations in permanent structures (e.g., canning facilities or packing houses).

(5) "Handwashing facility" means a facility providing a tap with an adequate supply of water, approved by the local health authority. Soap, single-use hand towels and either a basin or other suitable container for washing shall be provided.

(6) "Potable water" means water ((that)) which meets the quality standards for drinking purposes ((by the state or local authority having jurisdiction or water that meets the quality standards prescribed by the local health authority in accordance with the United States Environmental Protection Agency's National Interim Primary Drinking Water Regulations, published in 40 CFR Part 141)) of state or local authority having jurisdiction or water that meets the quality standards prescribed by the United States Environmental Protection Agency's Interim Primary Drinking Water Regulations, published in 40 CFR Part 141, and 40 CFR 147.2400.

(7) "Toilet" means a fixed or portable facility designed for the purpose of adequate collection and containment of both defecation and urination. "Toilet" includes biological, chemical, flush and combustion toilets, or sanitary privies.

**AMENDATORY SECTION** (Amending Order 89-03, filed 5/15/89, effective 6/30/89)

**WAC 296-306-320 FIELD SANITATION—REQUIREMENTS.** Agricultural employers shall provide the following for employees engaged in hand-labor operations in the field, without cost to the employee:

(1) Orientation: Orientation shall be given verbally to all employees in a manner readily understandable by each employee and shall include:

(a) Potable water: The location(s) of potable water supplies;



(b) Nonpotable water: Identification of all nonpotable water at the worksite and prohibition of the use of nonpotable water with an explanation of the possible consequences of using nonpotable water;

(c) Handwashing facilities: The location(s) of handwashing facilities with an explanation of when and how they should be used and the consequences of nonuse; and

(d) Toilet facilities: The location(s) of toilet facilities with an explanation of the necessity to use them and to keep them sanitary as well as the possible consequences of nonuse.

(2) Potable drinking water.

(a) The water shall be provided and shall be placed in locations readily accessible to all employees.

(b) Potable water containers shall be refilled daily or more often as necessary.

(c) Potable water dispensers shall be designed, constructed, and serviced so that sanitary conditions are maintained. They shall be capable of being closed and shall be equipped with a tap.

(d) Open containers such as barrels, pails, or tanks for drinking water from which water must be dipped or poured, whether or not they are fitted with a cover, are prohibited.

(e) Marking: Any container used to distribute drinking water shall be clearly marked, in English and with appropriate international symbol as to the nature of its contents.

(f) Use: Any container used to distribute drinking water shall not be used for any other purpose.

(g) The water shall be suitably cool and in sufficient amounts, taking into account the air temperature, humidity, and the nature of the work performed, to meet employees' needs.

Note: Suitably cool water should be sixty degrees Fahrenheit or less. During hot weather, workers may require up to three gallons of water per day.

(h) The use of common drinking cups or dippers is prohibited. Water shall be dispensed in single-use drinking cups, personal containers, or by water fountains. Single-use drinking cups mean a container of any type or size whether disposable or not, and may include personal containers so long as the option to use a personal container is exercised by the employee, not the employer.

(i) Employees shall not be permitted to drink from irrigation ditches, creeks or rivers. Potable water shall meet the quality standards for drinking purposes ~~((by the))~~ of state or local authority having jurisdiction or ~~((water))~~ that meets ~~((the))~~ quality standards prescribed by the ~~((local health department in accordance with the))~~ United States Environmental Protection Agency's National Interim Primary Drinking Water Regulations, published in 40 CFR Part 141 and 40 CFR 147.2400.

(3) Handwashing facilities.

(a) One handwashing facility, providing a tap with an adequate supply of water, soap, single-use hand towels

and either a basin or other suitable container for washing shall be provided for each twenty employees or fraction thereof.

Note: Nonpotable water shall not be used for washing any portion of the person, except as specifically permitted by the health authorities having jurisdiction.

(b) Running water: Each facility shall be provided with running water.

(c) Soap: Each facility shall be provided with a dispenser containing handsoap or a similar cleansing agent.

(d) Towels: Each facility shall be provided with individual single-use hand towels.

(e) Cleanliness: Facilities shall be maintained in a clean and sanitary condition in accordance with appropriate public health sanitation practices.

(f) Waste: Waste receptacles shall be provided. Disposal of wastes from the facilities shall not create a hazard or cause an unsanitary condition.

(g) Reasonable use: Employees shall be allowed reasonable opportunities during the work period to use the facilities.

(h) Location:

(i) Facilities shall be accessibly located in close proximity to toilet facilities and within one-quarter mile of each employee's place of work in the field.

(ii) Where it is not feasible to locate facilities as required by (h)(i) of this subsection, the facilities shall be located at the point of closest vehicular access.

(4) Toilet facilities.

(a) One toilet facility shall be provided for each twenty employees or fraction thereof.

(b) Each employer shall ensure, at the beginning of each day, that the toilets are inspected. If any toilet facility fails to meet the requirements of this section, immediate corrective action shall be taken. Inspections shall be documented and the record shall be maintained at the work site for at least seventy-two hours.

(c) Toilet facilities shall be adequately ventilated; appropriately screened, and have self-closing doors that can be closed and latched from the inside and shall be constructed to ensure privacy.

(d) Cleanliness: Facilities shall be maintained in a clean, sanitary, and functional condition and in accordance with the appropriate public health sanitation practices.

(e) Toilets shall be supplied with toilet paper.

(f) Waste: Disposal of wastes from the facilities shall not create a hazard or cause an unsanitary condition.

(g) Reasonable use: Employees shall be allowed reasonable opportunities during the work period to use the facilities.

(h) Location:

(i) Facilities shall be accessibly located in close proximity to hand washing facilities and within one-quarter mile of each employee's place of work in the field.

(ii) Where it is not feasible to locate facilities as required by (h)(i) of this subsection, the facilities shall be located at the point of closest vehicular access.

**WSR 91-11-071**  
**NOTICE OF PUBLIC MEETINGS**  
**TRANSPORTATION IMPROVEMENT BOARD**  
 [Memorandum—May 17, 1991]

MEETING NOTICE  
 FOR JUNE 1991  
 TRANSPORTATION IMPROVEMENT BOARD  
 TRANSPORTATION BUILDING, OLYMPIA, WASHINGTON  
 98504

TIB field trip, 1:00 p.m. to 4:30 p.m., Thursday, June 13, 1991, in Bremerton area.

TIB work session, 6:00 p.m., Thursday, June 13, 1991, in Bremerton at the Best Western Bayview Inn, Ostrich Room.

TIB meeting, 9:00 a.m., Friday, June 14, 1991, in Bremerton at the Bremerton City Hall, 239 4th Street, Room 212.

TIB work session, 6:00 p.m., Thursday, July 18, 1991, in Olympia at the Aladdin Motor Inn.

TIB meeting, 9:00 a.m., Friday, July 19, 1991, in Olympia at the Transportation Commission Board Room, Transportation Building.

There will be no August or September 1991 board meeting.

**WSR 91-11-072**  
**NOTICE OF PUBLIC MEETINGS**  
**HARDWOODS COMMISSION**  
 [Memorandum—May 17, 1991]

There will be a meeting of the Washington State Hardwoods Commission on May 22, 1991, 10:00 a.m. until 10:30 a.m. at the Insurance Building, 3rd Floor Meeting Room. Purpose of the meeting will be to conduct business on a conference call line with members of the commission.

**WSR 91-11-073**  
**WITHDRAWAL OF PROPOSED RULES**  
**HIGHER EDUCATION**  
**COORDINATING BOARD**  
 [Filed May 20, 1991, 1:44 p.m.]

On December 5, 1990, the Higher Education Coordinating Board filed proposed rules with the code reviser regarding the American Indian Endowed Scholarship Program, chapter 250-76 WAC, under WSR 90-24-076. This letter is to request formal withdrawal of that filing through notice in the next Washington State Register.

It is our intent to revise the text of the proposed program regulations to include substantive changes, and re-submit to the code reviser for publication in a subsequent register. It will not be possible for this agency to incorporate the additional changes, provide opportunity for public hearing, and adopt the revisions within the six

month timeframe allotted for final action under the current filing.

Ann Daley  
 Executive Director

**WSR 91-11-074**  
**PERMANENT RULES**  
**BOARD OF**  
**PILOTAGE COMMISSIONERS**  
 [Filed May 20, 1991, 2:17 p.m.]

Date of Adoption: May 9, 1991.

Purpose: To amend the Puget Sound pilotage tariff.

Citation of Existing Rules Affected by this Order:  
 Amending WAC 296-116-300.

Statutory Authority for Adoption: RCW 88.16.035.

Pursuant to notice filed as WSR 91-08-003 on March 22, 1991.

Changes Other than Editing from Proposed to Adopted Version: The adopted version represents a decrease of approximately 1.5% from the proposed version.

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

May 20, 1991

Marjorie Smitch

Assistant Attorney General

**AMENDATORY SECTION (Amending WSR 90-20-116, filed 10/2/90, effective 11/2/90)**

**WAC 296-116-300 PILOTAGE RATES FOR THE PUGET SOUND PILOTAGE DISTRICT. ((These rates shall become effective on May 1, 1989.))**

**CLASSIFICATION RATE**

Ship length overall (LOA) Charges: per LOA rate schedule in this section

Boarding fee: \$ ((26.00)) 28.00

Per each boarding/deboarding at the Port Angeles pilot station.

Harbor shift - Live ship (Seattle Port) LOA Zone I  
 Harbor shift - Live ship (other than Seattle Port) LOA Zone I  
 Harbor shift - Dead ship Double LOA Zone I  
 Dead ship towing charge: Double LOA Zone

LOA of tug + LOA of tow + beam of tow  
 Any tow exceeding seven hours, two pilots are mandatory. Harbor shifts shall constitute and be limited to those services in moving vessels from dock to dock, from anchorage to dock, from dock to anchorage, or from anchorage to anchorage in the same port after all other applicable tariff charges for pilotage services have been recognized as payable.

Waterway and bridge charges:  
 Ships up to 90' beam:  
 A charge of ((~~\$141.00~~)) \$153.00 shall be in addition to bridge fees for any vessel movements both inbound and outbound required to transit south of Spokane Street Bridge in Seattle, south of Eleventh Street Bridge in any of the Tacoma waterways, in Port Gamble, or in the Snohomish River. Any vessel movements required to transit through bridges shall

CLASSIFICATION	RATE	CLASSIFICATION	RATE
have an additional charge of <del>(\$67.00)</del> <u>\$73.00</u> per bridge.		Super ships:	
<b>Ships 90' beam and/or over:</b>		20,000 to 50,000 gross tons:	
A charge of <del>(\$190.00)</del> <u>\$206.00</u> shall be in addition to bridge fees for any vessel movements both inbound and outbound required to transit south of Spokane Street Bridge in Seattle and south of Eleventh Street Bridge in any of the Tacoma waterways. Any vessel movements required to transit through bridges shall have an additional charge of <del>(\$133.00)</del> <u>\$144.00</u> per bridge. (The above charges shall not apply to transit of vessels from Shilshole Bay to the limits of Lake Washington.)		Additional charge to LOA zone mileage of <del>\$(0.0472)</del> <u>0.0512</u> a gross ton for all gross tonnage in excess of 20,000 gross tons up to 50,000 gross tons.	
<b>Two or three pilots required:</b>		50,000 gross tons and up:	
In a case where two or three pilots are employed for a single vessel waterway or bridge transit, the second and/or third pilot charge shall include the bridge and waterway charge in addition to the harbor shift rate.		In excess of 50,000 gross tons, the charge shall be <del>\$(0.0565)</del> <u>0.0613</u> per gross ton.	
<b>Compass adjustment</b>	<del>\$(189.00)</del> <u>205.00</u>	For vessels where a certificate of international gross tonnage is required, the appropriate international gross tonnage shall apply.	
<b>Radio direction finder calibration</b>	<del>\$(189.00)</del> <u>205.00</u>	Delayed arrival-Port Angeles:	\$ <del>((89.00))</del> <u>97.00</u> per hour
<b>Launching vessels</b>	<del>\$(285.00)</del> <u>309.00</u>	When a pilot is ordered for an arriving inbound vessel at Port Angeles and the vessel does not arrive within two hours of its ETA, or its ETA is amended less than six hours prior to the original ETA, a charge of <del>\$(89.00)</del> <u>97.00</u> for each hour delay, or fraction thereof, shall be assessed in addition to all other appropriate charges.	
<b>Trial trips, 6 hours or less</b> (Minimum <del>\$(534.00)</del> <u>582.00</u> )	\$ <del>((89.00))</del> <u>97.00</u> per hr.	<b>Transportation to vessels on Puget Sound:</b>	
<b>Trial trips, over 6 hours (two pilots)</b>	<del>\$(178.00)</del> <u>194.00</u> per hr.	March Point or Anacortes	\$ <del>((12.00))</del> <u>113.00</u>
<b>Shilshole Bay — Salmon Bay</b>	<del>\$(111.00)</del> <u>120.00</u>	Bangor	<del>((65.00))</del> <u>66.00</u>
<b>Salmon Bay — Lake Union</b>	\$ <del>((87.00))</del> <u>94.00</u>	Bellingham	<del>((24.00))</del> <u>125.00</u>
<b>Lake Union — Lake Washington (plus LOA zone from Webster Point)</b>	<del>\$(111.00)</del> <u>120.00</u>	Bremerton	<del>((34.00))</del> <u>35.00</u>
<b>Cancellation charge</b> LOA Zone I		Cherry Point	<del>((46.00))</del> <u>147.00</u>
<b>Cancellation charge — Port Angeles (when pilot is ordered and vessel proceeds without stopping for pilot.)</b> LOA Zone I		Dupont	<del>((65.00))</del> <u>66.00</u>
<b>Docking delay after anchoring:</b>	\$ <del>((89.00))</del> <u>97.00</u> per hr.	Edmonds	<del>((23.00))</del> <u>24.00</u>
Applicable harbor shift rate to apply, plus <del>\$(89.00)</del> <u>97.00</u> per hour standby. No charge if delay is 60 minutes or less. If the delay is more than 60 minutes, charge is <del>\$(89.00)</del> <u>97.00</u> for every hour or fraction thereof.		Everett	<del>((42.00))</del> <u>43.00</u>
<b>Sailing delay:</b>	\$ <del>((89.00))</del> <u>97.00</u> per hour	Ferndale	<del>((34.00))</del> <u>135.00</u>
No charge if delay is 60 minutes or less. If the delay is more than 60 minutes, charge is <del>\$(89.00)</del> <u>97.00</u> for every hour or fraction thereof.		Manchester	<del>((51.00))</del> <u>52.00</u>
<b>Slowdown:</b>		Mukilteo	<del>((41.00))</del> <u>42.00</u>
When a vessel chooses not to maintain its normal speed capabilities for reasons determined by the vessel and not the pilot, and when the difference in arrival time is one hour, or greater, from the predicted arrival time had the vessel maintained its normal speed capabilities, a charge of <del>\$(89.00)</del> <u>97.00</u> per hour, and each fraction thereof, will be assessed for the resultant difference in arrival time.		Olympia	<del>((84.00))</del> <u>85.00</u>
		Point Wells	<del>((23.00))</del> <u>24.00</u>
		Port Gamble	<del>((60.00))</del> <u>61.00</u>
		Port Townsend (Indian Island)	<del>((85.00))</del> <u>86.00</u>
		Seattle	<u>11.00</u>
		Scmiahmoo (Blaine)	<del>((53.00))</del> <u>154.00</u>
		Tacoma	<del>((43.00))</del> <u>44.00</u>
		Tacoma Smelter	<del>((49.00))</del> <u>50.00</u>
		Winslow	<del>((34.00))</del> <u>35.00</u>
		(a) Intraharbor transportation for the Port Angeles port area — transportation between Port Angeles pilot station and Port Angeles harbor docks — <del>\$(10.00)</del> <u>11.00</u> .	
		(b) Interport shifts: Transportation paid to and from both points.	

CLASSIFICATION

RATE

- (c) Intraharbor shifts: Transportation to be paid both ways. If intraharbor shift is cancelled on or before scheduled reporting time, transportation paid one way only.
- (d) Cancellation: Transportation both ways unless notice of cancellation is received prior to scheduled reporting time in which case transportation need only be paid one way.
- (e) Any new facilities or other seldom used terminals, not covered above, shall be based on mileage x \$1.60 per mile.

Delinquent payment charge: 1 1/2% per month after 45 days from first billing.

Nonuse of pilots: Ships taking and discharging pilots without using their services through all Puget Sound and adjacent inland waters shall pay full pilotage fees on the LOA zone mileage basis from Port Angeles to destination, from place of departure to Port Angeles, or for entire distance between two ports on Puget Sound and adjacent inland waters.

LOA rate schedule

The following rate schedule is based upon distances furnished by National Oceanic and Atmospheric Administration, computed to the nearest half-mile and includes retirement fund contributions.

LOA	ZONE I Intra Harbor	ZONE II 0-30 Miles	ZONE III 31-50 Miles	ZONE IV 51-75 Miles	ZONE V 76-100 Miles	ZONE VI 101 Miles & Over
((Up to 449	133	208	361	541	730	950
450-459	136	213	364	549	741	953
460-469	140	216	368	558	752	957
470-479	145	221	373	570	755	960
480-489	148	226	375	580	760	963
490-499	151	228	379	590	768	968
500-509	158	232	386	599	774	975
510-519	160	237	390	606	782	978
520-529	162	246	396	609	789	987
530-539	168	249	401	616	801	997
540-549	171	253	409	623	815	1006
550-559	174	261	412	632	821	1016
560-569	181	271	420	638	830	1026
570-579	184	275	424	640	837	1033
580-589	192	279	432	645	843	1044
590-599	201	285	435	649	855	1055
600-609	208	293	441	651	864	1061
610-619	220	296	449	655	874	1070
620-629	229	300	455	660	883	1082
630-639	241	307	459	662	891	1093
640-649	251	313	464	665	901	1101
650-659	267	319	472	670	911	1111
660-669	275	322	477	673	920	1120
670-679	283	330	482	685	931	1127
680-689	288	337	488	692	939	1138
690-699	296	342	494	705	950	1161
700-719	310	353	504	712	966	1175
720-739	328	364	516	722	987	1194
740-759	342	379	527	730	1006	1215
760-779	356	395	539	741	1026	1233
780-799	373	410	549	752	1044	1254
800-819	388	424	560	757	1061	1272
820-839	401	438	572	768	1082	1288
840-859	419	456	584	776	1101	1310
860-879	433	472	596	798	1120	1328
880-899	449	487	606	816	1138	1348
900-919	462	501	617	835	1161	1367
920-939	478	516	632	855	1175	1385

LOA	ZONE I Intra Harbor	ZONE II 0-30 Miles	ZONE III 31-50 Miles	ZONE IV 51-75 Miles	ZONE V 76-100 Miles	ZONE VI 101 Miles & Over
940-959	494	530	641	874	1194	1403
960-979	507	546	653	891	1215	1423
980-999	525	560	663	911	1233	1441
1000 & over	539	579	675	931	1254	1461
Up to 449	144	226	392	587	792	1030
450-459	148	231	395	595	804	1034
460-469	152	234	399	605	816	1038
470-479	157	240	405	618	819	1041
480-489	161	245	407	629	824	1044
490-499	164	247	411	640	833	1050
500-509	171	252	419	650	839	1057
510-519	174	257	423	657	848	1061
520-529	176	267	430	661	856	1071
530-539	182	270	435	668	869	1081
540-549	185	274	444	676	884	1091
550-559	189	283	447	685	890	1102
560-569	196	294	456	692	900	1113
570-579	200	298	460	694	908	1120
580-589	208	303	469	700	914	1132
590-599	218	309	472	704	927	1144
600-609	226	318	478	706	937	1151
610-619	239	321	487	710	948	1161
620-629	248	325	493	716	958	1174
630-639	261	333	498	718	966	1185
640-649	272	339	503	721	977	1194
650-659	290	346	512	727	988	1205
660-669	298	349	517	730	998	1215
670-679	307	358	523	743	1010	1222
680-689	312	366	529	751	1018	1234
690-699	321	371	536	765	1030	1259
700-719	336	383	547	772	1048	1274
720-739	356	395	560	783	1071	1295
740-759	371	411	572	792	1091	1318
760-779	386	428	585	804	1113	1337
780-799	405	445	595	816	1132	1360
800-819	421	460	607	821	1151	1380
820-839	435	475	620	833	1174	1397
840-859	454	495	633	842	1194	1421
860-879	470	512	646	866	1215	1440
880-899	487	528	657	885	1234	1462
900-919	501	543	669	906	1259	1483
920-939	518	560	685	927	1274	1502
940-959	536	575	695	948	1295	1522
960-979	550	592	708	966	1318	1543
980-999	569	607	719	988	1337	1563
1000 & over	585	628	732	1010	1360	1585

**WSR 91-11-075**  
**PERMANENT RULES**  
**BOARD OF REGISTRATION**  
**FOR PROFESSIONAL ENGINEERS**  
**AND LAND SURVEYORS**  
 [Filed May 20, 1991, 4:41 p.m.]

Date of Adoption: May 3, 1991.

Purpose: Regulation of the engineering and land surveying professions. Implement a two year renewal for individuals licensed as a professional engineer or land surveyor.

Citation of Existing Rules Affected by this Order: Amending WAC 196-24-060.

Statutory Authority for Adoption: RCW 18.43.035.

Pursuant to notice filed as WSR 91-07-064 on March 20, 1991.

Effective Date of Rule: Thirty-one days after filing.  
May 17, 1991  
Alan E. Rathbun, P.E.  
Executive Director

**WSR 91-11-076**  
**EMERGENCY RULES**  
**DEPARTMENT OF FISHERIES**  
[Order 91-34—Filed May 20, 1991, 4:42 p.m.]

**AMENDATORY SECTION** (Amending WSR 90-21-034, filed 10/10/90, effective 11/10/90)

**WAC 196-24-060 RENEWALS ((FEES)).** (1) ~~((Renewals are issued on an annual basis:))~~ The director of the department of licensing has determined that all licenses for individuals registered as a professional engineer and/or professional land surveyor shall expire on the licensee's birth date. Renewals for individuals shall be issued for a two-year period. It shall be the licensee's responsibility to submit payment of the prescribed renewal fee to the department of licensing on or before the date of expiration.

(2) ~~((Under the staggered license renewal system the late payment penalty provision will be applied as follows:))~~ Effective with renewals due on July 1, 1991, and continuing through those due on June 30, 1992, the renewal period for engineers and land surveyors will be converted from one to two years. This conversion will be accomplished as follows:

(a) Current licensees as of July 1, 1991, with a birth date which is an even number shall initially renew for one year. All subsequent renewals shall be for a two-year period.

(b) Current licensees as of July 1, 1991, with a birth date which is an odd number shall initially renew for a two-year period. All subsequent renewals shall be for a two-year period.

(3) The initial license issued to an individual shall expire on the licensee's next birth date. However, if the licensee's next birth date is within three months of the initial date of licensure, the original license shall expire on his or her second birth date following original licensure. All subsequent renewals shall be for a two-year period.

(4) Before the expiration date of the individual's license the director of the department of licensing shall mail a notice for renewal of license to the last known address of every person holding a current license. The licensee must return such notice along with current renewal fees prior to the expiration of said license. Regardless of whether a renewal notice is received by the licensee, said license shall become invalid if the required fee is not paid by the date of expiration. If the licensee fails to pay the prescribed renewal fees within ninety days after the expiration date of the license, then the renewal fee will be the current fee plus an amount equal to one year's renewal fee.

~~((3))~~ (5) The renewal fee for engineers, land surveyors, engineering corporations and engineering partnerships are determined by the director of the department of licensing.

Date of Adoption: May 20, 1991.  
Purpose: Commercial fishing regulations.  
Citation of Existing Rules Affected by this Order:  
Repealing WAC 220-32-05500X.

Statutory Authority for Adoption: RCW 75.08.080.  
Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Harvestable numbers of salmon are available for a subsistence fishery. This conforms state regulations with Yakima Tribe regulations.

Effective Date of Rule: Immediately.  
May 20, 1991  
Judith Merchant  
Deputy  
for Joseph R. Blum  
Director

**NEW SECTION**

**WAC 220-32-05500Y COLUMBIA RIVER TRIBUTARIES—SUBSISTENCE.** *Notwithstanding the provisions of WAC 220-32-055 and WAC 220-32-059, effective immediately until further notice, it is unlawful for any fisher to take, fish for, or possess salmon for commercial or subsistence purposes from the Yakima, Klickitat, Icicle, Wind or Columbia Rivers except treaty Indian fishers possessing treaty rights under the Yakima Treaty may fish for foodfish for subsistence purposes as provided for in this section:*

(1) *Yakima River – a. Horn Dam and from the southern border of the reservation to Sunnyside Dam open 12:00 noon Tuesday to 6:00 p.m. Saturday of each week from April 9 to June 29, 1991.*

*b. Prosser and Wapato Dams open 12:00 noon Wednesday to 6:00 p.m. Saturday of each week from April 10 to June 29, 1991.*

*In all open areas it shall be unlawful to place fishing platforms, or to take, molest, injure, or fish for salmon or to fish bypass pipes associated with irrigation canal fish screening structures and no fishing is allowed from boats or any other floating devices. Lawful gear is restricted to dipnet, setbag net, or rod and reel with bait or lure.*

(2) *Klickitat River – open 12:00 noon Wednesday to 6:00 p.m. Saturday, April 3 to May 25, 1991. in those waters from the Swinging Bridge to Fishway Number 5. It is unlawful to place fishing platforms or to take, molest, injure, or fish for salmon within 25 feet of any fish ladder, fishway or fish bypass pipes. No fishing is allowed from boats or any other floating devices. Lawful gear is restricted to dipnet, setbag net, or rod and reel with bait or lure.*

(3) *Icicle River* – open 9:00 p.m. Thursday to 12:00 noon Saturday, May 9 to June 29, 1991, in those waters where *Icicle River* borders the property of the U. S. Fish and Wildlife National Fish Hatchery at Leavenworth. It is unlawful to place fishing platforms or to take, molest, injure, or fish for salmon within 30 feet of any fish ladder, fishway or fish bypass pipes. No fishing is allowed from boats or any other floating devices. Lawful gear is restricted to dipnet, setbag net, or rod and reel with bait or lure.

(4) *Wind River* from the mouth to a marker 400' downstream of *Shppard Falls* open 12:00 noon Monday April 1, 1991 to 6:00 p.m. Saturday June 15, 1991. Lawful gear is restricted to dipnet, setbag net, or rod and reel with bait or lure.

(5) *Columbia River* – The *Dalles Dam Sanctuary*, except those water within 200' of any portion of the *Dalles Dam*.

#### REPEALER

The following section of the *Washington Administrative Code* is repealed:

WAC 220-32-05500X COLUMBIA RIVER  
TRIBUTARIES—SUBSISTENCE (91-29)

#### WSR 91-11-077

#### EMERGENCY RULES

#### DEPARTMENT OF FISHERIES

[Order 91-35—Filed May 20, 1991, 4:43 p.m., effective May 24, 1991, 12:01 a.m.]

Date of Adoption: May 20, 1991.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order:  
Repealing WAC 220-44-05000K.

Statutory Authority for Adoption: RCW 75.08.080.

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

Reasons for this Finding: The Pacific Fishery Management Council has established a harvestable quota of groundfish. This regulation provides for harvest of the quota without impacting nonharvestable stocks. This regulation is adopted at the recommendation of the Pacific Fisheries Management Council and is consistent with federal regulations.

Effective Date of Rule: 12:01 a.m., May 24, 1991.

May 20, 1991  
Judith Merchant  
Deputy  
for Joseph R. Blum  
Director

#### NEW SECTION

WAC 220-44-05000L COASTAL BOTTOMFISH CATCH LIMITS. Notwithstanding the provisions of WAC 220-44-050, effective 12:01 a.m. May 24, 1991, until further notice it is unlawful to possess, transport through the waters of the state, or land in any Washington State port bottomfish taken for commercial purposes from Marine Fish-Shellfish Management and Catch Reporting Areas 29, 58B, 59A, 59B, 60A, 61, 62, or 63 in excess of the amounts or less than the minimum sizes shown below for the following species:

(1) *Widow Rockfish* (*Sebastes entomelas*) – 10,000 pounds per vessel trip per week, defined as Wednesday through the following Tuesday. A fisherman may choose to make one landing of 20,000 pounds per two consecutive weeks by filing a 1991 declaration of intent. There is no limit on the number of landings less than 3,000 pounds.

(2) *Shortbelly rockfish* (*Sebastes jordani*) – no maximum poundage per vessel trip; no minimum size.

(3) *Pacific ocean perch* (*Sebastes alutus*) – No restrictions on landings up to 1,000 pounds per vessel trip. Landings above 1,000 pounds allowed only if Pacific ocean perch represent 20 percent or less of the total weight of fish on board. Under no circumstances may a vessel land more than 3,000 pounds of Pacific ocean perch in any one vessel trip.

(4) All other species of rockfish (includes all rockfish except Pacific ocean perch (*Sebastes alutus*), widow rockfish (*Sebastes entomelas*), shortbelly rockfish (*Sebastes jordani*) and Thornyhead (or idiot) rockfish (*Sebastes spp.*)) – 25,000 pounds of all other species of rockfish combined per vessel trip per calendar week, defined as Wednesday through the following Tuesday, of which no more than 3,000 pounds may be yellowtail rockfish (*Sebastes flavidus*) except that a fisherman having made a 1991 declaration of intent, may make either one landing of no more than 50,000 pounds of all other species of rockfish combined per vessel trip biweekly, defined as Wednesday through the second Tuesday following, of which no more than 5,000 pounds may be yellowtail rockfish or two landings of not more than 12,500 pounds of all other species of rockfish in any one calendar week of which no more than 3,000 pounds in any one landing may be yellowtail rockfish. It is unlawful for any vessel to make more than one landing in excess of 3,000 pounds of other rockfish species in any calendar week, if no declaration to land twice weekly has been made.

(5) *Deepwater Complex* – *Sablefish*, *Dover Sole*, and *Thornyhead* (or *Idiot*) *Rockfish* (*Sebastes spp.*) – Fishers are limited to 27,500 pounds of the deepwater complex of which no more than 7,500 pounds can be *Thornyhead* rockfish, per vessel trip, per calendar week, defined as Wednesday through the following Tuesday, except that a fisher having made a 1991 declaration of intent may make either one landing of no more than 55,000 pounds of the deepwater complex of which no more than 15,000 pounds can be *Thornyhead* rockfish, per vessel trip biweekly, defined as Wednesday through the second Tuesday following or two landings of not

more than 13,750 pounds of the deepwater complex of which no more than 3,750 pounds can be Thornyhead rockfish, in any one calendar week. If no declaration of intent to land twice weekly has been made, then it is unlawful for any vessel to make more than one landing in excess of 4,000 pounds of the deepwater complex except sablefish landings are limited to 1,000 pounds.

The following limits apply to sablefish taken under these subsections.

(a) *Trawl vessels – Landings above 1000 pounds allowed only if sablefish represent 25 percent or less of the total combined round weight of the deepwater complex onboard. Minimum size 22 inches in length, unless dressed in which case minimum size 15.5 inches in length from the anterior insertion of the first dorsal fin to the tip of the tail. To convert to round weight from dressed weight multiply the dressed weight by 1.6. Trawl vessels are allowed an incidental catch less than the minimum size of 1,000 pounds or 25 percent of the total combined round weight of the deep water complex on board but not to exceed 5,000 pounds per trip. This undersize sablefish incidental allowance is inclusive in the trip limit.*

(b) *Non-Trawl Vessels – 500 pound trip limit. To convert to round weight from dressed weight, multiply the dressed weight by 1.6.*

(6) *1991 Declarations of Intent – A 1991 Declaration of Intent must be made to make other than one vessel trip per week and land in excess of the minimum amounts as provided for in this section. The new declaration form must be completed as provided for in this subsection. All Declarations of Intent are binding for a minimum of four weeks starting on the first Wednesday following the declaration. The 1991 declaration of intent to make other than one vessel trip per week must be mailed or delivered to the Department of Fisheries, 115 General Administration Building Olympia, Wa., 98504, and must be received prior to the beginning of such fishing. The declaration of intent must contain the name and address of the fishermen, the name and registration number of the vessel, the date on which such fishing will commence and must be signed and dated by the fisherman. The fisherman may return to the one vessel trip per calendar week fishing by filing a declaration of intent to stop fishing other than once weekly with the department in the above manner. The declaration to stop such fishing and begin one vessel trip per calendar week fishing must be received prior to the beginning of the week in which the one vessel trip per calendar week fishing will resume. The date of first landing will determine the beginning of bi-weekly periodicity. A calendar week is defined as Wednesday through the following Tuesday.*

(7) *It is unlawful during unloading of the catch and prior to its being weighed or leaving the unloading facility to intermix with any other species a species or category of bottomfish having a vessel trip limit.*

(8) *For purposes of this section, a vessel trip is defined as having occurred upon the initiation of transfer of catch from the fishing vessel, and all fish aboard the*

*vessel are considered part of the vessel trip limit at the initiation of transfer of catch.*

**Reviser's note:** The spelling 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.

### REPEALER

*The following section of the Washington Administrative Code is repealed:*

**WAC 220-44-05000K COASTAL BOTTOMFISH CATCH LIMITS (91-23)**

### **WSR 91-11-078**

#### **NOTICE OF PUBLIC MEETINGS WASHINGTON STATE UNIVERSITY**

[Memorandum—May 21, 1991]

At the meeting of May 10, 1991, the board of regents of Washington State University established the following dates for the regular meetings of the board of regents for July 1, 1991, through August 31, 1992:

Friday, August 2, 1991, at Spokane  
Friday, September 13, 1991, at Pullman  
Friday, October 11, 1991, at Pullman  
Friday, November 22, 1991, at Seattle  
Friday, January 17, 1992, at Pullman  
Friday, February 28, 1992, at Pullman  
Friday, April 3, 1992, at Pullman  
Friday, May 8, 1992, at Pullman  
Friday, June 26, 1992, at Tri Cities  
Friday, August 14, 1992, at Vancouver

Meetings will begin at 9:00 a.m. unless notice is given otherwise prior to the meeting. All meetings will be at the local campus, except for the Seattle meeting which will be at the Washington Mutual Savings Bank.

### **WSR 91-11-079**

#### **NOTICE OF PUBLIC MEETINGS EASTERN WASHINGTON UNIVERSITY**

[Memorandum—May 21, 1991]

**SPECIAL MEETING  
BOARD OF TRUSTEES  
May 23, 1991, 3:00 p.m.  
Spokane Center, Room 222**

**BOARD OF TRUSTEES  
May 24, 1991, 9:00 a.m.  
Louise Anderson Hall, First Floor Lounge**

Breakfast will be served to board members prior to the meeting at 8:00 a.m., Room 140, Second Floor.

**WSR 91-11-080**  
**NOTICE OF PUBLIC MEETINGS**  
**HUMAN RIGHTS COMMISSION**  
 [Memorandum—May 20, 1991]

The Washington State Human Rights Commission will hold its next regular commission meeting in Richland on June 26 and 27, 1991. The meetings will be held at the City Hall Council Chambers, 505 Swift Boulevard, Richland. The meeting on June 26, will begin at 7:00 p.m. and will be a planning and training session only. The regular business meeting on June 27, will begin at 9:30 a.m.

**WSR 91-11-081**  
**PROPOSED RULES**  
**DEPARTMENT OF HEALTH**  
 [Filed May 21, 1991, 2:49 p.m.]

Original Notice.

Title of Rule: Chapters 246-220, 246-221, 246-222, 246-232, 246-233, 246-235, 246-239, 246-240, 246-243 and 246-244 WAC, General provisions for radiation protection and the use of isotopes (radioactive material) in medicine and industry.

Purpose: These rules have had a few definitions added, changes in the text from the Department of Social and Health Services to the Department of Health and cross references of WAC in the text changed from Title 402 WAC to Title 246 WAC (after recodification). The purpose of the rules is radiation protection for the public.

Statutory Authority for Adoption: RCW 70.98.050 and 70.98.080.

Summary: Only slight changes have been made in the content as described above.

Reasons Supporting Proposal: Since the regulations were lacking certain definitions, these were added for clarity.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Terry Frazee, Industrial Building 5, LE-13, 753-3461.

Name of Proponent: Department of Health, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The rules address the use of isotopes in medicine and industry, including licensing, recordkeeping, storage, use and disposal. Limits are placed on types of isotopes and quantities. No substantive changes, however, are being made in these areas at this time. The only changes are in definitions (some additions), references to Department of Social and Health Services being changed to Department of Health, and references to Title 402 WAC being changed to Title 246 WAC.

Proposal Changes the Following Existing Rules: As described above.

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

Chapters 246-220, 246-221, 246-222, 246-232, 246-233, 246-235, 246-239, 246-240, 246-243 and 246-244 WAC, deal with the regulation of radioactive material licensees and other users of radiation-emitting devices. Certain chapters contain administrative requirements such as recordkeeping, personnel monitoring, and worker rights, and other chapters are of technical nature.

The changes proposed are such that no economic impact is made on the facilities that are subject to the requirements. Several additional definitions have been added to cover terms or words already existing in the regulations, typographical errors have been corrected, language has been modified for clarity, and cross reference to WAC sections in the text of the regulations has been changed from Title 402 WAC to Title 246 WAC, consistent with the recodification that occurred effective January 31, 1991.

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on June 25, 1991, at 1:00 p.m.

Submit Written Comments to: Leslie Baldwin, 1300 S.E. Quince Street, Mailstop EY-16, Olympia, WA 98504, by June 24, 1991.

Date of Intended Adoption: July 2, 1991.

May 12, 1991  
 Pam Campbell Mead  
 for Kristine M. Gebbie  
 Secretary

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-220-007 STATEMENT OF PHILOSOPHY. In accordance with the recommendations of the Environmental Protection Agency, formerly the Federal Radiation Council, approved by the president of the United States of America, persons engaged in activities under licenses issued by the Washington state department of ((social and)) health ((services)) pursuant to the Atomic Energy Act of 1954, as amended, shall, in addition to complying with the requirements set forth in chapter ((402-24)) 246-221 WAC, make every reasonable effort to maintain radiation exposures, and releases of radioactive materials in effluents to unrestricted areas, as low as is reasonably achievable. Such persons should make particular efforts to keep the radiation exposure of an embryo or fetus as low as is reasonably achievable during the entire gestation period as recommended by the National Council on Radiation Protection and Measurements. The term "as low as is reasonably achievable" means as low as is readily achievable taking into account the state of technology, and the economics of improvements in relation to benefits to the public health and safety and in relation to the utilization of nuclear energy, ionizing radiation, and radioactive materials in the public interest.

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-220-010 DEFINITIONS. As used in these regulations, these terms have the definitions set forth below. Additional definitions used only in a certain part will be found in that part.

(1) "A<sub>1</sub>" means the maximum activity of special form radioactive material permitted to be transported in a Type A package. "A<sub>2</sub>" means the maximum activity of normal form radioactive material permitted to be transported in a Type A package. A<sub>1</sub> and A<sub>2</sub> values are assigned to individual radionuclides and are tabulated in Appendix A of WAC ((402-12-200)) 246-220-110. Methods of calculating values are also given.

(2) "Accelerator produced material" means any material made radioactive by exposing it in a particle accelerator.

(3) "Act" means Nuclear energy and radiation, chapter 70.98 RCW.

(4) "Agreement state" means any state with which the United States Nuclear Regulatory Commission has entered into an effective



agreement under section 274 b. of the Atomic Energy Act of 1954, as amended (73 Stat. 689).

(5) "Airborne radioactive material" means any radioactive material dispersed in the air in the form of dusts, fumes, mists, vapors, or gases.

(6) "Airborne radioactivity area" means (a) any room, enclosure, or operating area in which airborne radioactive material exists in concentrations in excess of the amounts specified in Appendix A, Table I, Column 1 of chapter ~~((402-24))~~ 246-221 WAC; or (b) any room, enclosure, or operating area in which airborne radioactive material exists in concentrations which, averaged over the number of hours in any week during which individuals are in the area, exceed twenty-five percent of the amounts specified in WAC ~~((402-24-220))~~ 246-221-290, Appendix A, Table I, Column 1.

(7) "Brachytherapy" means a method of radiation therapy in which sealed sources are utilized to deliver a radiation dose at a distance of up to a few centimeters, by surface, intracavitary, or interstitial application.

(8) "Byproduct material" means: (a) Any radioactive material (except special nuclear material) yielded in or made radioactive by exposure to the radiation incident to the process of producing or utilizing special nuclear material, and (b) the tailings or wastes produced by the extraction or concentration of uranium or thorium from any ore processed primarily for its source material content.

~~((9))~~ (9) "Calendar quarter" means not less than twelve consecutive weeks nor more than fourteen consecutive weeks. The first calendar quarter of each year shall begin in January and subsequent calendar quarters shall be so arranged such that no day is included in more than one calendar quarter and no day in any one year is omitted from inclusion within a calendar quarter. No licensee or registrant shall change the method of determining calendar quarters for purposes of these regulations except at the beginning of a calendar year.

~~((9))~~ (10) "Calibration" means the determination of (a) the response or reading of an instrument relative to a series of known radiation values over the range of the instrument, or (b) the strength of a source of radiation relative to a standard.

(11) "CFR" means Code of Federal Regulations.

~~((10))~~ (12) "Controlled area." See "Restricted area."

~~((11))~~ (13) "Curie" means a unit of measurement of radioactivity. One curie (Ci) is that quantity of radioactive material which decays at the rate of  $3.7 \times 10^{10}$  transformations per second (tps). Commonly used submultiples of the curie are the millicurie and the microcurie. One millicurie (mCi) = 0.001 curie =  $3.7 \times 10^7$  tps. (Formerly referred to as disintegrations per seconds or dps.) One microcurie (uCi) = 0.000001 curie =  $3.7 \times 10^4$  tps. One picocurie (pCi) =  $10^{-12}$  Ci. One nanocurie (nCi) =  $10^{-9}$  Ci. One tps = 60 dpm.

~~((12))~~ (14) "Department" means the department of ~~((social and))~~ health ~~((services, office)),~~ division of radiation protection, which has been designated as the state radiation control agency.

~~((13))~~ (15) "Depleted uranium" means the source material uranium in which the isotope Uranium-235 is less than 0.711 percent by weight of the total uranium present. Depleted uranium does not include special nuclear material.

~~((14))~~ (16) "dpm" means disintegrations per minute. See also "curie."

~~((15))~~ (17) "Dose" as used in these regulations shall mean absorbed dose or dose equivalent as appropriate.

(a) "Absorbed dose" is the energy imparted to matter by ionizing radiation per unit mass of irradiated material at the place of interest. The special unit of absorbed dose is the rad. (See rad.)

(b) "Dose equivalent" is a quantity that expresses on a common scale for all radiation a measure of the postulated effect on a given organ. It is defined as the absorbed dose in rads times certain modifying factors. The unit of dose equivalent is the rem. (See rem.)

~~((16))~~ (18) "Dose commitment" means the total radiation dose to a part of the body that will result from retention in the body of radioactive material. For purposes of estimating the dose commitment, it is assumed that from the time of intake the period of exposure to retained material will not exceed fifty years.

~~((17))~~ (19) "Exposure" means the quotient of dQ by dm where "dQ" is the absolute value of the total charge of the ions of one sign produced in air when all the electrons (negatrons and positrons) liberated by photons in a volume element of air having "dm" are completely stopped in air. (The special unit of exposure is the roentgen (R).)\*

Note: \*When not underlined as above the term 'exposure' has a more general meaning in these regulations.

~~((18))~~ (20) "Exposure rate" means the exposure per unit of time, such as R/min., mR/h, etc.

~~((19))~~ (21) "Former United States Atomic Energy Commission (AEC) or United States Nuclear Regulatory Commission (NRC) licensed facilities" means nuclear reactors, nuclear fuel reprocessing plants, uranium enrichment plants, or critical mass experimental facilities where AEC or NRC licenses have been terminated.

~~((20))~~ (22) "Healing arts" means the disciplines of medicine, dentistry, osteopathy, chiropractic, podiatry, and veterinary medicine.

~~((21))~~ (23) "High radiation area" means any area, accessible to individuals, in which there exists radiation at such levels that a major portion of the body could receive in any one hour a dose in excess of 100 millirems.

~~((22))~~ (24) "Highway route controlled quantity" means a quantity of radioactive material in a single package which exceeds:

- (a) 3,000 times the  $A_1$  or  $A_2$  quantity as appropriate; or  
(b) 30,000 curies, whichever is least.

~~((23))~~ (25) "Human use" means the intentional internal or external administration of radiation or radioactive material to human beings.

~~((24))~~ (26) "IND" means investigatory new drug for which an exemption has been claimed under the United States Food, Drug and Cosmetic Act (Title 10 CFR).

~~((25))~~ (27) "Individual" means any human being.

~~((26))~~ (28) "Inspection" means an official examination or observation by the department including but not limited to, tests, surveys, and monitoring to determine compliance with rules, regulations, orders, requirements and conditions of the department.

~~((27))~~ (29) "Irretrievable source" means any sealed source containing licensed material which is pulled off or not connected to the wireline downhole and for which all reasonable effort at recovery, as determined by the department, has been expended.

~~((28))~~ (30) "Interlock" means a device arranged or connected such that the occurrence of an event or condition is required before a second event or condition can occur or continue to occur.

(31) "License" means a license issued by the department in accordance with the regulations adopted by the department.

~~((29))~~ (32) "Licensee" means any person who is licensed by the department in accordance with these regulations and the act.

~~((30))~~ (33) "Licensing state" means any state with regulations equivalent to the suggested state regulations for control of radiation relating to, and an effective program for, the regulatory control of NARM.

~~((31))~~ (34) "Major processor" means a user processing, handling, or manufacturing radioactive material exceeding Type A quantities as unsealed sources or material, or exceeding four times Type B quantities as sealed sources, but does not include nuclear medicine programs, universities, industrial radiographers, or small industrial programs. Type A and B quantities are defined in Section 71.4 of 10 CFR Part 71.

(35) "NARM" means any naturally occurring or accelerator-produced radioactive material except source material.

~~((32))~~ (36) "Natural radioactivity" means radioactivity of naturally occurring nuclides.

~~((33))~~ (37) "NDA" means a new drug application which has been submitted to the United States Food and Drug Administration.

~~((34))~~ (38) "Normal form radioactive material" means radioactive material which has not been demonstrated to qualify as "special form radioactive material."

~~((35))~~ (39) "Nuclear waste" as used in WAC ~~((402-19-500))~~ 246-232-090(5) means any quantity of source or byproduct material, (not including radiography sources being returned to the manufacturer) required to be in Type B packaging while transported to, through, or across state boundaries to a disposal site, or to a collection point for transport to a disposal site. Nuclear waste, as used in these regulations, is a special classification of radioactive waste.

~~((36))~~ (40) "Occupational dose" means exposure of an individual to radiation in a restricted area; or in the course of employment in which the individual's duties involve exposure to radiation: PROVIDED, That occupational dose shall not be deemed to include any exposure of an individual to radiation for the purpose of diagnosis or therapy of such individual.

~~((37))~~ (41) "Ore refineries" means all processors of a radioactive material ore.

~~((38))~~ (42) "Particle accelerator" means any machine capable of accelerating electrons, protons, deuterons, or other charged particles in a vacuum and of discharging the resultant particulate or other radiation into a medium at energies usually in excess of 1 MeV.

((39)) (43) "Permittee" means a person who has applied for, and received, a valid site use permit for use of the low-level waste disposal facility at Hanford, Washington.

((40)) (44) "Person" means any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, agency, political subdivision of this state, any other state or political subdivision or agency thereof, and any legal successor, representative, agent or agency of the foregoing.

((41)) (45) "Personal supervision" means supervision such that the supervisor is physically present at the facility and in such proximity that contact can be maintained and immediate assistance given as required.

((42)) (46) "Personnel monitoring equipment" means devices (e.g., film badges, pocket dosimeters, and thermoluminescent dosimeters) designed to be worn or carried by an individual for the purpose of estimating the dose received by the individual.

((43)) (47) "Pharmacist" means an individual licensed by this state to compound and dispense drugs, and poisons.

((44)) (48) "Physician" means an individual licensed by this state to prescribe and dispense drugs in the practice of medicine.

((45)) (49) "Practitioner" means an individual licensed by the state in the practice of a healing art (i.e., physician, dentist, podiatrist, chiropractor, etc.).

((46)) (50) "Qualified expert" means an individual who has demonstrated to the satisfaction of the department possession of knowledge and training to measure ionizing radiation, to evaluate safety techniques, and to advise regarding radiation protection needs. The department reserves the right to recognize the qualifications of an individual in specific areas of radiation protection.

((47)) (51) "Rad" means the special unit of absorbed dose. One rad equals one-hundredth of a joule per kilogram of material; for example, if tissue is the material of interest, then 1 rad equals 100 crgs per gram of tissue.

((48)) (52) "Radiation" means ionizing radiation, i.e., gamma rays and x-rays, alpha and beta particles, high speed electrons, and other nuclear particles.

((49)) (53) "Radiation area" means any area, accessible to individuals, in which there exists radiation at such levels that a major portion of the body could receive in any one hour a dose in excess of 5 millirems, or in any five consecutive days a dose in excess of 100 millirems.

((50)) (54) "Radiation machine" means any device capable of producing ionizing radiation except those which produce radiation only from radioactive material.

((51)) (55) "Radiation safety officer" means one who has the knowledge, authority, and responsibility to apply appropriate radiation protection regulations and measures.

((52)) (56) "Radiation source." See "Source of radiation."

((53)) (57) "Radioactive material" means any material (solid, liquid, or gas) which emits radiation spontaneously.

((54)) (58) "Radioactive waste" means any radioactive material which is no longer of use and intended for disposal or treatment for the purposes of disposal.

((55)) (59) "Radioactivity" means the transformation of unstable atomic nuclei by the emission of radiation.

((56)) (60) "Registrable item" means any radiation machine except those exempted by RCW 70.98.180 or exempted by the department pursuant to the authority of RCW 70.98.080.

((57)) (61) "Registrant" means any person who is registered by the department in accordance with these regulations and the act.

((58)) (62) "Registration" means registration with the department in accordance with the regulations adopted by the department.

((59)) (63) "Regulations of the United States Department of Transportation" means the regulations in 49 CFR Parts 170-189, 14 CFR Part 103, and 46 CFR Part 146.

((60)) (64) "Rcm" means a measure of the dose of any radiation to body tissue in terms of its estimated biological effect relative to a dose received from an exposure to one roentgen (R) of x-rays. (One millirem (mrem) = 0.001 rem.) For the purpose of these regulations, any of the following is considered to be equivalent to a dose of one rem:

- (a) An exposure of 1 R of x, or gamma radiation;
- (b) A dose of 1 rad due to x, gamma, or beta radiation;
- (c) A dose of 0.05 rad due to particles heavier than protons and with sufficient energy to reach the lens of the eye;
- (d) A dose of 0.1 rad due to neutrons or high energy protons.\*
- (e) A dose of 0.4 rad due to thermal neutrons.

Note: \*If it is more convenient to measure the neutron flux, or equivalent, than to determine the neutron absorbed dose in rads, one rem of neutron radiation may, for purposes of these regulations, be assumed to be equivalent to fourteen million neutrons per square centimeter incident upon the body; or, if there exists sufficient information to estimate with reasonable accuracy the approximate distribution in energy of the neutrons, the incident number of neutrons per square centimeter equivalent to one rem may be estimated from the following table:

Neutron Flux Dose Equivalents

Neutron energy (MeV)	Number of neutrons per square centimeter for a dose equivalent of 1 rem (neutrons/cm <sup>2</sup> )	Average flux density to deliver 100 millirems in 40 hours (neutrons/cm <sup>2</sup> per second)
Thermal	970 x 10 <sup>6</sup>	670
0.0001	720 x 10 <sup>6</sup>	500
0.005	820 x 10 <sup>6</sup>	570
0.02	400 x 10 <sup>6</sup>	280
0.1	120 x 10 <sup>6</sup>	80
0.5	43 x 10 <sup>6</sup>	30
1.0	26 x 10 <sup>6</sup>	18
2.5	29 x 10 <sup>6</sup>	20
5.0	26 x 10 <sup>6</sup>	18
7.5	24 x 10 <sup>6</sup>	17
10.0	24 x 10 <sup>6</sup>	17
10 to 30	14 x 10 <sup>6</sup>	10

((61)) (65) "Research and development" means: (a) Theoretical analysis, exploration, or experimentation; or (b) the extension of investigative findings and theories of a scientific or technical nature into practical application for experimental and demonstration purposes, including the experimental production and testing of models, devices, equipment, materials, and processes. Research and development does not include the internal or external administration of radiation or radioactive material to human beings.

((62)) (66) "Restricted area" (controlled area) means any area the access to which is controlled by the licensee or registrant for purposes of protection of individuals from exposure to radiation and radioactive material. "Restricted area" shall not include any areas used for residential quarters, although a separate room or rooms in a residential building may be set apart as a restricted area.

((63)) (67) "Roentgen" (R) means the special unit of exposure. One roentgen equals 2.58 x 10<sup>-4</sup> coulombs/kilogram of air (see "Exposure").

((64)) (68) "Sealed source" means radioactive material that is permanently bonded or fixed in a capsule or matrix designed to prevent release and dispersal of the radioactive material under the most severe conditions which are likely to be encountered in normal use and handling.

((65)) (69) "Source material" means: (a) Uranium or thorium, or any combination thereof, in any physical or chemical form, or (b) ores which contain by weight one-twentieth of one percent (0.05 percent) or more of (i) uranium, (ii) thorium, or (iii) any combination thereof. Source material does not include special nuclear material.

((66)) (70) "Source of radiation" means any radioactive material, or any device or equipment emitting or capable of producing ionizing radiation.

((67)) (71) "Source container" means a device in which radioactive material is transported or stored.

((68)) (72) "Source material milling" means any activity that results in the production of byproduct material as defined in subsection ((7)) (8)(b) of this section.

((69)) (73) "Special form radioactive material" means radioactive material which satisfies the following conditions:

(a) It is either a single solid piece or is contained in a sealed capsule that can only be opened by destroying the capsule;

(b) The piece or capsule has at least one dimension not less than five millimeters (0.197 inch); and

(c) It satisfies the test requirements of 10 CFR 71.75.

((70)) (74) "Special nuclear material in quantities not sufficient to form a critical mass" means uranium enriched in the isotope U-235 in quantities not exceeding three hundred fifty grams of contained U-235; Uranium-233 in quantities not exceeding two hundred grams; Plutonium in quantities not exceeding two hundred grams; or any combination of them in accordance with the following formula: For each kind of special nuclear material, determine the ratio between the quantity of that special nuclear material and the quantity specified

above for the same kind of special nuclear material. The sum of such ratios for all of the kinds of special nuclear material in combination shall not exceed "1" (i.e., unity). For example, the following quantities in combination would not exceed the limitation and are within the formula:

$$\begin{array}{r} 175(\text{grams contained U-235}) \\ \hline 350 \\ 50(\text{grams U-233}) \\ \hline 200 \\ 50(\text{grams Pu}) \\ \hline 200 \end{array} + < 1$$

~~((74))~~ (75) "State" as used in WAC ~~((402-19-500))~~ 246-232-090(5) means the several states of the union, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Trust Territory of the Pacific Islands, and the Commonwealth of the Northern Mariana Islands.

~~((72))~~ (76) "Survey" means an evaluation of the production, use, release, disposal, and/or presence of sources of radiation under a specific set of conditions to determine actual or potential radiation hazards. When appropriate, such evaluation includes, but is not limited to, tests, physical examinations and measurements of levels of radiation or concentration of radioactive material present.

~~((73))~~ (77) "Test" means (a) the process of verifying compliance with an applicable regulation, or (b) a method for determining the characteristics or condition of sources of radiation or components thereof.

~~((74))~~ (78) "These regulations" mean all parts of the rules for radiation protection of the state of Washington.

~~((75))~~ (79) "Type A packaging" means packaging designed to retain its integral containment and shielding under normal conditions of transport as demonstrated by tests described in 49 CFR 173.465 or 173.466 as appropriate. The contents are limited to A<sub>1</sub> or A<sub>2</sub> quantities. The package does not require competent authority approval.

~~((76))~~ (80) "Type A quantity" means a quantity of radioactive material less than the A<sub>1</sub> or A<sub>2</sub> value for a single radionuclide, or for which the sum of the fractions does not exceed unity for a mixture of radionuclides.

~~((77))~~ (81) "Type B packaging" means packaging approved by the United States nuclear regulatory commission for the transport of quantities of radioactivity in excess of A<sub>1</sub> or A<sub>2</sub>. It is defined in detail in 10 CFR 71.4.

~~((78))~~ (82) "Type B quantity" means a quantity of radioactive material in excess of a Type A quantity. It requires Type B packaging for transportation.

~~((79))~~ (83) "Uncontrolled area." See "Unrestricted area."

~~((80))~~ (84) "United States Department of Energy" means the Department of Energy established by Public Law 95-91, August 4, 1977, 91 Stat. 565, 42 U.S.C. 7101 et seq., to the extent that the department exercises functions formerly vested in the United States Atomic Energy Commission, its chairman, members, officers and components and transferred to the United States Energy Research and Development Administration and to the administrator thereof pursuant to sections 104 (b), (c) and (d) of the Energy Reorganization Act of 1974 (Public Law 93-438, October 11, 1974, 88 Stat. 1233 at 1237, effective January 19, 1975) and retransferred to the Secretary of Energy pursuant to section 301(a) of the Department of Energy Organization Act (Public Law 95-91, August 4, 1977, 91 Stat. 565 at 577-578, 42 U.S.C. 7151, effective October 1, 1977).

~~((81))~~ (85) "Unrefined and unprocessed ore" means ore in its natural form prior to any processing, such as grinding, roasting, beneficiating, or refining.

~~((82))~~ (86) "Unrestricted area" (uncontrolled area) means any area access to which is not controlled by the licensee or registrant for purposes of protection of individuals from exposure to radiation and radioactive material, and any area used for residential quarters.

~~((83))~~ (87) "Waste handling licensees" mean persons licensed to receive and store radioactive wastes prior to disposal and/or persons licensed to dispose of radioactive waste.

~~((84))~~ (88) "Worker" means an individual engaged in work under a license or registration issued by the department and controlled by a licensee or registrant, but does not include the licensee or registrant. If

students of age eighteen years or older are subjected routinely to work involving radiation, then the students are considered to be occupational workers. Individuals of less than eighteen years of age shall meet the requirements of WAC ~~((402-24-035))~~ 246-221-050.

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-220-050 EXEMPTIONS. (1) The department may, upon application therefor or upon its own initiative, grant such exemptions or exceptions from the requirements of these regulations as it determines are authorized by law and will not result in undue hazard to public health and safety or property.

(2) Any U.S. Department of Energy contractor or subcontractor and any U.S. Nuclear Regulatory Commission contractor or subcontractor of the following categories operating within this state is exempt from these regulations to the extent that such contractor or subcontractor under ~~((his))~~ the applicable contract receives, possesses, uses, transfers or acquires sources of radiation:

(a) Prime contractors performing work for the Department of Energy at U.S. government-owned or controlled sites, including the transportation of sources of radiation to or from such sites and the performance of contract services during temporary interruptions of such transportation;

(b) Prime contractors of the Department of Energy performing research in, or development, manufacture, storage, testing or transportation of, atomic weapons or components thereof;

(c) Prime contractors of the Department of Energy using or operating nuclear reactors or other nuclear devices in a United States government-owned vehicle or vessel; and

(d) Any other prime contractor or subcontractor of the Department of Energy or of the Nuclear Regulatory Commission when the state and the Nuclear Regulatory Commission jointly determine (i) that the exemption of the prime contractor or subcontractor is authorized by law, and (ii) that under the terms of the contract or subcontract, there is adequate assurance that the work thereunder can be accomplished without undue risk to the public health and safety.

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-220-090 COMMUNICATIONS. All communications and reports concerning these regulations, and applications filed thereunder, should be addressed to the Department of ~~((Social and))~~ Health ~~((Services))~~, ~~((Radiation Control Section))~~ Division of Radiation Protection, Mailstop ~~((LF-13))~~ LE-13, Olympia, Washington 98504. The emergency telephone number in Seattle, is 206-682-5327 or 206 (NUCLEAR).

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-220-130 APPENDIX C—THE INTERNATIONAL SYSTEM OF UNITS (SI). This appendix does not contain any regulations, but is included for informational purposes only.

The Metric Conversion Act of 1975 (PL 94-168) urges the increasing awareness and use of the International System of Units (SI). This appendix is included to acquaint licensees and/or registrants with selected terms of SI units. Future revisions to ~~((Title 402))~~ chapters 246-220 through 246-255 WAC may use these units.

(1) Absorbed dose. The unit of absorbed dose is the gray (Gy) which is equal to 1 joule per kilogram. One rad is equal to 1 x 10<sup>-2</sup> gray. A submultiple is the milligray (mGy).

(2) Dose equivalent. The unit of dose equivalent is the sievert (Sv) which is equal to 1 joule per kilogram as modified by the quality factor. One rem is equal to 1 x 10<sup>-2</sup> sievert. A submultiple is the millisievert (mSv).

(3) Exposure. The unit of exposure is the coulombs per kilogram (C/kg). One roentgen is equal to 2.58 x 10<sup>-4</sup> coulombs per kilogram of dry air. Multiples of this unit are the millicoulomb per kilogram (mC/kg) and the microcoulomb per kilogram (uC/kg) of dry air at standard temperature and pressure.

(4) Radioactivity. The unit of measurement of radioactivity is the becquerel (Bq) and is equal to one transformation per second. One curie is equal to 3.7 x 10<sup>10</sup> becquerels. Multiples are megabecquerel (MBq) and gigabecquerel (GBq).

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-221-001 PURPOSE AND SCOPE. This chapter establishes standards for protection against radiation hazards. Except as otherwise specifically provided, this chapter applies to all licensees or registrants. Nothing in this chapter shall be interpreted as limiting the intentional exposure of patients to radiation for the purpose of medical diagnosis or therapy. The definitions contained in WAC ((402-12-050)) 246-220-010 also apply to this chapter. ((Chapter 402-10)) WAC 246-220-007, Statement of philosophy, is directly applicable to this chapter.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-221-010 RADIATION DOSE TO INDIVIDUALS IN RESTRICTED AREAS.\* (1) Except as provided in subsection (2) of this section no licensee or registrant shall possess, use, store, receive, or transfer sources of radiation in such a manner as to cause any individual in a restricted area to receive in any period of one calendar quarter from all sources of radiation in the licensee's or registrant's possession a dose in excess of the limits specified in the following table:

REM PER CALENDAR QUARTER

Whole body; head and trunk; active blood-forming organs; lens of eyes; or gonads .....	1.25
Hands and forearms; feet and ankles .....	18.75
Skin of whole body .....	7.5

Note: \*For determining the doses specified in this section a dose from x- or gamma rays up to 10 MeV may be assumed to be equivalent to the exposure measured by a properly calibrated appropriate instrument in air at or near the body surface in the region of the highest dose rate.

(2) A licensee or registrant may permit an individual in a restricted area to receive a dose to the whole body greater than that permitted under subsection (1) of this section, provided that:

(a) During any calendar quarter the dose to the whole body from sources of radiation in the licensee's or registrant's possession shall not exceed three rems; and

(b) The dose to the whole body, when added to the accumulated occupational dose to the whole body, shall not exceed 5(N-18) rems when "N" equals the individual's age in years at the individual's last birthday; and

(c) The licensee or registrant has determined the individual's accumulated occupational dose to the whole body on department Form RHF-4 or on a clear and legible record containing all the information required in that form and has otherwise complied with the requirements of WAC ((402-24-024)) 246-221-020. As used in subsection (2) of this section "dose to the whole body" shall be deemed to include any dose to the whole body, gonads, active blood-forming organs, head and trunk, or lens of the eye; and

(d) The licensee or registrant has determined that the predicted dose to the whole body is as low as is reasonably achievable and consistent with the statements in WAC ((402-10-010)) 246-220-007. The licensee or registrant shall perform an evaluation of the expected whole body dose before permitting any individual to receive a whole body dose in excess of the limits specified in subsection (1) of this section.

A written record of the prior evaluation of this exposure shall be retained for inspection by the department.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-221-020 DETERMINATION OF PRIOR ACCUMULATED DOSE. Determination of prior dose. Each licensee or registrant shall require any individual, prior to first entry of the individual into the licensee's or registrant's restricted area during each employment or work assignment under such circumstances that the individual will receive or is likely to receive in any period of one calendar quarter an occupational dose in excess of 25 percent of the applicable standards specified in WAC ((402-24-020(1) and 402-24-035)) 246-221-010(1) and 246-221-050 to disclose and verify in a written, signed statement, either:

(1) That the individual had no prior occupational dose during the current calendar quarter; or

(2) The nature and amount of any occupational dose which the individual may have received during that specifically identified current calendar quarter from sources of radiation possessed or controlled by

other persons. Each licensee shall maintain records of such statements until the department authorizes their disposition.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-221-030 REQUIREMENTS FOR EXCEEDING OCCUPATIONAL RADIATION DOSES. (1) Before permitting, pursuant to WAC ((402-24-020)) 246-221-010(2), any individual in a restricted area to receive an occupational radiation dose in excess of the standards specified in WAC ((402-24-020)) 246-221-010(1) each licensee or registrant shall:

(a) Obtain a certificate on state of Washington occupational external radiation exposure history (Form RHF-4) or on a clear and legible record containing all the information required in that form, signed by the individual, showing each period of time after the individual attained the age of 18 in which the individual received an occupational dose of radiation; and

(b) Calculate on Form RHF-4 in accordance with the instructions appearing therein, or on a clear and legible record containing all the information required in that form, the previously accumulated occupational dose received by the individual and the additional dose allowed for that individual under WAC ((402-24-020)) 246-221-010(2).

In the preparation of Form RHF-4, or a clear and legible record containing all the information required in that form, the licensee or registrant shall make a reasonable effort to obtain reports of the individual's previously accumulated occupational dose. For each period for which the licensee or registrant obtains such reports, the dose shown in the report shall be used in preparing the form. In any case where a licensee or registrant is unable to obtain reports of the individual's occupational dose for a previous complete calendar quarter, it shall be assumed that the individual has received the occupational dose specified in whichever of the following columns apply:

Part of Body	Column 1	Column 2
	Assumed Dose in Rems for Calendar Quarters Prior to January 1, 1961	Assumed Dose in Rems for Calendar Quarters Beginning on or After January 1, 1961
Whole body, gonads, active blood-forming organs, head and trunk, lens of eye	3.75	1.25

(2) The licensee or registrant shall retain and preserve records used in preparing Form RHF-4 until the department authorizes their disposition. If calculation of the individual's accumulated occupational dose for all periods prior to January 1, 1961, yields a result higher than the applicable accumulated dose value for the individual as of that date, as specified in WAC ((402-24-020)) 246-221-010 (2)(b) the excess may be disregarded.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-221-040 EXPOSURE OF INDIVIDUALS TO CONCENTRATIONS OF RADIOACTIVE MATERIALS IN RESTRICTED AREAS. (1) Requirements for exposures to individuals.

(a) No licensee shall possess, use, or transfer radioactive material in such a manner as to permit any individual in a restricted area to inhale a quantity of radioactive material in any period of one calendar quarter greater than the quantity which would result from inhalation for 40 hours per week for 13 weeks at uniform concentrations of radioactive material in air specified in WAC ((402-24-220)) 246-221-290, Appendix A, Table I, Column 1, 2, 3. If the radioactive material is of such form that intake by absorption through the skin is likely, individual exposures to radioactive material shall be controlled so that the uptake of radioactive material by any organ from either inhalation or absorption or both routes of intake 4, 5 in any calendar quarter does not exceed that which would result from inhaling such radioactive material for 40 hours per week for 13 weeks at uniform concentrations specified in WAC ((402-24-220)) 246-221-290, Appendix A, Table I, Column 1.

(b) No licensee shall possess, use, or transfer mixtures of U-234, U-235, and U-238 in soluble form in such a manner as to permit any individual in a restricted area to inhale a quantity of such material in excess of the intake limits specified in Appendix A, Table I, Column 1 of this part. If such soluble uranium is of a form such that absorption through the skin is likely, individual exposures to such material shall

be controlled so that the uptake of such material by any organ from either inhalation or absorption or both routes of intake<sup>4</sup> does not exceed that which would result from inhaling such material at the limits specified in WAC ((402-24-220)) 246-221-290, Appendix A, Table I, Column 1 and footnote 4 thereto.

(c) For purposes of determining compliance with the requirements of ((WAC 402-24-030)) this section the licensee shall use suitable measurements of concentrations of radioactive materials in air for detecting and evaluating airborne radioactivity in restricted areas and in addition, as appropriate, shall use measurements of radioactivity in the body, measurements of radioactivity excreted from the body, or any combination of such measurements as may be necessary for timely detection and assessment of individual intakes of radioactivity by exposed individuals. It is assumed that an individual inhales radioactive material at the airborne concentration in which he or she is present unless he or she uses respiratory protective equipment pursuant to ((WAC 402-24-030)) this section. When assessment of a particular individual's intake of radioactive material is necessary, intakes less than those which would result from inhalation for 2 hours in any one day or for 10 hours in any one week at uniform concentrations specified in Appendix A, Table I, Column 1 need not be included in such assessment, provided that for any assessment in excess of these amounts the entire amount is included.

(2) (a) The licensee shall, as a precautionary procedure, use process or other engineering controls, to the extent practicable, to limit concentrations of radioactive materials in air to levels below those which delimit an airborne radioactivity area as defined in WAC ((402-12-050 (5)(b))) 246-220-010.

(b) When it is impracticable to apply process or other engineering controls to limit concentrations of radioactive material in air below those defined in WAC ((402-12-050 (5)(b))) 246-220-010, other precautionary procedures, such as increased surveillance, limitation of working times, or provision of respiratory protective equipment, shall be used to maintain intake of radioactive material by any individual within any period of seven consecutive days as far below that intake of radioactive material which would result from inhalation of such material for 40 hours at the uniform concentrations specified in Appendix A, Table I, Column 1 as is reasonably achievable. Whenever the intake of radioactive material by any individual exceeds this 40-hour control measure, the licensee shall make such evaluations and take such actions as are necessary to assure against recurrence. The licensee shall maintain records of such occurrences, evaluations, and actions taken in a clear and readily identifiable form suitable for summary review and evaluation.

(3) When respiratory protective equipment is used to limit the inhalation of airborne radioactive material pursuant to ((WAC 402-24-030)) subsection (2)(b) of this section, the licensee may make allowance for such use in estimating exposures of individuals to such materials provided that such equipment is used as stipulated in Regulatory Guide 8.15, "Acceptable Programs for Respiratory Protection."<sup>6</sup>

(4) Notwithstanding the provisions of ((WAC 412-24-030)) subsections (2) and (3) of this section, the department may impose further restrictions:

(a) On the extent to which a licensee may make allowance for use of respirators in lieu of provision of process, containment, ventilation, or other engineering controls, if application of such controls is found to be practicable; and

(b) As might be necessary to assure that the respiratory protective program of the licensee is adequate in limiting exposures of personnel to airborne radioactive materials.

(5) The licensee shall notify, in writing, the department at least 30 days before the date that respiratory protective equipment is first used under the provisions of ((WAC 402-24-030)) this section.

~~((6) A licensee who was authorized to make allowance for use of respiratory protective equipment prior to the effective date of this regulation shall bring his respiratory protective program into conformance with the requirements of WAC 402-24-030(3) within one year of that date, and is exempt from the requirements of WAC 402-24-030(5).))~~

Notes: <sup>1</sup>Since the concentration specified for tritium oxide vapor assumes equal intakes by skin absorption and inhalation, the total intake permitted is twice that which would result from inhalation alone at the concentration specified in H-3(s) in Appendix A, Table I, Column 1 for 40 hours per week for 13 weeks.

<sup>2</sup>For radioactive materials designated "sub" in the "isotope" column of the table, the concentration value specified is based upon exposure to the material as an external radiation source. Individual exposures to these

materials may be accounted for as part of the limitation on individual dose in WAC ((402-24-020)) 246-221-010. These materials shall be subject to the precautionary procedures required by ((WAC 402-24-030)) subsection (2)(a) of this section.

<sup>3</sup>Multiply the concentration values specified in Appendix A, Table I, Column 1 by  $6.3 \times 10^8$  ml to obtain the quarterly quantity limit. Multiply the concentration value specified in Appendix A, Table I, Column 1 of this part by  $2.5 \times 10^7$  ml to obtain the annual quantity limit for Rn-222.

<sup>4</sup>Significant intake by ingestion or injection is presumed to occur only as a result of circumstances such as accident, inadvertence, poor procedure, or similar special conditions. Such intakes must be evaluated and accounted for by techniques and procedures as may be appropriate to the circumstances for the occurrence. Exposures so evaluated shall be included in determining whether the limitation on individual exposures in ((WAC 402-24-030)) subsection (1)(a) of this section has been exceeded.

<sup>5</sup>Regulatory guidance on assessment of individual intakes of radioactive material is given in Regulatory Guide 8.9, "Acceptable Concepts, Models, Equations and Assumptions for a Bioassay Program," single copies of which are available from the Office of Standards Development, United States Nuclear Regulatory Commission, Washington, D.C. 20555, upon written request.

<sup>6</sup>Single copies of Regulatory Guide 8.15 are available for the Office of Standards Development, United States Nuclear Regulatory Commission, Washington, D.C. 20555, upon written request.

#### AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-221-050 EXPOSURE OF MINORS.\* (1) No licensee or registrant shall possess, use, or transfer sources of radiation in such a manner as to cause any individual within a restricted area, who is under 18 years of age, to receive in any period of one calendar quarter from all sources of radiation in such licensee's or registrant's possession a dose in excess of 10 percent of the limits specified in the table in WAC ((402-24-020)) 246-221-010(1).

(2) No licensee shall possess, use, or transfer radioactive material in such a manner as to cause any individual within a restricted area, who is under 18 years of age, to be exposed to airborne radioactive material in an average concentration in excess of the limits specified in WAC ((402-24-220)) 246-221-290, Appendix A, Table II, of this chapter. For purposes of this paragraph, concentrations may be averaged over periods not greater than a week.

(3) The provisions of WAC ((402-24-030)) 246-221-040 (2)(b) and (3) shall apply to exposures subject to ((WAC 402-24-035)) subsection (2) of this section except that the references in WAC ((402-24-030)) 246-221-040 (2)(b) and (3) to Appendix A, Table I, Column 1 shall be deemed to be referenced to Appendix A, Table II, Column 1.

Note: \*For determining the doses specified in this section, a dose from x- or gamma rays up to 10 MeV may be assumed to be equivalent to the exposure measured by a properly calibrated appropriate instrument in air at or near the body surface in the region of the highest dose rate.

#### AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-221-060 PERMISSIBLE LEVELS OF RADIATION FROM EXTERNAL SOURCES IN UNRESTRICTED AREAS.\*

Note: \*It is the intent of this section to limit radiation levels so that it is unlikely that individuals in unrestricted areas would receive a dose to the whole body in excess of 0.5 rem in any calendar year. If in specific instances, it is determined by the department that this intent is not met, the department may, pursuant to WAC ((402-12-170)) 246-220-100, impose such additional requirements on the licensee or registrant as may be necessary to meet the intent.

(1) Except as authorized by the department pursuant to subsection (2) of this section, no licensee or registrant shall possess, use, or transfer sources of radiation in such a manner as to create in any unrestricted area from such sources of radiation in that person's possession:

(a) Radiation levels which, if an individual were continuously present in the area, could result in the individual's receiving a dose in excess of two millirems in any one hour; or

(b) Radiation levels which, if an individual were continuously present in the area, could result in the individual's receiving a dose in excess of one hundred millirems in any seven consecutive days.

(2) Any person may apply to the department for proposed limits upon levels of radiation in unrestricted areas in excess of those specified in subsection (1) of this section resulting from the applicant's possession or use of sources of radiation. Such applications should include information as to anticipated average radiation levels and anticipated occupancy times for each unrestricted area involved. The department may approve the proposed limits if the applicant demonstrates to the satisfaction of the department that the proposed limits are not likely to cause any individual to receive a dose to the whole body in any period of one calendar year in excess of 0.5 rem and that the proposed limits are consistent with WAC ((402-10-010)) 246-220-007.

(3) In addition to other requirements of this part, licensees engaged in uranium fuel cycle operations subject to the provisions of 40 CFR Part 190, "Environmental Radiation Protection Standards for Nuclear Power Operation," shall comply with that part.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-221-070 CONCENTRATION IN EFFLUENTS RELEASED TO UNRESTRICTED AREAS. (1) A licensee shall not possess, use, or transfer licensed material so as to release to an unrestricted area radioactive material in concentrations which exceed the limits specified in WAC ((402-24-220)) 246-221-290, Appendix A, Table II, except as authorized pursuant to subsection (2) of this section. For purposes of this section concentrations may be averaged over a period not greater than one calendar year.

(2) An application for a license or amendment may include proposed limits higher than those specified in subsection (1) of this section. The department will approve the proposed limits if the applicant demonstrates:

(a) That the applicant has made a reasonable effort to minimize the radioactivity contained in effluents released to unrestricted areas; and

(b) That it is not likely that radioactive material discharged in the effluent would result in the exposure of an individual to concentrations of radioactive material in air or water exceeding the limits specified in WAC ((402-24-220)) 246-221-290, Appendix A, Table II.

(3) An application for higher limits pursuant to subsection (2) of this section shall include information demonstrating that the applicant has made a reasonable effort to minimize the radioactivity discharged in effluents to unrestricted areas, and shall include, as pertinent:

(a) Information as to flow rates, total volume of effluent, peak concentration of each radionuclide in the effluent, and concentration of each radionuclide in the effluent averaged over a period of one calendar year at the point where the effluent leaves a stack, tube, pipe, or similar conduit;

(b) A description of the properties of the effluents, including:

- (i) Chemical composition,
- (ii) Physical characteristics, including suspended solids content in liquid effluents, and nature of gas or aerosol for air effluents,
- (iii) The hydrogen ion concentrations (pH) of liquid effluents, and
- (iv) The size range of particulates in effluents released into air;

(c) A description of the anticipated human occupancy in the unrestricted area where the highest concentration of radioactive material from the effluent is expected, and, in the case of a river or stream, a description of water uses downstream from the point of release of the effluent;

(d) Information as to the highest concentration of each radionuclide in an unrestricted area, including anticipated concentrations averaged over a period of one calendar year:

- (i) In air at any point of human occupancy, or
- (ii) In water at points of use downstream from the point of release of the effluent;

(e) The background concentration of radionuclides in the receiving river or stream prior to the release of liquid effluent;

(f) A description of the environmental monitoring equipment, including sensitivity of the system, and procedures and calculations to determine concentrations of radionuclides in the unrestricted area and possible reconcentrations of radionuclides; and

(g) A description of the waste treatment facilities and procedures used to reduce the concentration of radionuclides in effluents prior to their release.

(4) For the purposes of this section, the concentration limits in WAC ((402-24-220)) 246-221-290, Appendix A, Table II of this part shall apply at the boundary of the restricted area. The concentration of radioactive material discharged through a stack, pipe or similar conduit may be determined with respect to the point where the material leaves the conduit. If the conduit discharges within the restricted

area, the concentration at the boundary may be determined by applying appropriate factors for dilution, dispersion, or decay between the point of discharge and the boundary.

(5) In addition to limiting concentrations in effluent streams, the department may limit quantities of radioactive material released in air or water during a specified period of time if it appears that the daily intake of radioactive material from air, water, or food by a suitable sample of an exposed population group, averaged over a period not exceeding one calendar year, would otherwise exceed the daily intake resulting from continuous exposure to air or water containing one-third the concentration of radioactive material specified in WAC ((402-24-220)) 246-221-290, Appendix A, Table II.

(6) In addition to the limits set in ((WAC 402-24-050)) subsection (1) of this section all radioactive emissions to the atmosphere must meet the requirements of chapter ((402-80)) 246-247 WAC.

(7) The provisions of this section do not apply to disposal of radioactive material into sanitary sewerage systems, which is governed by WAC ((402-24-140)) 246-221-190.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-221-080 LEAK TESTS. (1) Each sealed radioactive source possessed under the provisions of a specific license, other than hydrogen-3 (tritium), with a half-life greater than thirty days and in any form other than gas, shall be tested and results obtained for leakage and/or contamination prior to initial use and at six-month intervals or as specified by the license. If there is reason to suspect that a sealed source might have been damaged, it shall be tested for leakage and results obtained before further use.

(2) Leak tests shall be capable of detecting the presence of 0.005 microcurie of removable contamination. The results of leak tests made pursuant to ((WAC 402-24-060)) subsection (1) of this section shall be recorded in units of microcuries and shall be maintained for inspection by the department. Any test conducted pursuant to subsection (1) which reveals the presence of 0.005 microcurie or more of removable contamination shall be considered evidence that the sealed source is leaking. The licensee shall immediately withdraw the source from use and shall cause it to be decontaminated and repaired or to be disposed in accordance with WAC ((402-19-400)) 246-232-080. If a sealed source shows evidence of leaking, a report shall be filed with the department within five days of the test, describing the equipment involved, the test results, and the corrective action taken. Where sealed sources are permanently mounted in devices or equipment, tests for contamination and leakage may be made by wiping appropriate accessible surfaces and measuring these wipes for transferred contamination.

(3) Leak tests are required for sealed radioactive sources that are greater than 100 microcuries for beta and gamma emitters and greater than 10 microcuries for alpha emitters.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-221-110 SURVEYS. Each licensee or registrant shall make or cause to be made such surveys, as defined in WAC ((402-12-050)) 246-220-010, as may be necessary for the licensee or registrant to establish compliance with these regulations and are reasonable under the circumstances to evaluate the extent of radiation hazards that may be present. Records of such surveys shall be preserved as specified in WAC ((402-24-170)) 246-221-230. Information on performing surveys may be found in the United States Nuclear Regulatory Commission's Regulatory Guide 8.23.

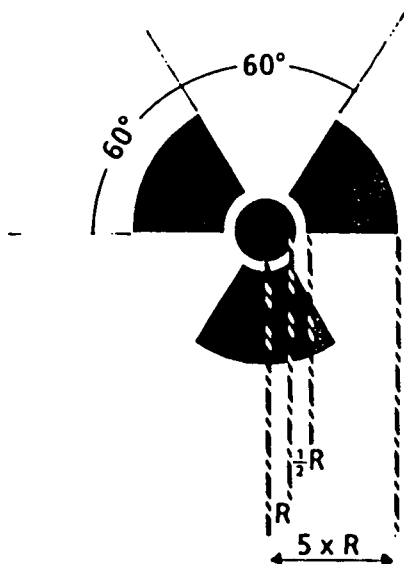
**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-221-120 CAUTION SIGNS, LABELS, AND SIGNALS. (1) General.

(a) Except as otherwise authorized by the department, symbols prescribed by this section shall use the conventional radiation caution colors (magenta or purple on yellow background). The symbol prescribed by this section is the conventional three-blade design: Radiation symbol

- (i) Cross-hatch area is to be magenta or purple.
- (ii) Background is to be yellow.





(b) The conventional radiation symbol as described in (a) of this subsection shall be used only for:

(i) Instructing individuals to be cognizant of a potential radiation hazard as prescribed in (c) through (j) of this subsection.

(ii) Indicating that information presented pertains to the topic of radiation.

(c) In addition to the contents of signs and labels prescribed in this section, a licensee or registrant may provide on or near such signs and labels any additional information which may be appropriate in aiding individuals to minimize exposure to radiation.

(d) Each radiation area and entrance thereto shall be conspicuously posted with a sign or signs bearing the radiation caution symbol and the words: CAUTION\* - RADIATION AREA. However, in an exceptionally large room where other activities of a nonradiological nature are conducted the entrance need not be posted provided a conspicuous barricade with an appropriate number of signs is established to delineate the radiation area.

Note: \*The word "DANGER" may be substituted for "CAUTION" on signs required by (d) through (h) of this subsection.

(e) High radiation areas.

(i) Each high radiation area and all entrances thereto shall be conspicuously posted with a sign or signs bearing the radiation caution symbol and the words: CAUTION\* - HIGH RADIATION AREA.

(ii) Each entrance or access point to a high radiation area shall be:

(A) Equipped with a control device which shall cause the level of radiation to be reduced below that at which an individual might receive a dose of one hundred millirems in one hour upon entry into the area; or

(B) Equipped with a control device which shall energize a conspicuous visible or audible alarm signal in such a manner that the individual entering the high radiation area and the licensee or a supervisor of the activity are made aware of the entry; or

(C) Maintained locked except during periods when access to the area is required, with positive control over each individual entry.

(iii) The controls required by (e)(ii) of this subsection shall be established in such a way that no individual will be prevented from leaving a high radiation area.

(iv) In the case of a high radiation area established for a period of thirty days or less, direct surveillance to prevent unauthorized entry may be substituted for the controls required by (e)(ii) of this subsection. Direct surveillance requires the continuous physical presence of an individual capable of taking all necessary precautions to prevent unwarranted exposure of individuals.

(v) Any licensee or registrant may apply to the department for approval of methods not included in (e)(ii) and (iv) of this subsection for controlling access to high radiation areas. The department will approve the proposed alternatives if the licensee or registrant demonstrates that the alternative methods of control will prevent unauthorized entry into a high radiation area, and that the requirement of (e)(ii) of this subsection is met.

(vi) Very high radiation areas:

(A) Each area in which there may exist radiation levels in excess of five hundred rems in one hour at one meter from a sealed radioactive source<sup>7</sup> that is used to irradiate materials shall:

(I) Have each entrance or access point equipped with entry control devices which shall function automatically to prevent any individual from inadvertently entering the area when such radiation levels exist; permit deliberate entry into the area only after a control device is actuated that shall cause the radiation level within the area, from the sealed source, to be reduced below that at which it would be impossible for an individual to receive a dose in excess of one hundred mrem in one hour; and prevent operation of the source if the source would produce radiation levels in the area that could result in a dose to an individual in excess of one hundred mrem in one hour. The entry control devices required by (e)(vi)(A) of this subsection shall be established in such a way that no individual will be prevented from leaving the area.

(II) Be equipped with additional control devices such that upon failure of the entry control devices to function as required by (e)(vi)(A)(I) of this subsection the radiation level within the area, from the sealed source, shall be reduced below that at which it would be possible for an individual to receive a dose in excess of one hundred mrem in one hour; and visible and audible alarm signals shall be generated to make an individual attempting to enter the area aware of the hazard and the licensee or at least one other individual who is familiar with the activity and prepared to render or summon assistance, aware of such failure of the entry control devices;

(III) Be equipped with control devices such that upon failure or removal of physical radiation barriers other than the source's shielded storage container the radiation level from the source shall be reduced below that at which it would be possible for an individual to receive a dose in excess of one hundred mrem in one hour; and visible and audible alarm signals shall be generated to make potentially affected individuals aware of the hazard and the licensee or at least one other individual, who is familiar with the activity and prepared to render or summon assistance, aware of the failure or removal of the physical barrier. When the shield for the stored source is a liquid, means shall be provided to monitor the integrity of the shield and to signal, automatically, loss of adequate shielding. Physical radiation barriers that comprise permanent structural components, such as walls, that have no credible probability of failure or removal in ordinary circumstances need not meet the requirements of (e)(vi)(A)(III) of this subsection;

(IV) Be equipped with devices that will automatically generate visible and audible alarm signals to alert personnel in the area before the source can be put into operation and in sufficient time for any individual in the area to operate a clearly identified control device which shall be installed in the area and which can prevent the source from being put into operation;

(V) Be controlled by use of such administrative procedure and such devices as are necessary to assure that the area is cleared of personnel prior to each use of the source preceding which use it might have been possible for an individual to have entered the area;

(VI) Be checked by a physical radiation measurement to assure that prior to the first individual's entry into the area after any use of the source, the radiation level from the source in the area is below that at which it would be possible for an individual to receive a dose in excess of one hundred mrem in one hour;

(VII) Have entry control devices required in (e)(vi)(A)(I) of this subsection which have been tested for proper functioning prior to initial operation with such source of radiation on any day that operations are not uninterrupted from the previous day or before resuming operations after any unintended interruption, and for which records are kept of the dates, times, and results of such tests of function. No operations other than those necessary to place the source in safe condition or to effect repairs on controls shall be conducted with such source unless control devices are functioning properly. The licensee shall submit an acceptable schedule for more complete periodic tests of the entry control and warning systems to be established and adhered to as a condition of the license;

(VIII) Have those entry and exit portals that are used in transporting materials to and from the irradiation area, and that are not intended for use by individuals, controlled by such devices and administrative procedures as are necessary to physically protect and warn against inadvertent entry by any individual through such portals. Exit portals for processed materials shall be equipped to detect and signal the presence of loose radiation sources that are carried toward such an exit and to automatically prevent such loose sources from being carried out of the area.

(B) Licensees with, or applicants for, licenses for radiation sources that are within the purview of (e)(vi)(A) of this subsection, and that must be used in a variety of positions or in peculiar locations, such as open fields or forests, that make it impracticable to comply with certain requirements of (e)(vi)(A) of this subsection, such as those for the automatic control of radiation levels, may apply to the department for approval, prior to use of safety measures that are alternative to those specified in (e)(vi)(C) of this subsection, and that will provide at least an equivalent degree of personnel protection in the use of such sources. At least one of the alternative measures must include an entry-preventing interlock control based on a physical measurement of radiation that assures the absence of high radiation levels before an individual can gain access to an area where such sources are used.

(f) Airborne radioactivity areas. Each airborne radioactivity area shall be conspicuously posted with a sign or signs bearing the radiation caution symbol and the words: CAUTION\* - AIRBORNE RADIOACTIVITY AREA.

(g) Additional requirements.

(i) Each area or room in which any radioactive material, other than natural uranium or thorium, is used or stored in an amount exceeding 10 times the quantity of radioactive material specified in Appendix B of this part shall be conspicuously posted with a sign or signs bearing the radiation caution symbol and the words: CAUTION\* - RADIOACTIVE MATERIAL.

(ii) Each area or room in which natural uranium or thorium is used or stored in an amount exceeding one hundred times the quantity specified in Appendix B of this part shall be conspicuously posted with a sign or signs bearing the radiation caution symbol and the words: CAUTION\* - RADIOACTIVE MATERIAL.

(h) Containers and articles.

(i) Except as provided in this section, each container of radioactive material shall bear a durable, clearly visible label identifying the radioactive contents.

(ii) A label required pursuant to (h)(i) of this subsection shall bear the radiation caution symbol and the words: CAUTION\* - RADIOACTIVE MATERIAL. It shall also provide sufficient information to permit individuals handling or using the containers, or working in the vicinity thereof, to take precautions to avoid or minimize exposures.

As appropriate, the information will include radiation levels, kinds of material, estimate of activity, date for which activity is estimated.

(i) Where containers are used for storage, the labels required in this subdivision shall state also the quantities and kinds of radioactive materials in the containers and the date of measurement of the quantities.

(j) All radiation machines shall be labeled in a manner which cautions individuals that radiation is produced when the machine is being operated.

(2) Notwithstanding the provisions of subsection (1)(h), (i) of this section labeling is not required:

(a) For laboratory containers, such as beakers, flasks, and test tubes, used transiently in laboratory procedures when the person using such containers is present. For such containers a label identifying the radioactive contents is not required.

(b) For containers that do not contain radioactive material in quantities greater than the applicable quantities listed in WAC ((402-24-230)) 246-221-300, Appendix B.

(c) For containers containing only natural uranium or thorium in quantities no greater than ten times the applicable quantities listed in WAC ((402-24-230)) 246-221-300, Appendix B.

(d) For containers that do not contain radioactive material in concentrations greater than the applicable concentrations listed in WAC ((402-24-220)) 246-221-290, Column 2, Table I, Appendix A.

(e) For containers when they are attended by an individual who takes the precautions necessary to prevent the exposure of any individual to radiation or radioactive material in excess of the limits established by the regulations in this part;

(f) For containers when they are in transport and packaged and labeled in accordance with regulations published by the United States Department of Transportation;

(g) For containers which are accessible only to individuals authorized to handle or use them\* or to work in the vicinity thereof, provided that the contents are identified to such individuals by a readily available written record;

Note: \*For example, containers in locations such as water-filled canals, storage vaults, or hot cells.

(h) For manufacturing and process equipment such as piping and tanks.

(3) Each licensee, prior to disposal of an empty container which previously held radioactive material shall properly survey for contamination and remove or deface the radioactive material label or otherwise clearly indicate that the container no longer contains radioactive materials.

<sup>7</sup>This paragraph does not apply to radioactive sources that are used in teletherapy, in radiography, or in completely self-shielded irradiators in which the source is both stored and operated within the same shielding radiation barrier and, in the designed configuration of the irradiator, is always physically inaccessible to any individual and cannot create high levels of radiation in an area that is accessible to any individual. This paragraph also does not apply to sources from which the radiation is incidental to some other use nor to nuclear reactor generated radiation other than radiation from byproduct, source, or special nuclear materials that are used in sealed sources in nonself-shielded irradiators.

#### AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-221-130 EXCEPTIONS FROM POSTING AND LABELING REQUIREMENTS. ((Notwithstanding the provisions of WAC 402-24-090))

(1) ((Notwithstanding the requirements of WAC 402-36-140)) A room or area is not required to be posted with a caution sign because of the presence of a sealed source, provided the radiation level 30.5 centimeters from the surface of the source container or housing does not exceed five millirem per hour.

(2) Rooms or other areas in hospitals are not required to be posted with caution signs, and control of entrance or access thereto pursuant to WAC ((402-24-090)) 246-221-120 (1)(c) is not required, because of the presence of patients containing less than 30 millicuries of radioactive material ((for whom hospitalization is not otherwise required:)) provided that there are personnel in attendance who will take the precautions necessary to prevent the exposure of any individual to radiation or radioactive material in excess of the limits established in the regulations in this chapter.

(3) Caution signs are not required to be posted in areas or rooms containing radioactive material for periods of less than eight hours provided that:

(a) The material is constantly attended during such periods by an individual who shall take the precautions necessary to prevent the exposure of any individual to radiation or radioactive material in excess of the limits established in this part; and

(b) Such area or room is subject to the licensee's or registrant's control.

(4) A room or other area is not required to be posted with a caution sign, and control is not required for each entrance or access point to a room or other area which is used solely for the storage of radioactive material prepared for transport and packaged and labeled in accordance with regulations of the United States Department of Transportation.

(5) Rooms with x-ray equipment may not be required to be posted with caution signs provided that access is controlled.

(6) The interior of a teletherapy room is not required to be posted with caution signs provided such posting is conspicuously placed at the entrance(s) to the rooms.

#### AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-221-140 INSTRUCTION OF PERSONNEL. Instructions required for individuals working in or frequenting any portion of a restricted area are specified in WAC ((402-48-020, 402-48-030, and 402-48-040)) 246-222-020, 246-222-030, and 246-222-040.

#### AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-221-160 PROCEDURES FOR PICKING UP, RECEIVING, AND OPENING PACKAGES. (1)(a) Each licensee or registrant who expects to receive a package containing quantities of radioactive material in excess of the Type A<sub>1</sub> or A<sub>2</sub> quantities specified in WAC ((402-12-200)) 246-220-110 shall:

(i) If the package is to be delivered to the licensee's or registrant's facility by the carrier, make arrangements to receive the package when it is offered for delivery by the carrier; or

(ii) If the package is to be picked up by the licensee or registrant at the carrier's terminal, make arrangements to receive immediate notification from the carrier of the arrival of the package.



(b) Each licensee or registrant who picks up a package of radioactive material from a carrier's terminal shall pick up the package expeditiously upon receipt of notification from the carrier of its arrival.

(2)(a) Each licensee or registrant, upon receipt of a package of radioactive material, shall monitor the external surfaces of the package for radioactive contamination caused by leakage of the radioactive contents, except:

(i) Packages containing less than one hundred times the quantity of nuclide(s) specified in WAC ((402-19-550)) 246-232-120, Schedule B;

(ii) Packages containing no more than 10 millicuries of radioactive material consisting solely of tritium, carbon-14, sulfur-35, or iodine-125;

(iii) Packages containing only radioactive material as gases or in special form;

(iv) Packages containing only radioactive material in other than liquid form (including Mo-99/Tc-99m generators) and not exceeding the Type A<sub>1</sub> or A<sub>2</sub> quantity limit specified in WAC ((402-12-200)) 246-220-110; and

(v) Packages containing only radionuclides with half-lives of less than 30 days and a total quantity of no more than 100 millicuries.

The monitoring shall be performed as soon as practicable after receipt, but no later than three hours after the package is received at the licensee's facility if received during the licensee's normal working hours, or no later than three hours from the beginning of the next working day if received after normal working hours.

(b) If removable radioactive contamination in excess of 0.01 microcurie (22,200 transformations per minute) per one hundred square centimeters of package surface is found on the external surfaces of the package, the licensee shall immediately notify by telephone, telegraph, mailgram or facsimile, the final delivering carrier, shipper and the department.

(3)(a) Each licensee or registrant, upon receipt of a package containing quantities of radioactive material in excess of the Type A<sub>1</sub> or A<sub>2</sub> quantities specified in WAC ((402-24-125(2))) 246-220-110, other than those transported by exclusive use vehicle, shall monitor the radiation levels external to the package. The package shall be monitored as soon as practicable after receipt, but no later than three hours after the package is received at the licensee's facility if received during the licensee's normal working hours, and no later than three hours from the beginning of the next working day if received after normal working hours.

(b) If radiation levels are found on the external surface of the package in excess of two hundred millirem per hour, or at one meter from the external surface of the package in excess of ten millirem per hour, the licensee or registrant shall immediately notify, by telephone, telegraph, mailgram or facsimile, the shipper, the final delivering carrier and the department.

(4) Each licensee or registrant shall establish and maintain procedures for safely opening packages in which radioactive material is received, and shall assure that such procedures are followed and that due consideration is given to instructions for the type of package being opened and the monitoring of potentially contaminated packaging material (including packages containing radioactive material in gaseous form) to assure that only background levels of radiation are present prior to disposal of such material as nonradioactive waste. In addition, this shall include a wipe sample of the outside of any inner package which contains a liquid or dispersible radionuclide (radioactive wastes shall be exempted). Copies of such written procedures shall be retained for inspection by the department.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-221-170 WASTE DISPOSAL, GENERAL REQUIREMENT. No licensee shall dispose of any radioactive material except:

(1) By transfer to an authorized recipient as provided in WAC ((402-19-400)) 246-232-080, or

(2) As authorized pursuant to WAC ((402-24-050, 402-24-135, 402-24-140, or 402-24-150)) 246-221-070, 246-221-180, 246-221-190, or 246-221-200.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-221-190 DISPOSAL BY RELEASE INTO SANITARY SEWERAGE SYSTEMS. No licensee shall discharge radioactive material into a sanitary sewerage system unless:

(1) It is readily soluble or dispersible in water;

(2) The quantity of any radioactive material released into the system by the licensee in any one day does not exceed the larger of:

(a) The quantity which, if diluted by the average daily quantity of sewage released into the sewer by the licensee, will result in an average concentration not greater than the limits specified in WAC ((402-24-220)) 246-221-290, Appendix A, Table I, Column 2; or

(b) Ten times the quantity of such material specified in WAC ((402-24-230)) 246-221-300, Appendix B of this part;

(3) The quantity of any radioactive material released in any one month, if diluted by the average monthly quantity of water released by the licensee, will not result in an average concentration exceeding the limits specified in WAC ((402-24-220)) 246-221-290, Appendix A, Table I, Column 2; and

(4) The gross quantity of all radioactive material except hydrogen-3 and carbon-14 released into the sewerage system by the licensee does not exceed one curie (1Ci) per year. The amount released into the sewerage system for hydrogen-3 shall not exceed 5 curies per year and for carbon-14 shall not exceed 1 curie per year.

Excreta from individuals undergoing medical diagnosis or therapy with radioactive material shall be exempt from any limitations contained in this section: PROVIDED, That the licensee provides for appropriate radiological monitoring whenever any waste line in the licensee's installation which may carry such excreta is opened.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-221-200 DISPOSAL BY BURIAL IN SOIL. No licensee shall dispose of radioactive material by burial in soil except as specifically approved by the department pursuant to WAC ((402-24-135)) 246-221-180.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-221-210 DISPOSAL BY INCINERATION. No licensee shall incinerate radioactive material for the purpose of disposal or preparation for disposal except as specifically approved by the department pursuant to WAC ((402-24-050 and 402-24-135)) 246-221-070 and 246-221-180.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-221-220 DISPOSAL OF SPECIFIC WASTES. Any licensee may dispose of the following licensed material without regard to its radioactivity:

(1) 0.05 microcuries or less of hydrogen-3 or carbon-14, per gram of medium, used for liquid scintillation counting; and

(2) 0.05 microcuries or less of hydrogen-3 or carbon-14, per gram of animal tissue averaged over the weight of the entire animal: PROVIDED HOWEVER, Tissue may not be disposed under this section in a manner that would permit its use either as food for humans or as animal feed; and

(3) Nothing in this section, however, relieves the licensee of maintaining records showing the receipt, transfer and disposal of such by-product material as specified in WAC ((402-12-080)) 246-220-020; and

(4) Nothing in this section relieves the licensee from complying with other applicable federal, state and local regulations governing any other toxic or hazardous property of these materials.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-221-230 RECORDS OF SURVEYS, RADIATION MONITORING, AND DISPOSAL. (1) Each licensee or registrant shall maintain records showing the radiation exposures of all individuals for whom personnel monitoring is required under WAC ((402-24-070)) 246-221-090. Such records shall be kept on state of Washington current occupational external radiation exposure (Form RHF-5), in accordance with the instructions contained in that form, or on clear

and legible records containing all the information required by Form RHF-5. The doses entered on the forms or records shall be for periods of time not exceeding one calendar quarter.

(2) Each licensee or registrant shall maintain records in the same units used in this part, showing the results of surveys required by WAC ((~~402-24-085~~)) 246-221-110 monitoring required by WAC ((~~402-24-125~~)) 246-221-160, and disposals made under WAC ((~~402-24-135 through 402-24-165~~)) 246-221-180, 246-221-190, 246-221-200, 246-221-210, and 246-221-220.

(3)(a) Records of individual exposure to radiation and to radioactive material which must be maintained pursuant to the provisions of subsection (1) of this section and records of bioassays, including results of whole body counting examinations made pursuant to WAC ((~~402-24-080~~)) 246-221-100, shall be preserved indefinitely or until the department authorizes their disposal.

(b) Records of the results of surveys and monitoring which must be maintained pursuant to subsection (2) of this section shall be preserved for two years after completion of the survey except that the following records shall be maintained until the department authorizes their disposition:

(i) Records of the results of surveys to determine compliance with WAC ((~~402-24-030~~)) 246-221-040;

(ii) In the absence of personnel monitoring data, records of the results of surveys to determine external radiation dose;

(iii) Records of the results of surveys used to evaluate the release of radioactive effluents to the environment.

(4) Records of disposal of licensed material made pursuant to WAC ((~~402-24-135, 402-24-140, 402-24-150, 402-24-160, or 402-24-165~~)) 246-221-180, 246-221-190, 246-221-200, 246-221-210, or 246-221-220 shall be maintained until the department authorizes their disposition.

(5) Records which must be maintained pursuant to this part may be the original or a reproduced copy or microform if such reproduced copy or microform is duly authenticated by authorized personnel and the microform is capable of producing a clear and legible copy after storage for the period specified by department regulations.

(6) If there is a conflict between the department's regulations in this part, license condition, or other written department approval or authorization pertaining to the retention period for the same type of record, the retention period specified in the regulations in this part for such records shall apply unless the department, pursuant to WAC ((~~402-12-125~~)) 246-220-050, has granted a specific exemption from the record retention requirements specified in the regulations in this part.

(7) The discontinuance or curtailment of activities does not relieve the licensee or registrant of responsibility for retaining all records required by this section. A licensee or registrant may, however, request the department to accept such records. The acceptance of the records by the department relieves the licensee or registrant of subsequent responsibility only in respect to their preservation as required in this section.

#### AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-221-240 **REPORTS OF THEFT OR LOSS OF RADIATION SOURCES.** Each licensee and/or registrant shall report immediately by telephone, 206/682-5327 and confirm promptly by letter to the State Department of ((~~Social and~~)) Health ((~~Services~~)), ((~~Office~~)) Division of Radiation Protection, Mailstop LE-13, Olympia, Washington 98504, the actual or attempted theft or loss as soon as such theft or loss becomes known to the licensee and/or registrant of:

(1) Any radiation-producing machine; or

(2) Any quantity of radioactive material in excess of a quantity exempted under WAC ((~~402-24-230~~)) 246-221-300, Appendix B, or any item not exempted in chapter ((~~402-19~~)) 246-232 WAC.

#### AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-221-250 **NOTIFICATION OF INCIDENTS.** (1) Immediate notification. Each licensee and/or registrant shall immediately notify the State Department of ((~~Social and~~)) Health ((~~Services~~)), ((~~Office~~)) Division of Radiation Protection, Mailstop LE-13, Olympia, Washington 98504, by telephone 206/682-5327 and confirming letter of any incident involving any radiation source which may have caused or threatens to cause:

(a) A dose to the whole body of any individual, or any dosimetry device assigned to any individual, of twenty-five rems or more of radiation; a dose to the skin of the whole body of any individual or any dosimetry device assigned to any individual of one hundred fifty rems or more of radiation; or a dose to the feet, ankles, hands, or forearms of any individual, or any dosimetry device assigned to any individual, of three hundred seventy-five rems or more of radiation; or

(b) The release of radioactive material in concentrations which, if averaged over a period of twenty-four hours, would exceed five thousand times the limits specified for such materials in WAC ((~~402-24-220~~)) 246-221-290, Appendix A, Table II.

(2) Twenty-four hour notification. Each licensee and/or registrant shall within twenty-four hours notify the State Department of ((~~Social and~~)) Health ((~~Services~~)), Division of Radiation Protection, Mailstop LE-13, Olympia, Washington 98504, by telephone 206/682-5327 and confirming letter of any incident involving any radiation source possessed which may have caused or threatens to cause:

(a) A dose to the whole body of any individual, or any dosimetry device assigned to any individual, of five rems or more of radiation; a dose to the skin of the whole body of any individual or any dosimetry device assigned to any individual of thirty rems or more of radiation; or a dose to the feet, ankles, hands, or forearms or any dosimetry device assigned to any individual, of seventy-five rems or more of radiation; or

(b) The release of radioactive material in concentrations which, if averaged over a period of twenty-four hours, would exceed five hundred times the limits specified for such materials in WAC ((~~402-24-220~~)) 246-221-290, Appendix A, Table II ((~~or~~

~~(c) Exposure of any individual or personnel monitoring device(s) to quantities of radiation in excess of limits specified by WAC 402-24-020(+)).~~

(3) For each occurrence, requiring notification pursuant to this section, a prompt investigation of the situation shall be initiated by the licensee/registrant. A written report of the findings of the investigation shall be sent to the department within thirty days.

Any report filed with the department pursuant to this section shall be prepared in the manner described in WAC ((~~402-24-200~~)) 246-221-260(2). Telephone notifications that do not involve immediate or twenty-four hour notification shall not be made to the emergency number (Seattle 206/682-5327). Routine calls should be made to the Olympia office (206/753-3468).

#### AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-221-260 **REPORTS OF OVEREXPOSURES AND EXCESSIVE LEVELS AND CONCENTRATIONS.** (1) In addition to any notification required by WAC ((~~402-24-190~~)) 246-221-250, each licensee or registrant shall make a report in writing within 30 days to the department of each exposure of an individual to radiation level or concentrations of radioactive material in excess of any applicable limit as set forth in this part or as otherwise approved by the department.

(2) Each report required by ((~~WAC 402-24-200~~)) subsection (1) of this section shall describe:

(a) The extent of exposure of individuals to radiation or to radioactive material, including estimates of each individual's dose as required by ((~~WAC 402-24-200~~)) subsection (3) of this section;

(b) Levels of radiation and concentrations of radioactive material involved;

(c) The cause of exposure, levels or concentrations; and

(d) Corrective steps taken or planned to assure against a recurrence.

(3) Any report filed with the department pursuant to this section shall include for each individual exposed the name, social security number, and date of birth, and an estimate of the individual's dose. The report shall be prepared so that this information is stated in a separate part of the report.

(4) Individuals shall be notified of reports in accordance with the requirements of WAC ((~~402-48-040~~)) 246-222-040.

(5) In addition to any notification required by WAC ((~~402-24-190~~)) 246-221-250, each licensee shall make a report in writing within 30 days to the department of levels of radiation or releases of radioactive material in excess of limits specified by 40 CFR Part 190, "Environmental radiation protection standards for nuclear power operations," or in excess of license conditions related to compliance with 40

CFR Part 190. Each report required under this paragraph shall describe the extent of exposure of individuals to radiation or to radioactive material; levels of radiation and concentrations of radioactive material involved; the cause of the exposure, levels of concentrations; and corrective steps taken or planned to assure against a recurrence.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-221-280 NOTIFICATIONS AND REPORTS TO INDIVIDUALS. (1) Requirements for notification and reports to individuals of exposure to radiation or radioactive material are specified in WAC ((402-48-040)) 246-222-040.

(2) When a licensee or registrant is required pursuant to WAC ((402-24-200)) 246-221-260 to report to the department any exposure of an individual or dosimetry device assigned to any individual to radiation from any source, the licensee or registrant shall also notify the individual. Such notice shall be transmitted at a time not later than the transmittal to the department, and shall comply with the provisions of WAC ((402-48-040)) 246-222-040(1).

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-221-300 APPENDIX B—QUANTITIES EXEMPT FROM LABELING.

Material	Microcuries
Americium-241	0.01
Antimony-122	100
Antimony-124	10
Antimony-125	10
Arsenic-73	100
Arsenic-74	10
Arsenic-76	10
Arsenic-77	100
Barium-133	10
Barium-140	10
Bismuth-210	1
Bromine-82	10
Cadmium-109	10
Cadmium-115m	10
Cadmium-115	100
Calcium-45	10
Calcium-47	10
Carbon-14	100
Cerium-141	100
Cerium-143	100
Cerium-144	1
Cesium-131	1,000
Cesium-134m	100
Cesium-134	1
Cesium-135	10
Cesium-136	10
Cesium-137	10
Chlorine-36	10
Chlorine-38	10
Chromium-51	1,000
Cobalt-58m	10
Cobalt-58	10
Cobalt-60	1
Copper-64	100
Dysprosium-165	10
Dysprosium-166	100
Erbium-169	100
Erbium-171	100
Europium-152 (9.2 h)	100
Europium-152 (13 yr)	1
Europium-154	1
Europium-155	10
Fluorine-18	1,000
Gadolinium-153	10
Gadolinium-159	100
Gallium-72	10
Germanium-71	100
Gold-198	100
Gold-199	100

Material	Microcuries
Hafnium-181	10
Holmium-166	100
Hydrogen-3	1,000
Indium-113m	100
Indium-114m	10
Indium-115m	100
Indium-115	10
Iodine-125	1
Iodine-126	1
Iodine-129	0.1
Iodine-131	1
Iodine-132	10
Iodine-133	1
Iodine-134	10
Iodine-135	10
Iridium-192	10
Iridium-194	100
Iron-55	100
Iron-59	10
Krypton-85	100
Krypton-87	10
Lanthanum-140	10
Lutetium-177	100
Manganese-52	10
Manganese-54	10
Manganese-56	10
Mercury-197m	100
Mercury-197	100
Mercury-203	10
Molybdenum-99	100
Neodymium-147	100
Neodymium-149	100
Nickel-59	100
Nickel-63	10
Nickel-65	100
Niobium-93m	10
Niobium-95	10
Niobium-97	10
Osmium-185	10
Osmium-191m	100
Osmium-191	100
Osmium-193	100
Palladium-103	100
Palladium-109	100
Phosphorus-32	10
Platinum-191	100
Platinum-193m	100
Platinum-193	100
Platinum-197m	100
Platinum-197	100
Plutonium-239	0.01
Polonium-210	0.1
Potassium-42	10
Praseodymium-142	100
Praseodymium-143	100
Promethium-147	10
Promethium-149	10
Radium-226	0.01
Rhenium-186	100
Rhenium-188	100
Rhodium-103m	100
Rhodium-105	100
Rubidium-86	10
Rubidium-87	10
Ruthenium-97	100
Ruthenium-103	10
Ruthenium-105	10
Ruthenium-106	1
Samarium-151	10
Samarium-153	100
Scandium-46	10
Scandium-47	100
Scandium-48	10
Selenium-75	10
Silicon-31	100

Material	Microcuries
Silver-105	10
Silver-110m	1
Silver-111	100
Sodium-22	10
Sodium-24	10
Strontium-85	10
Strontium-89	1
Strontium-90	0.1
Strontium-91	10
Strontium-92	10
Sulphur-35	100
Tantalum-182	10
Technetium-96	10
Technetium-97m	100
Technetium-97	100
Technetium-99m	100
Technetium-99	10
Tellurium-125m	10
Tellurium-127m	10
Tellurium-127	100
Tellurium-129m	10
Tellurium-129	100
Tellurium-131m	10
Tellurium-132	10
Terbium-160	10
Thallium-200	100
Thallium-201	100
Thallium-202	100
Thallium-204	10
Thorium (natural) <sup>1</sup>	100
Thulium-170	10
Thulium-171	10
Tin-113	10
Tin-125	10
Tungsten-181	10
Tungsten-185	10
Tungsten-187	100
Uranium (natural) <sup>2</sup>	100
Uranium-233	0.01
Uranium-234 - Uranium-235	0.01
Vanadium-48	10
Xenon-131m	1,000
Xenon-133	100
Xenon-135	100
Ytterbium-169	10
Ytterbium-175	100
Yttrium-90	10
Yttrium-91	10
Yttrium-92	100
Yttrium-93	100
Zinc-65	10
Zinc-69m	100
Zinc-69	1,000
Zirconium-93	10
Zirconium-95	10
Zirconium-97	10

Notes: <sup>1</sup>Based on alpha disintegration rate of Th-232, Th-230 and their daughter products.

<sup>2</sup>Based on alpha disintegration rate of U-238, U-234, and U-235.

Material	Microcuries
Any alpha emitting radionuclide not listed above or mixtures of alpha emitters of unknown composition	0.01
Any radionuclide other than alpha emitting radionuclides, not listed above or mixtures of beta emitters of unknown composition	0.1

Note: For purposes of WAC ((402-24-090 and 402-24-140)) 246-221-120 and 246-221-190, where there is involved a combination of isotopes in known amounts, the limit for the combination should be derived as follows: Determine, for each isotope in the combination, the ratio between

the quantity present in the combination and the limit otherwise established for the specific isotope when not in combination. The sum of such ratios for all the isotopes in the combination may not exceed "1" (i.e., "unity"). Example: For purposes of WAC ((402-24-090)) 246-221-120 (1)(g), if a particular batch, room, or area contains 200 μCi of Au-198 and 500 μCi of C-14, it may also contain not more than 3 μCi of I-131 and remain unposted. This limit was determined as follows:

$$200 \mu\text{Ci Au-198}/1,000 \mu\text{Ci} + 500 \mu\text{Ci C-14}/1,000 \mu\text{Ci} + 3 \mu\text{Ci I-131}/10 \mu\text{Ci} = 1$$

The denominator in each of the above ratios was obtained by multiplying the figure in the table by 10 as provided in WAC ((402-24-090)) 246-221-120 (1)(g).

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-222-001 PURPOSE AND SCOPE. This chapter establishes requirements for notices, instructions and reports by licensees or registrants to individuals engaged in work under a license or registration and options available to such individuals in connection with department inspections of licensees or registrants to ascertain compliance with the provisions of the act and regulations, orders and licenses issued thereunder regarding radiological working conditions. The regulations in this chapter apply to all persons who receive, possess, use, own or transfer a source of radiation licensed by or registered with the department pursuant to the regulations in chapters ((402-16, 402-19, and 402-22)) 246-224, 246-232, and 246-235 WAC. The definitions contained in WAC ((402-12-050)) 246-220-010 also apply to this chapter.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-222-020 POSTING OF NOTICES TO WORKERS. (1) Each licensee or registrant shall post current copies of the following documents:

- (a) The regulations in this chapter and in chapter ((402-24)) 246-221 WAC;
- (b) The license, certificate of registration, conditions or documents incorporated into the license by reference and amendments thereto;
- (c) The operating procedures applicable to work under the license or registration;

(d) Any notice of noncompliance involving radiological working conditions, proposed imposition of civil penalty, order issued pursuant to chapter ((402-12)) 246-220 WAC, or any response from the licensee or registrant.

(2) If posting of a document specified in subsection (1)(a), (b), or (c) of this section is not practicable, the licensee or registrant may post a notice which describes the document and states where it may be examined.

(3) Each licensee or registrant shall conspicuously post pertinent emergency procedures when emergency procedures are required by the department.

(4) Properly completed department Form RHF-3 "Notice to employees," shall be posted by each licensee or registrant wherever individuals work in or frequent any portion of a restricted area.

(5) Documents, notices or forms posted pursuant to this section shall appear in a sufficient number of places to permit individuals engaged in work under the license or registration to observe them on the way to or from any particular work location to which the document applies, shall be conspicuous, and shall be replaced if defaced or altered.

(6) Department documents posted pursuant to subsection (1)(d) of this section shall be posted as specified by subsection (5) of this section within five working days after receipt of the documents from the department; the licensee's or registrant's response, if any, shall be posted for a minimum of five working days after dispatch from the licensee or registrant. Such documents shall remain posted for a minimum of five working days or until action correcting the item(s) of noncompliance has been completed, whichever is later.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-222-030 INSTRUCTIONS TO WORKERS. (1) All individuals working in or frequenting any portion of a restricted area:

- (a) Shall be kept informed of the storage, transfer, or use of sources of radiation in such portions of the restricted area;

(b) Shall be instructed in the health protection considerations associated with exposure to radiation or radioactive material, in precautions or procedures to minimize exposure, and in the purposes and functions of protective devices employed;

(c) Shall be instructed in, and instructed to observe, to the extent within the worker's control, the applicable provisions of these regulations, department form RHF-3 "Notice to employees," and license conditions for the protection of personnel from exposures to radiation or radioactive material occurring in such areas;

(d) Shall be instructed that any worker or representative of workers who believes that a violation of the regulations, license conditions, or unnecessary exposure to radiation exists or occurred, may request an inspection by the department by oral or written notification. The notification shall set forth specific grounds for the complaint. Any such notification to the department is confidential;

(e) Shall be instructed of their right to notify the department if the individual suspects improper actions by a licensee/registrant, or conditions which may lead to a violation of these regulations, the license/registration, or unnecessary exposure to radiation or radioactive materials;

(f) Shall be instructed that employment discrimination by a licensee/registrant against an employee because of actions described in this chapter is prohibited;

(g) Shall be instructed as to their responsibility to report promptly to the licensee or registrant any condition which may lead to or cause a violation of the act, these regulations, and licenses or unnecessary exposure to radiation or radioactive material;

(h) Shall be instructed in the appropriate response to warnings made in the event of any unusual occurrence or malfunction that may involve exposure to radiation or radioactive material; and

(i) Shall be advised as to the radiation exposure reports which workers shall be furnished pursuant to WAC ((402-48-040)) 246-222-040.

(2) By July 1, 1984, records of these instructions described in subsection (1) of this section, for all individuals working in, or frequenting any portion of a restricted area shall be maintained for inspection by the department until further notice. These records shall include a copy of ((WAC 402-48-030)) this section, or all the information contained in this section, along with a dated verification signature by the employee stating that the individual is satisfied with the explanation of the instructions contained in this section.

(3) The extent of these instructions shall be commensurate with potential radiological health protection considerations in the restricted area.

#### AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-222-040 NOTIFICATIONS AND REPORTS TO INDIVIDUALS. (1) Radiation exposure data for an individual and the results of any measurements, analyses, and calculations of radioactive material deposited or retained in the body of an individual shall be reported to the individual as specified in this section. The information reported shall include data and results obtained pursuant to these regulations, orders, and license conditions, as shown in records maintained by the licensee or registrant pursuant to these regulations. Each notification and report shall:

- (a) Be in writing;
- (b) Include appropriate identifying data such as the name of the licensee or registrant, the name of the individual, and the individual's Social Security number;
- (c) Include the individual's exposure information; and
- (d) Contain the following statement:

"This report is furnished to you under the provisions of the Washington state department of ((social and)) health ((services office)), division of radiation protection, rules and regulations for radiation protection. You should preserve this report for further reference."

(2) Upon request of the worker, each licensee or registrant shall advise each worker annually of the worker's current and accumulated exposure to radiation or radioactive material as shown in records maintained by the licensee or registrant pursuant to WAC ((402-24-170)) 246-221-230 (1) and (3).

(3) At the request of a worker formerly engaged in work controlled by the licensee or the registrant, each licensee or registrant shall furnish to each worker or former worker a report of the worker's exposure to radiation or radioactive material upon termination. For the purposes

of this section, termination means the end of employment with the licensee or the end of a work assignment in the licensee's restricted area(s) in a given calendar quarter without expectation, or specific scheduling, of reentry into such restricted area(s) during the remainder of that calendar quarter. Such report shall be furnished within thirty days from the time the request is made, or within thirty days after the exposure of the individual has been determined by the licensee or registrant, whichever is later; shall cover, within the period of time specified in the request, each calendar quarter in which the worker's activities involved exposure to radiation from radioactive material licensed by, or radiation machines registered with the department; and shall include the dates and locations of work under the license or registration in which the worker participated during this period.

(4) When a licensee or registrant is required pursuant to WAC ((402-24-200)) 246-221-260 to report to the department any exposure of an individual to radiation or radioactive material, the licensee or the registrant shall also provide the individual a written report on the individual's exposure data included therein. Such reports shall be transmitted at a time not later than the transmittal to the department.

(5) In addition to the requirements of subsection (3) of this section, at the request of a worker who is terminating employment in a given calendar quarter with the licensee or registrant in work involving radiation exposure, or of a worker who, while employed by another person, is terminating assignment to work involving radiation exposure in the licensee's facility in that calendar quarter, each licensee or registrant shall provide to each such worker, or to the worker's designee, at termination, a written report regarding the radiation dose received by that worker from operations of the licensee or registrant during that specifically identified calendar quarter or fraction thereof, or provide a written statement of that dose if the finally determined personnel monitoring results are not available at that time. Estimated doses shall be clearly indicated as such.

#### AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-222-050 PRESENCE OF REPRESENTATIVES OF LICENSEES OR REGISTRANTS AND WORKERS DURING INSPECTION. (1) Each licensee or registrant shall afford to the department at all reasonable times opportunity to inspect materials, machines, activities, facilities, premises, and records pursuant to these regulations.

(2) During an inspection, department inspectors may consult privately with workers as specified in WAC ((402-48-060)) 246-222-060. The licensee or registrant may accompany department inspectors during other phases of an inspection.

(3) If, at the time of inspection, an individual has been authorized by the workers to represent them during department inspections, the licensee or registrant shall notify the inspectors of such authorization and shall give the workers' representative an opportunity to accompany the inspectors during the inspection of physical working conditions.

(4) Each workers' representative shall be routinely engaged in work under control of the licensee or registrant and shall have received instructions as specified in WAC ((402-48-030)) 246-222-030.

(5) Different representatives of licensees or registrants and workers may accompany the inspectors during different phases of an inspection if there is no resulting interference with the conduct of the inspection. However, only one workers' representative at a time may accompany the inspectors.

(6) With the approval of the licensee or registrant and the workers' representative an individual who is not routinely engaged in work under control of the licensee or registrant, for example, a consultant to the licensee or registrant or to the workers' representative, shall be afforded the opportunity to accompany department inspectors during the inspection of physical working conditions.

(7) Notwithstanding the other provisions of this section, department inspectors are authorized to refuse to permit accompaniment by any individual who deliberately interferes with a fair and orderly inspection. With regard to any area containing proprietary information, the workers' representative for that area shall be an individual previously authorized by the licensee or registrant to enter that area.

#### AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-222-060 CONSULTATION WITH WORKERS DURING INSPECTIONS. (1) Department inspectors may consult privately with workers concerning matters of occupational radiation

protection and other matters related to applicable provisions of department regulations and licenses to the extent the inspectors deem necessary for the conduct of an effective and thorough inspection.

(2) During the course of an inspection any worker may bring privately to the attention of the inspectors, either orally or in writing, any past or present condition which the worker has reason to believe may have contributed to or caused any violation of the act, these regulations, or license condition, or any unnecessary exposure of an individual to radiation from licensed radioactive material or a registered radiation machine under the licensee's or registrant's control. Any such notice in writing shall comply with the requirements of WAC ~~((402-48-070))~~ 246-222-070(1).

(3) The provisions of ~~((WAC 402-48-060))~~ subsection (2) of this section shall not be interpreted as authorization to disregard instructions pursuant to WAC ~~((402-48-030))~~ 246-222-030.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-222-070 REQUESTS BY WORKERS FOR INSPECTIONS. (1) Any worker or representative of workers who believes that a violation of the act, of these regulations, or of license conditions exists or has occurred in work under a license or registration with regard to radiological working conditions in which the worker is engaged, may request an inspection by giving notice of the alleged violation to the Washington state department of ~~((social and))~~ health ~~((services, office))~~, division of radiation protection. Any such notice shall be in writing, shall set forth the specific grounds for the notice, and shall be signed by the worker or representative of the workers. A copy shall be provided to the licensee or registrant by the office of radiation protection no later than at the time of inspection except that, upon the request of the worker giving such notice, his or her name and the name of individuals referred to therein shall not appear in such copy or on any record published, released, or made available by the department, except for good cause shown.

(2) If, upon receipt of such notice, the inspector for the office of radiation protection determines that the complaint meets the requirements set forth in subsection (1) of this section, and that there are reasonable grounds to believe that the alleged violation exists or has occurred, the inspector shall cause an inspection to be made as soon as practicable, to determine if such alleged violation exists or has occurred. Inspections pursuant to this section need not be limited to matters referred to in the complaint.

(3) No licensee or registrant shall discharge or in any manner discriminate against any worker because such worker has filed any complaint or instituted or caused to be instituted any proceeding under these regulations or has testified or is about to testify in any such proceeding or because of the exercise by such worker on behalf of the worker or other workers of any option afforded by this chapter.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-222-080 INSPECTIONS NOT WARRANTED—INFORMAL REVIEW. (1) If the department of ~~((social and))~~ health ~~((services, office))~~, division of radiation protection determines, with respect to a complaint under WAC ~~((402-48-070))~~ 246-222-070 that an inspection is not warranted because there are no reasonable grounds to believe that a violation exists or has occurred, the office of radiation protection shall notify the complainant in writing of such determination.

(a) If the complaint resulted from activities concerning naturally occurring ~~((:))~~ or accelerator produced ~~((:))~~ radioactive materials and/or radiation producing machines: The complainant may obtain review of such determination by submitting a written statement of position to the Assistant Director, Division of Industrial Safety and Health, Mailstop HC-402, Olympia, Washington 98504. Such request for informal review will be processed according to the provisions of WAC 296-350-460 and the provisions of the interagency agreement between the department of labor and industries and the department of ~~((social and))~~ health ~~((services, office))~~, division of radiation protection, if any.

(b) If the complaint resulted from activities concerning byproduct material, source material, and/or special nuclear material: The complainant may obtain review of such determination by submitting a written statement of position with the Department of ~~((Social and))~~ Health ~~((Services, Health Services))~~, Division ~~((Office))~~ of Radiation

Protection, Mailstop LE-13, Olympia, Washington 98504 (206/753-3468), who will provide the licensee or registrant with a copy of such statement by certified mail, excluding, at the request of the complainant, the name of the complainant. The licensee or registrant may submit an opposing written statement of position with the department of ~~((social and))~~ health ~~((services, health services))~~, division of radiation protection, who will provide the complainant with a copy of such statement by certified mail. Upon the request of the complainant, the department of ~~((social and))~~ health ~~((services, health services division))~~ may hold an informal conference in which the complainant and the licensee or registrant may orally present their views. An informal conference may also be held at the request of the licensee or registrant, but disclosure of the identity of the complainant will be made only following receipt of written authorization from the complainant. After considering all written or oral views presented, the department of ~~((social and))~~ health ~~((services, health services division))~~ shall affirm, modify, or reverse the determination of the ~~((office))~~ division of radiation protection and furnish the complainant and the licensee or registrant a written notification of the decision and the reason therefor.

(2) If the ~~((office))~~ division of radiation protection determines that an inspection is not warranted because the requirements of WAC ~~((402-48-070))~~ 246-222-070(1) have not been met, it shall notify the complainant in writing of such determination. Such determination shall be without prejudice to the filing of a new complaint meeting the requirements of WAC ~~((402-48-070))~~ 246-222-070(1).

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-232-001 PURPOSE AND SCOPE. (1) This chapter prescribes rules governing licensing of radioactive material. No person shall receive, possess, use, transfer, own or acquire radioactive material except as authorized in a specific or general license issued pursuant to chapters ~~((402-21 or 402-22))~~ 246-233 or 246-235 WAC or as otherwise provided in this chapter.

(2) In addition to the requirements of this chapter, or chapters ~~((402-21 or 402-22))~~ 246-233 or 246-235 WAC, all licenses are subject to the requirements of chapters ~~((402-10, 402-12, 402-24, and 402-48))~~ 246-220, 246-221, 246-222, 246-247, and 246-254 WAC. Licensees engaged in the practice of nuclear medicine are subject to the requirements of chapter ~~((402-34))~~ 246-239 WAC, licensees engaged in industrial radiographic operations are subject to the requirements of chapter ~~((402-36))~~ 246-243 WAC, licensees using sealed sources in the healing arts are subject to the requirements of chapter ~~((402-32))~~ 246-240 WAC, licensees using radioactive material in well logging and subsurface tracer studies are subject to the requirements of chapter 246-244 WAC, licensees engaged in land disposal of radioactive waste are subject to the requirements of chapter 246-250 WAC, and licensees owning or operating uranium or thorium mills and associated mill tailings are subject to the requirements of chapter ~~((s-402-52 and 402-70))~~ 246-252 WAC.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-232-010 EXEMPTIONS. (1) Source material.

(a) Any person is exempt from this chapter and chapters ~~((402-21 and 402-22))~~ 246-233 and 246-235 WAC to the extent that such person receives, possesses, uses, owns, or transfers source material in any chemical mixture, compound, solution or alloy in which the source material is by weight less than 1/20 of one percent (0.05 percent) of the mixture, compound, solution, or alloy.

(b) Any person is exempt from this chapter and chapters ~~((402-21 and 402-22))~~ 246-233 and 246-235 WAC to the extent that such person receives, possesses, uses or transfers unrefined and unprocessed ore containing source material: PROVIDED, That, except as authorized in a specific license, such person shall not refine or process such ore.

(c) Any person is exempt from this chapter and chapters ~~((402-21 and 402-22))~~ 246-233 and 246-235 WAC to the extent that such person receives, possesses, uses or transfers:

(i) Any quantities of thorium contained in:

(A) Incandescent gas mantles;

(B) Vacuum tubes;

(C) Welding rods;

(D) Electric lamps for illuminating purposes provided that each lamp does not contain more than fifty milligrams of thorium;

(E) Germicidal lamps, sunlamps and lamps for outdoor or industrial lighting provided that each lamp does not contain more than two grams of thorium;

(F) Rare earth metals and compounds, mixtures, and products containing not more than 0.25 percent by weight thorium, uranium, or any combination of these; or

(G) Personnel neutron dosimeters, provided each dosimeter does not contain more than 50 milligrams of thorium;

(ii) Source material contained in the following products:

(A) Glazed ceramic tableware: PROVIDED, That the glaze contains not more than twenty percent by weight source material; and

(B) Piezoelectric ceramic containing not more than two percent by weight source material;

(iii) Photographic film, negatives and prints containing uranium or thorium;

(iv) Any finished product or part fabricated of, or containing, tungsten-thorium or magnesium-thorium alloys: PROVIDED, That the thorium content of the alloy does not exceed four percent by weight and that the exemption contained in this subparagraph shall not be deemed to authorize the chemical, physical or metallurgical treatment or processing of any such product or part;

(v) Depleted uranium contained in counterweights installed in aircraft, rockets, projectiles and missiles, or stored or handled in connection with installation or removal of such counterweights, provided that:

(A) The counterweights are manufactured in accordance with a specific license issued by the United States Nuclear Regulatory Commission authorizing distribution by the licensee pursuant to 10 CFR Part 40;

(B) Each counterweight has been impressed with the following legend clearly legible through any plating or other covering: "DEPLETED URANIUM";

(C) Each counterweight is durably and legibly labeled or marked with the identification of the manufacturer and the statement: "UNAUTHORIZED ALTERATIONS PROHIBITED"; and

(D) The exemption contained in this subparagraph shall not be deemed to authorize the chemical, physical or metallurgical treatment or processing of any such counterweight other than repair or restoration of any plating or other covering;

\*Note: The requirements specified in ((WAC 402-19-190 (1)))(c)(v)(B) and (C) of this subsection need not be met by counterweights manufactured prior to December 31, 1969: PROVIDED, That such counterweights are impressed with the legend, "CAUTION - RADIOACTIVE MATERIAL - URANIUM," as previously required by the regulations.

(vi) Depleted uranium used as shielding constituting part of any shipping container which is conspicuously and legibly impressed with the legend "CAUTION - RADIOACTIVE SHIELDING - URANIUM" and the uranium metal is encased in mild steel or in an equally fire resistant metal of a minimum wall thickness of 3.2 millimeters.

(vii) Thorium contained in finished optical lenses: PROVIDED, That each lens does not contain more than thirty percent by weight of thorium, and that the exemption contained in this subparagraph shall not be deemed to authorize either:

(A) The shaping, grinding or polishing of such lens or manufacturing processes other than the assembly of such lens into optical systems and devices without alteration of the lens; or

(B) The receipt, possession, use or transfer of thorium contained in contact lenses, or in spectacles, or in eyepieces in binoculars or other optical instruments;

(viii) Uranium contained in detector heads for use in fire detection units: PROVIDED, That each detector head contains not more than 0.005 microcuries of uranium; or

(ix) Thorium contained in any finished aircraft engine part containing nickel-thoria alloy, provided that:

(A) The thorium is dispersed in the nickel-thoria alloy in the form of finely divided thoria (thorium dioxide); and

(B) The thorium content in the nickel-thoria alloy does not exceed four percent by weight.

(d) The exemptions in ((WAC 402-19-190 (1)))(c) of this subsection do not authorize the manufacture of any of the products described.

(2) Radioactive material other than source material.

(a) Exempt concentrations.

(i) Except as provided in ((WAC 402-19-190 (2)))(a)(ii) of this subsection any person is exempt from this chapter and chapters ((402-21 and 402-22)) 246-233 and 246-235 WAC to the extent that such person receives, possesses, uses, transfers, owns or acquires products or

materials containing radioactive material in concentrations not in excess of those listed in WAC ((402-19-580)) 246-232-130, Schedule C.

(ii) No person may introduce radioactive material into a product or material, knowing or having reason to believe, that it will be transferred to persons exempt under ((WAC 402-19-190 (2)))(a)(i) of this subsection or equivalent regulations of the United States Nuclear Regulatory Commission, any agreement state or licensing state, except in accordance with a specific license issued pursuant to WAC ((402-22-110)) 246-235-100(1) or the general license provided in WAC ((402-19-250)) 246-232-040.

(b) Exempt quantities.

(i) Except as provided in ((WAC 402-19-190 (2)))(b)(ii) and (iii) of this subsection any person is exempt from these regulations to the extent that such person receives, possesses, uses, transfers, owns or acquires radioactive material in individual quantities each of which does not exceed the applicable quantity set forth in WAC ((402-19-550)) 246-232-120, Schedule B.

(ii) This paragraph, WAC ((402-19-190)) 246-232-010 (2)(b), does not authorize the production, packaging or repackaging of radioactive material for purposes of commercial distribution, or the incorporation of radioactive material into products intended for commercial distribution.

(iii) No person may, for purposes of commercial distribution, transfer radioactive material in the individual quantities set forth in WAC ((402-19-550)) 246-232-120, Schedule B, knowing or having reason to believe that such quantities of radioactive material will be transferred to persons exempt under ((WAC 402-19-190 (2)))(b) of this subsection or equivalent regulations of the United States Nuclear Regulatory Commission or any agreement state or licensing state, except in accordance with a specific license issued by the United States Nuclear Regulatory Commission, pursuant to Section 32.18 of 10 CFR Part 32 or by the department pursuant to WAC ((402-22-110)) 246-235-100(2) which license states that the radioactive material may be transferred by the licensee to persons exempt under ((WAC 402-19-190 (2)))(b) of this subsection or the equivalent regulations of the United States Nuclear Regulatory Commission or any agreement state or licensing state.

(c) Exempt items.

(i) Certain items containing radioactive material. Except for persons who apply radioactive material to, or persons who incorporate radioactive material into the following products, any person is exempt from these regulations to the extent that person receives, possesses, uses, transfers, owns or acquires the following products:\*

\*Note: Authority to transfer possession or control by the manufacturer, processor, or producer of any equipment, device, commodity, or other product containing source material or byproduct material whose subsequent possession, use, transfer and disposal by all other persons who are exempted from regulatory requirements may be obtained only from the United States Nuclear Regulatory Commission, Washington, D.C. 20555.

(A) Timepieces or hands or dials containing not more than the following specified quantities of radioactive material and not exceeding the following specified levels of radiation:

25 millicuries of tritium per timepiece;

5 millicuries of tritium per hand;

15 millicuries of tritium per dial (bezels when used shall be considered as part of the dial);

100 microcuries of promethium - 147 per watch or 200 microcuries of promethium - 147 per any other timepiece;

20 microcuries of promethium - 147 per watch hand or 40 microcuries of promethium - 147 per other timepiece hand;

60 microcuries of promethium - 147 per watch dial or 120 microcuries of promethium - 147 per other timepiece dial (bezels when used shall be considered as part of the dial);

The levels of radiation from hands and dials containing promethium - 147 will not exceed, when measured through 50 milligrams per square centimeter of absorber:

For wrist watches, 0.1 millirad per hour at 1 centimeter from any surface;

For pocket watches, 0.1 millirad per hour at 1 centimeter from any surface;

For any other timepiece, 0.2 millirad per hour at 10 centimeters from any surface.

One microcurie of radium-226 per timepiece in timepieces manufactured prior to the effective date of these regulations.



(B) Lock illuminators containing not more than 15 millicuries of tritium or not more than 2 millicuries of promethium-147 installed in automobile locks. The levels of radiation from each lock illuminator containing promethium-147 will not exceed 1 millirad per hour at 1 centimeter from any surface when measured through 50 milligrams per square centimeter of absorber.

(C) Precision balances containing not more than 1 millicurie of tritium per balance or not more than 0.5 millicurie of tritium per balance part.

(D) Automobile shift quadrants containing not more than 25 millicuries of tritium.

(E) Marine compasses containing not more than 750 millicuries of tritium gas and other marine navigational instruments containing not more than 250 millicuries of tritium gas.

(F) Thermostat dials and pointers containing not more than 25 millicuries of tritium per thermostat.

(G) Electron tubes: PROVIDED, That each tube does not contain more than one of the following specified quantities of radioactive material:

(aa) 150 millicuries of tritium per microwave receiver protector tube or 10 millicuries of tritium per any other electron tube;

(bb) 1 microcurie of cobalt-60;

(cc) 5 microcuries of nickel-63;

(dd) 30 microcuries of krypton-85;

(ee) 5 microcuries of cesium-137;

(ff) 30 microcuries of promethium-147;

(gg) 1 microcurie of radium-226;

AND PROVIDED FURTHER, That the levels of radiation from each electron tube containing radioactive material does not exceed 1 millirad per hour at 1 centimeter from any surface when measured through 7 milligrams per square centimeter of absorber.\*

\*Note: For purposes of this subdivision, "electron tubes" include spark gap tubes, power tubes, gas tubes including glow lamps, receiving tubes, microwave tubes, indicator tubes, pick-up tubes, radiation detection tubes, and any other completely sealed tube that is designed to conduct or control electrical currents.

(H) Ionizing radiation measuring instruments containing, for purposes of internal calibration or standardization, a source of radioactive material not exceeding 0.05 microcuries of americium-241 or the applicable quantity set forth in WAC ((402-19-550)) 246-232-120, Schedule B.

(I) Spark gap irradiators containing not more than 1 microcurie of cobalt-60 per spark gap irradiator for use in electrically ignited fuel oil burners having a firing rate of at least three gallons (11.4 liters) per hour.

(ii) Self-luminous products containing radioactive material(s).

(A) Tritium, krypton-85 or promethium-147. Except for persons who manufacture, process or produce self-luminous products containing tritium, krypton-85 or promethium-147, any person is exempt from these regulations to the extent that such person receives, possesses, uses, transfers, owns or acquires tritium, krypton-85 or promethium-147 in self-luminous products manufactured, processed, produced, imported or transferred in accordance with a specific license issued by the United States Nuclear Regulatory Commission pursuant to Section 32.22 of 10 CFR Part 32, which license authorizes the transfer of the product to persons who are exempt from regulatory requirements. The exemption in ((WAC 402-19-190(2))) (c)(ii) of this subsection does not apply to tritium, krypton-85 or promethium-147 used in products for frivolous purposes or in toys or adornments.

(B) Radium-226. Any person is exempt from these regulations to the extent that such person receives, possesses, uses, transfers or owns articles containing less than 0.1 microcurie of radium-226 which were manufactured prior to October 1983.

(iii) Gas and aerosol detectors containing radioactive material.

(A) Except for persons who manufacture, process or produce gas and aerosol detectors containing radioactive material, any person is exempt from these regulations to the extent that such person receives, possesses, uses, transfers, owns or acquires radioactive material in gas and aerosol detectors designed to protect life or property from fires and airborne hazards: PROVIDED, That detectors containing radioactive material shall have been manufactured, imported, or transferred in accordance with a specific license issued by the United States Nuclear Regulatory Commission\* or an agreement state, pursuant to Section 32.26 of 10 CFR Part 32, or licensing state pursuant to WAC ((402-22-110)) 246-235-100(3), which authorizes the transfer of the detectors to persons who are exempt from regulatory requirements.

\*Note: Authority to transfer possession or control by the manufacturer, processor, or producer of any equipment, device, commodity, or other product containing source material or byproduct material whose subsequent possession, use, transfer and disposal by all other persons are exempted from regulatory requirements may be obtained only from the United States Nuclear Regulatory Commission, Washington, D.C. 20555.

(B) Gas and aerosol detectors previously manufactured and distributed to general licensees in accordance with a specific license issued by an agreement state shall be considered exempt under ((WAC 402-19-190(2))) (c)(iii)(A) of this subsection: PROVIDED, That the device is labeled in accordance with the specific license authorizing distribution of the ((general)) generally licensed device: AND PROVIDED FURTHER, That they meet the requirements of WAC ((402-22-110)) 246-235-100(3).

(C) Gas and aerosol detectors containing naturally occurring and accelerator-produced radioactive material (NARM) previously manufactured and distributed in accordance with a specific license issued by a licensing state shall be considered exempt under ((WAC 402-19-190(2))) (c)(iii)(A) of this subsection: PROVIDED, That the device is labeled in accordance with the specific license authorizing distribution of the generally licensed device, and provided further that they meet the requirements of WAC ((402-22-110)) 246-235-100(3).

(iv) Resins containing scandium-46 and designed for sand consolidation in oil wells. Any person is exempt from these regulations to the extent that such person receives, possesses, uses, transfers, owns or acquires synthetic plastic resins containing scandium-46 which are designed for sand consolidation in oil wells. Such resins shall have been manufactured or imported in accordance with a specific license issued by the United States Nuclear Regulatory Commission or shall have been manufactured in accordance with the specifications contained in a specific license issued by the department or any agreement state to the manufacturer of such resins pursuant to licensing requirements equivalent to those in Sections 32.16 and 32.17 of 10 CFR Part 32 of the regulations of the United States Nuclear Regulatory Commission. This exemption does not authorize the manufacture of any resins containing scandium-46.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-232-020 TYPES OF LICENSES. Licenses for radioactive materials are of two types: General and specific.

(1) General licenses provided in chapter ((402-21)) 246-233 WAC are effective without the filing of applications with the department or the issuance of licensing documents to the particular persons, although the filing of a certificate with the department may be required by the particular general license. The general licensee is subject to all other applicable portions of these regulations and any limitations of the general license.

(2) Specific licenses require the submission of an application to the department and the issuance of a licensing document by the department. The licensee is subject to all applicable portions of these regulations as well as any limitations specified in the licensing document. (See chapter ((402-22)) 246-235 WAC.)

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-232-040 RECIPROCAL RECOGNITION OF LICENSES. (1) Subject to these regulations, any person who holds a specific license from the United States Nuclear Regulatory Commission or any agreement state or licensing state, and issued by the agency having jurisdiction where the licensee maintains an office for directing the licensed activity and at which radiation safety records are normally maintained, is hereby granted a general license to conduct the activities authorized in such licensing document within this state for a period not in excess of one hundred eighty days in that twelve month period which commences the date approval is granted, and the appropriate fee received, by the department provided that:

(a) The licensing document does not limit the activity authorized by such document to specified installations or locations;

(b) The out-of-state licensee notifies the department in writing and pays or has paid the appropriate fee (refer to chapter 246-254 WAC ((440-44-057(3)))) at least three days prior to each entry to the state to engage in such activity. The written notification must be sent to the ((Office of Radiation Protection)) Radioactive Materials Section, Department of ((Social and)) Health ((Services)), Mailstop LE-13,



Olympia, Washington 98504 and the fee should be sent to Washington State Department of ~~((Social and)) Health ((Services, Division of Health, Office of Radiation Protection, LE-13)), Revenue Accounting, P.O. Box 1099, Olympia, Washington 98504. Such notification shall indicate the location, period, and type of proposed possession and use within the state, and shall be accompanied by copies of the pertinent licensing documents ((and operations/procedures manual)). If, for a specific case, the three-day period would impose an undue hardship on the out-of-state licensee, the licensee may, upon telephone application to the department ((206-753-3351)) (206-753-4481), obtain permission to proceed sooner. The department may waive the requirement for filing additional written notifications during the remainder of the twelve months following the receipt of the initial notification from a person engaging in activities under the general license provided in this subsection;~~

(c) The out-of-state licensee complies with all applicable regulations of the department and with all the terms and conditions of the licensing document, except any such terms and conditions which may be inconsistent with applicable regulations of the department;

(d) The out-of-state licensee supplies such other information as the department may request; and

(e) The out-of-state licensee shall not transfer or dispose of radioactive material possessed or used under the general license provided in this subsection except by transfer to a person:

(i) Specifically licensed by the department or by the United States Nuclear Regulatory Commission, an agreement state or a licensing state to receive such material; or

(ii) Exempt from the requirements for a license for such material under WAC ~~((402-19-190))~~ 246-232-010 (2)(a).

(2) Notwithstanding the provisions of subsection (1) of this section, any person who holds a specific license issued by the United States Nuclear Regulatory Commission, an agreement state or a licensing state authorizing the holder to manufacture, transfer, install, or service a device described in WAC ~~((402-21-050))~~ 246-233-020(4) within the areas subject to the jurisdiction of the licensing body is hereby granted a general license to install, transfer, demonstrate or service a device in this state provided that:

(a) Such person shall file a report with the department within thirty days after the end of each calendar quarter in which any device is transferred to or installed in this state. Each such report shall identify each general licensee to whom such device is transferred by name and address, the type of device transferred, and the quantity and type of radioactive material contained in the device;

(b) The device has been manufactured, labeled, installed, and serviced in accordance with applicable provisions of the specific license issued to such person by the United States Nuclear Regulatory Commission, an agreement state or a licensing state;

(c) Such person shall assure that any labels required to be affixed to the device under regulations of the authority which licensed manufacture of the device bear a statement that "Removal of this label is prohibited"; and

(d) The holder of the specific license shall furnish to each general licensee to whom such device is transferred or on whose premises such device is installed a copy of the general license contained in WAC ~~((402-21-050))~~ 246-233-020(4).

(3) The department may withdraw, limit, or qualify its acceptance of any specific license or equivalent licensing document issued by another agency, or any product distributed pursuant to such licensing document, upon determining that such action is necessary in order to prevent undue hazard to public health and safety or property.

#### AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-232-060 TERMINATION OF LICENSES. (1) Each specific licensee shall immediately notify the department in writing when the licensee decides to permanently discontinue all activities involving materials authorized under the license and request termination of the license. This notification and request for termination of the license must include the reports and information specified in subsection (3) (c) and (d) of this section. The licensee is subject to the provisions of subsections (3) and (4) of this section, as applicable.

(2) No less than thirty days before the expiration date specified in a specific license, the licensee shall either:

(a) Submit an application for license renewal under WAC ~~((402-22-055))~~ 246-235-050; or

(b) Notify the department in writing if the licensee decides not to renew the license.

(3) If a licensee does not submit an application for license renewal under WAC ~~((402-22-055))~~ 246-235-050, the licensee shall on or before the expiration date specified in the license:

(a) Terminate use of byproduct material;

(b) Properly dispose of byproduct material;

(c) Submit a completed departmental form "Certificate of disposition of radioactive material"; and

(d) Submit a radiation survey report to confirm the absence of radioactive materials or establish the levels of radioactive contamination, unless the department determines a radiation survey report is not necessary.

(i) If no radioactive contamination attributable to activities conducted under the license is detected, the licensee shall submit a certification that no detectable radioactive contamination was found. If the information submitted under this paragraph and subsection (3) (c) and (d) of this section is adequate, the department will notify the licensee in writing that the license is terminated.

(ii) If detectable levels of radioactive contamination attributable to activities conducted under the license are found, the licensee continues in effect beyond the expiration date, if necessary, with respect to possession of residual radioactive material present as contamination until the department notifies the licensee in writing that the license is terminated. During this time, the licensee is subject to the provisions of subsection (4) of this section. In addition to the information submitted under subsection (3)(c) and (d) of this section, the licensee shall submit a plan for decontamination, if necessary.

(4) Each licensee who possesses residual byproduct material under subsection (3)(d)(ii) of this section, following the expiration of the facility and/or equipment date specified in the license, shall:

(a) Be limited to actions, involving radioactive material related to decontamination and preparation for release for unrestricted use; and

(b) Continue to control entry to restricted areas until they are suitable for release for unrestricted use and the department notifies the licensee in writing that the license is terminated. The guidance contained in WAC ~~((402-19-590))~~ 246-232-140, Schedule D, shall be used in making this determination.

(5) Each general licensee licensed under the provisions of WAC ~~((402-21-050))~~ 246-233-020(8), shall immediately notify the department in writing when the licensee decides to discontinue all activities involving radioactive materials authorized under the general license. Such notification shall include a description of how the generally licensed material was disposed and the results of facility surveys, if applicable, to confirm the absence of radioactive materials.

#### AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-232-080 TRANSFER OF MATERIAL. (1) No licensee shall transfer radioactive material except as authorized pursuant to this section.

(2) Except as otherwise provided in the license and subject to the provisions of this section, any licensee may transfer radioactive material:

(a) To the department. A licensee may transfer material to the department only after receiving prior approval from the department;

(b) To the United States Department of Energy;

(c) To any person exempt from the regulations in this part to the extent permitted under such exemption;

(d) To any person authorized to receive such material under terms of a general license or its equivalent, or a specific license or equivalent licensing document, issued by the department, the United States Nuclear Regulatory Commission, an agreement state or any licensing state, or to any person otherwise authorized to receive such material by the federal government or any agency thereof, the department, any agreement state or any licensing state; or

(e) As otherwise authorized by the department in writing.

(3) Before transferring radioactive material to a specific licensee of the department, the United States Nuclear Regulatory Commission, an agreement state or a licensing state, or to a general licensee who is required to register with the department, the United States Nuclear Regulatory Commission, an agreement state or a licensing state prior to receipt of the radioactive material, the licensee transferring the material shall verify that the transferee's license authorizes the receipt of the type, form, and quantity of radioactive material to be transferred.

(4) The following methods for the verification required by ~~((WAC 402-19-400))~~ subsection (3) of this section are acceptable:

(a) The transferor may obtain for possession, and read, a current copy of the transferee's specific license or registration certificate;

(b) The transferor may obtain for possession a written certification from the transferee that the transferee is authorized by license or registration certificate to receive the type, form, and quantity of radioactive material to be transferred, specifying the license or registration certificate number, issuing agency, and expiration date;

(c) For emergency shipments the transferor may accept oral certification by the transferee that the transferee is authorized by license or registration certificate to receive the type, form, and quantity of radioactive material to be transferred, specifying the license or registration certificate number, issuing agency, and expiration date: PROVIDED, That the oral certification is confirmed in writing within ten days;

(d) The transferor may obtain other sources of information compiled by a reporting service from official records of the department, the United States Nuclear Regulatory Commission, the licensing agency of an agreement state or a licensing state as to the identity of licensees and the scope and expiration dates of licenses and registration; or

(e) When none of the methods of verification described in subsection (4) of this section are readily available or when a transferor desires to verify that information received by one of such methods is correct or up-to-date, the transferor may obtain and record confirmation from the department, the United States Nuclear Regulatory Commission, or the licensing agency of an agreement state or a licensing state that the transferee is licensed to receive the radioactive material.

(5) Preparation for shipment and transport of radioactive material shall be in accordance with the provisions of WAC ((402-19-500)) 246-232-090.

(6) The requirements of ((WAC 402-19-400)) subsection (4) of this section notwithstanding, no verification is required when returning used, unused or decayed sources of radiation to the original manufacturer, (e.g., industrial radiography sources, teletherapy sources, portable moisture/density gauge sources, fixed gauge sources, and Mo-99/Tc-99m generators).

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-232-090 TRANSPORTATION. (1) Transportation of radioactive material. No person shall deliver radioactive material to a carrier for transport or transport radioactive material except as authorized in a general or specific license issued by the department or as exempted in ((WAC 402-19-500)) subsection (2) of this section.

(2) Exemptions.

(a) Common and contract carriers, freight forwarders, and warehousemen who are subject to the rules and regulations of the United States Department of Transportation (49 CFR Parts 170 through 189) or the United States Postal Service (Domestic Mail Manual, Section 124.3 incorporated by reference, 39 CFR 111.11 (1974)) are exempt from ((WAC 402-19-500)) this section to the extent that they transport or store radioactive material in the regular course of their carriage for another or storage incident thereto. Common and contract carriers who are not subject to the rules and regulations of the United States Department of Transportation or United States Postal Service are subject to ((WAC 402-19-500)) subsection (1) of this section and other applicable sections of these regulations.

(b) Physicians, as defined in WAC ((402-12-050)) 246-220-010, are exempt from the requirements of ((WAC 402-19-500)) this section only to the extent that they transport radioactive material for emergency use in the practice of medicine.

(c) Specific licensees are exempt from ((WAC 402-19-500)) this section to the extent that they deliver to a carrier for transport packages each of which contains no radioactive material having a specific activity in excess of 0.002 microcurie per gram.

(d) Any licensee who delivers radioactive material to a carrier for transport, where such transport is subject to the regulations of the United States Postal Service, is exempt from the provisions of ((WAC 402-19-500)) subsection (1) of this section.

(3) General licenses for carriers.

(a) A general license is hereby issued to any common or contract carrier not exempted under ((WAC 402-19-500)) subsection (2) of this section to receive, possess, transport and store radioactive material in the regular course of their carriage for another or storage incident thereto, provided the transportation and storage is in accordance with the applicable requirements of the regulations, appropriate to the mode of transport, of the United States Department of Transportation.

(b) A general license is hereby issued to any private carrier to transport radioactive material, provided the transportation is in accordance with the applicable requirements of the regulations, appropriate to the mode of transport, of the United States Department of

Transportation insofar as such regulations relate to the loading and storage of packages, placarding of the transporting vehicle, shipping papers, and incident reporting.<sup>1</sup>

(c) Persons who transport radioactive material pursuant to the general licenses in ((WAC 402-19-500 (3))) (a) or (b) of this subsection are exempt from the requirements of chapters ((402-24 and 402-48)) 246-221 and 246-222 WAC of these regulations to the extent that they transport radioactive material.

(4) Preparation of radioactive material for transport. A general license is hereby issued to deliver radioactive material to a carrier<sup>2</sup> for transport provided that:

(a) The licensee complies with the applicable requirements of the regulations, appropriate to the mode of transport, of the United States Department of Transportation insofar as such regulations relate to the packaging of radioactive material, to shipping papers, and to the monitoring, marking and labeling of those packages.

(b) The licensee has established procedures for opening and closing packages in which radioactive material is transported to provide safety and to assure that, prior to the delivery to a carrier for transport, each package is properly closed for transport.

(c) Prior to delivery of a package to a carrier for transport, the licensee shall assure that any special instructions needed to safely open the package are sent to or have been made available to the consignee.

(d) In addition to the requirements of the United States Department of Transportation, each package of Type A or Type B quantity radioactive material prepared for shipment must have the innermost container labeled as to the isotope, chemical form, number of curies or subunits thereof, and date of determination of activity and each innermost container shall be tested to assure that the container is properly sealed and that contamination which would cause undue hazard to public health and safety or property is not present prior to transportation. This requirement does not apply to properly packaged shipments of radioactive waste consigned to a commercial low level waste burial facility.

(5) Transport of nuclear waste—Advance notification requirement. Prior to the transport of any nuclear waste outside of the confines of the licensee's plant or other place of use or storage, or prior to the delivery of any nuclear waste to a carrier for transport, each licensee shall comply with the procedures in this subsection for advance notification to the governor of a state or the governor's designee for the transport of nuclear waste to, through, or across the boundary of the state.

(a) Where, when, and how advance notification must be sent. The notification required by ((WAC 402-19-500)) subsection (5) of this section must be made in writing to the office of each appropriate governor or governor's designee and to the director of the appropriate Nuclear Regulatory Commission Regional Office. A notification delivered by mail must be postmarked at least seven days before the beginning of the seven-day period during which departure of the shipment is estimated to occur. A notification delivered by messenger must reach the office of the governor or of the governor's designee at least four days before the beginning of the seven-day period during which departure of the shipment is estimated to occur. A list of the mailing addresses of the governors and governors' designees is available upon request from the Director, Office of State Programs, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. A copy of the notification shall be retained by the licensee as a record for one year.

(b) Information to be furnished in advance notification of shipment. Each advance notification of shipments of nuclear waste must contain the following information:

(i) The name, address, and telephone number of the shipper, carrier, and receiver of the nuclear waste shipment;

(ii) A description of the nuclear waste contained in the shipment as required by the regulations of the U.S. Department of Transportation in 49 CFR §§ 172.202 and 172.203(d);

(iii) The point of origin of the shipment, and the seven-day period during which departure of the shipment is estimated to occur;

(iv) The seven-day period during which arrival of the shipment at state boundaries is estimated to occur;

(v) The destination of the shipment, and the seven-day period during which arrival of the shipment is estimated to occur; and

(vi) A point of contact with a telephone number for current shipment information.

(c) Revision notice. A licensee who finds that schedule information previously furnished to a governor or governor's designee in accordance with (a) and (b) of this subsection will not be met, shall telephone a responsible individual in the office of the governor of the state or of the

governor's designee and inform that individual of the extent of the delay relative to the schedule originally reported in writing under the provisions of (a) and (b) of this subsection. The licensee shall maintain a record of the name of the individual contacted for one year.

(d) Cancellation notice. Each licensee who cancels a nuclear waste shipment for which advance notification has been sent as required by this subsection shall send a cancellation notice to the governor of each state or the governor's designee previously notified and to the director of the appropriate Nuclear Regulatory Commission Inspection and Enforcement Regional Office. The notice shall state that it is a cancellation and shall identify the advance notification which is being cancelled. A copy of the notice shall be retained by the licensee as a record for one year.

<sup>1</sup> Any notification of incidents referred to in those requirements shall be filed with, or made to, the department.

<sup>2</sup> For the purpose of this regulation, licensees who transport their own licensed material as private carriers are considered to have delivered such material to a carrier for transport.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

**WAC 246-232-120 SCHEDULE B, EXEMPT QUANTITIES OF RADIOACTIVE MATERIALS.** (See also WAC ((402-19-190) 246-232-010 (2)(b).))

Radioactive Material	Microcuries
Antimony-122 (Sb-122)	100
Antimony-124 (Sb-124)	10
Antimony-125 (Sb-125)	10
Arsenic-73 (As-73)	100
Arsenic-74 (As-74)	10
Arsenic-76 (As-76)	10
Arsenic-77 (As-77)	100
Barium-131 (Ba-131)	10
Barium-133 (Ba-133)	10
Barium-140 (Ba-140)	10
Bismuth-210 (Bi-210)	1
Bromine-82 (Br-82)	10
Cadmium-109 (Cd-109)	10
Cadmium-115m (Cd-115m)	10
Cadmium-115 (Cd-115)	100
Calcium-45 (Ca-45)	10
Calcium-47 (Ca-47)	10
Carbon-14 (C-14)	100
Cerium-141 (Ce-141)	100
Cerium-143 (Ce-143)	100
Cerium-144 (Ce-144)	1
Cesium-129 (Cs-129)	100
Cesium-131 (Cs-131)	1,000
Cesium-134m (Cs-134m)	100
Cesium-134 (Cs-134)	1
Cesium-135 (Cs-135)	10
Cesium-136 (Cs-136)	10
Cesium-137 (Cs-137)	10
Chlorine-36 (Cl-36)	10
Chlorine-38 (Cl-38)	10
Chromium-51 (Cr-51)	1,000
Cobalt-57 (Co-57)	100
Cobalt-58m (Co-58m)	10
Cobalt-58 (Co-58)	10
Cobalt-60 (Co-60)	1
Copper-64 (Cu-64)	100
Dysprosium-165 (Dy-165)	10
Dysprosium-166 (Dy-166)	100
Erbium-169 (Er-169)	100
Erbium-171 (Er-171)	100
Europium-152 (Eu-152) 9.2h	100
Europium-152 (Eu-152) 13 yr	1
Europium-154 (Eu-154)	1
Europium-155 (Eu-155)	10
Fluorine-18 (F-18)	1,000
Gadolinium-153 (Gd-153)	10
Gadolinium-159 (Gd-159)	100
Gallium-67 (Ga-67)	100
Gallium-72 (Ga-72)	10
Germanium-71 (Ge-71)	100

Radioactive Material	Microcuries
Gold-198 (Au-198)	100
Gold-199 (Au-199)	100
Hafnium-181 (Hf-181)	10
Holmium-166 (Ho-166)	100
Hydrogen-3 (H-3)	1,000
Indium-111 (In-111)	100
Indium-113m (In-113m)	100
Indium-114m (In-114m)	10
Indium-115m (In-115m)	100
Indium-115 (In-115)	10
Iodine-123 (I-123)	100
Iodine-125 (I-125)	1
Iodine-126 (I-126)	1
Iodine-129 (I-129)	0.1
Iodine-131 (I-131)	1
Iodine-132 (I-132)	10
Iodine-133 (I-133)	1
Iodine-134 (I-134)	10
Iodine-135 (I-135)	10
Iridium-192 (Ir-192)	10
Iridium-194 (Ir-194)	100
Iron-52 (Fe-52)	10
Iron-55 (Fe-55)	100
Iron-59 (Fe-59)	10
Krypton-85 (Kr-85)	100
Krypton-87 (Kr-87)	10
Lanthanum-140 (La-140)	10
Lutetium-177 (Lu-177)	100
Manganese-52 (Mn-52)	10
Manganese-54 (Mn-54)	10
Manganese-56 (Mn-56)	10
Mercury-197m (Hg-197m)	100
Mercury-197 (Hg-197)	100
Mercury-203 (Hg-203)	10
Molybdenum-99 (Mo-99)	100
Neodymium-147 (Nd-147)	100
Neodymium-149 (Nd-149)	100
Nickel-59 (Ni-59)	100
Nickel-63 (Ni-63)	10
Nickel-65 (Ni-65)	100
Niobium-93m (Nb-93m)	10
Niobium-95 (Nb-95)	10
Niobium-97 (Nb-97)	10
Osmium-185 (Os-185)	10
Osmium-191m (Os-191m)	100
Osmium-191 (Os-191)	100
Osmium-193 (Os-193)	100
Palladium-103 (Pd-103)	100
Palladium-109 (Pd-109)	100
Phosphorus-32 (P-32)	10
Platinum-191 (Pt-191)	100
Platinum-193m (Pt-193m)	100
Platinum-193 (Pt-193)	100
Platinum-197m (Pt-197m)	100
Platinum-197 (Pt-197)	100
Polonium-210 (Po-210)	0.1
Potassium-42 (K-42)	10
Potassium-43 (K-43)	10
Praseodymium-142 (Pr-142)	100
Praseodymium-143 (Pr-143)	100
Promethium-147 (Pm-147)	10
Promethium-149 (Pm-149)	10
Radium-226 (Ra-226)	0.1
Rhenium-186 (Re-186)	100
Rhenium-188 (Re-188)	100
Rhodium-103m (Rh-103m)	100
Rhodium-105 (Rh-105)	100
Rubidium-81 (Rb-81)	10
Rubidium-86 (Rb-86)	10
Rubidium-87 (Rb-87)	10
Ruthenium-97 (Ru-97)	100
Ruthenium-103 (Ru-103)	10
Ruthenium-105 (Ru-105)	10
Ruthenium-106 (Ru-106)	1
Samarium-151 (Sm-151)	10

Radioactive Material	Microcuries
Samarium-153 (Sm-153)	100
Scandium-46 (Sc-46)	10
Scandium-47 (Sc-47)	100
Scandium-48 (Sc-48)	10
Selenium-75 (Se-75)	10
Silicon-31 (Si-31)	100
Silver-105 (Ag-105)	10
Silver-110m (Ag-110m)	1
Silver-111 (Ag-111)	100
Sodium-22 (Na-22)	10
Sodium-24 (Na-24)	10
Strontium-85 (Sr-85)	10
Strontium-89 (Sr-89)	1
Strontium-90 (Sr-90)	0.1
Strontium-91 (Sr-91)	10
Strontium-92 (Sr-92)	10
Sulphur-35 (S-35)	100
Tantalum-182 (Ta-182)	10
Technetium-96 (Tc-96)	10
Technetium-97m (Tc-97m)	100
Technetium-97 (Tc-97)	100
Technetium-99m (Tc-99m)	100
Technetium-99 (Tc-99)	10
Tellurium-125m (Te-125m)	10
Tellurium-127m (Te-127m)	10
Tellurium-127 (Te-127)	100
Tellurium-129m (Te-129m)	10
Tellurium-129 (Te-129)	100
Tellurium-131m (Te-131m)	10
Tellurium-132 (Te-132)	10
Terbium-160 (Tb-160)	10
Thallium-200 (Tl-200)	100
Thallium-201 (Tl-201)	100
Thallium-202 (Tl-202)	100
Thallium-204 (Tl-204)	10
Thulium-170 (Tm-170)	10
Thulium-171 (Tm-171)	10
Tin-113 (Sn-113)	10
Tin-125 (Sn-125)	10
Tungsten-181 (W-181)	10
Tungsten-185 (W-185)	10
Tungsten-187 (W-187)	100
Vanadium-48 (V-48)	10
Xenon-131m (Xe-131m)	1,000
Xenon-133 (Xe-133)	100
Xenon-135 (Xe-135)	100
Ytterbium-169 (Yb-169)	10
Ytterbium-175 (Yb-175)	100
Yttrium-87 (Y-87)	10
Yttrium-90 (Y-90)	10
Yttrium-91 (Y-91)	10
Yttrium-92 (Y-92)	100
Yttrium-93 (Y-93)	100
Zinc-65 (Zn-65)	10
Zinc-69m (Zn-69m)	100
Zinc-69 (Zn-69)	1,000
Zirconium-93 (Zr-93)	10
Zirconium-95 (Zr-95)	10
Zirconium-97 (Zr-97)	10
Any radioactive material not listed above other than alpha emitting radioactive material	0.1

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-232-130 SCHEDULE C, EXEMPT CONCENTRATIONS. (Sec WAC ((402-19-190)) 246-232-010 (2)(a).)

Element (atomic number)	Isotope	Column I Gas concentration $\mu\text{Ci/ml}^1$	Column II Liquid and solid concentration $\mu\text{Ci/ml}^2$
Antimony (51)	Sb-122		$3 \times 10^{-4}$
	Sb-124		$2 \times 10^{-4}$
	Sb-125		$1 \times 10^{-3}$
Argon (18)	Ar-37	$1 \times 10^{-3}$	
	Ar-41	$4 \times 10^{-7}$	
Arsenic (33)	As-73		$5 \times 10^{-3}$
	As-74		$5 \times 10^{-4}$
	As-76		$2 \times 10^{-4}$
Barium (56)	As-77		$8 \times 10^{-4}$
	Ba-131		$2 \times 10^{-3}$
	Ba-140		$3 \times 10^{-4}$
	Be-7		$2 \times 10^{-2}$
Beryllium (4)	Bi-206		$4 \times 10^{-4}$
Bismuth (83)	Br-82	$4 \times 10^{-7}$	$3 \times 10^{-3}$
Bromine (35)	Cd-109		$2 \times 10^{-3}$
Cadmium (48)	Cd-115m		$3 \times 10^{-4}$
	Cd-115		$3 \times 10^{-4}$
	Ca-45		$9 \times 10^{-5}$
Calcium (20)	Ca-47		$5 \times 10^{-4}$
	C-14	$1 \times 10^{-6}$	$8 \times 10^{-3}$
Carbon (6)	Ce-141		$9 \times 10^{-4}$
	Ce-143		$4 \times 10^{-4}$
Cerium (58)	Ce-144		$1 \times 10^{-4}$
	Cs-131		$2 \times 10^{-2}$
	Cs-134m		$6 \times 10^{-2}$
	Cs-134		$9 \times 10^{-5}$
Chlorine (17)	Cl-38	$9 \times 10^{-7}$	$4 \times 10^{-3}$
	Cr-51		$2 \times 10^{-2}$
	Co-57		$5 \times 10^{-3}$
Chromium (24)	Co-58		$1 \times 10^{-3}$
	Co-60		$5 \times 10^{-4}$
	Cu-64		$3 \times 10^{-3}$
Copper (29)	Dy-165		$4 \times 10^{-3}$
	Dy-166		$4 \times 10^{-4}$
Dysprosium (66)	Er-169		$9 \times 10^{-4}$
	Er-171		$1 \times 10^{-3}$
	Eu-152 (9.2 h)		$6 \times 10^{-4}$
Europium (63)	Eu-155		$2 \times 10^{-3}$
	F-18	$2 \times 10^{-6}$	$8 \times 10^{-3}$
Fluorine (9)	Gd-153		$2 \times 10^{-3}$
	Gd-159		$8 \times 10^{-4}$
	Ga-72		$4 \times 10^{-4}$
Gadolinium (64)	Ge-71		$2 \times 10^{-2}$
	Au-196		$2 \times 10^{-3}$
Gallium (31)	Au-198		$5 \times 10^{-4}$
	Au-199		$2 \times 10^{-3}$
	Hf-181		$7 \times 10^{-4}$
Germanium (32)	H-3	$5 \times 10^{-6}$	$3 \times 10^{-2}$
	In-113m		$1 \times 10^{-2}$
Gold (79)	In-114m		$2 \times 10^{-4}$
	I-125		$2 \times 10^{-5}$
Iodine (53)	I-126	$3 \times 10^{-9}$	$2 \times 10^{-5}$
	I-131	$3 \times 10^{-9}$	$2 \times 10^{-5}$
	I-132	$8 \times 10^{-8}$	$6 \times 10^{-4}$
	I-133	$1 \times 10^{-8}$	$7 \times 10^{-5}$
	I-134	$2 \times 10^{-7}$	$1 \times 10^{-3}$
	Ir-190		$2 \times 10^{-3}$
	Ir-192		$4 \times 10^{-4}$
Iridium (77)	Ir-194		$3 \times 10^{-4}$
	Fe-55		$8 \times 10^{-3}$
	Fe-59		$6 \times 10^{-4}$
Iron (26)	Kr-85m	$1 \times 10^{-6}$	
	Kr-85	$3 \times 10^{-6}$	
Krypton (36)	La-140		$2 \times 10^{-4}$
	Pb-203		$4 \times 10^{-3}$
Lanthanum (57)	Lu-177		$1 \times 10^{-3}$
	Mn-52		$3 \times 10^{-4}$
Lead (82)	Mn-54		$1 \times 10^{-3}$
	Mn-56		$1 \times 10^{-3}$
	Hg-197m		$2 \times 10^{-3}$
	Hg-197		$3 \times 10^{-3}$
Lutetium (71)	Hg-203		$2 \times 10^{-4}$
	Manganese (25)		
Mercury (80)			

Element (atomic number)	Isotope	Column I Gas con- centra- tion $\mu\text{Ci/ml}^1$	Column II Liquid and solid concentra- tion $\mu\text{Ci/ml}^2$	
Molybdenum (42)	Mo-99		$2 \times 10^{-3}$	
Neodymium (60)	Nd-147		$6 \times 10^{-4}$	
	Nd-149		$3 \times 10^{-3}$	
	Ni-65		$1 \times 10^{-3}$	
Nickel (28)				
Niobium				
(Columbium) (41)	Nb-95		$1 \times 10^{-3}$	
Osmium (76)	Nb-97		$9 \times 10^{-3}$	
	Os-185		$7 \times 10^{-4}$	
	Os-191m		$3 \times 10^{-2}$	
	Os-191		$2 \times 10^{-3}$	
	Os-193		$6 \times 10^{-4}$	
Palladium (46)	Pd-103		$3 \times 10^{-3}$	
	Pd-109		$9 \times 10^{-4}$	
Phosphorus (15)	P-32		$2 \times 10^{-4}$	
	Pt-191		$1 \times 10^{-3}$	
Platinum (78)	Pt-193m		$1 \times 10^{-2}$	
	Pt-197m		$1 \times 10^{-2}$	
	Pt-197		$1 \times 10^{-3}$	
	K-42		$3 \times 10^{-3}$	
Potassium (19)				
Praseodymium (59)	Pr-142		$3 \times 10^{-4}$	
	Pr-143		$5 \times 10^{-4}$	
	Pm-147		$2 \times 10^{-3}$	
Promethium (61)	Pm-149		$4 \times 10^{-4}$	
	Ra-226		$1 \times 10^{-7}$	
Radium (88)	Ra-228		$3 \times 10^{-7}$	
	Re-183		$6 \times 10^{-3}$	
Rhenium (75)	Re-186		$9 \times 10^{-4}$	
	Re-188		$6 \times 10^{-4}$	
	Rh-103m		$1 \times 10^{-1}$	
Rhodium (45)	Rh-105		$1 \times 10^{-3}$	
	Rb-86		$7 \times 10^{-4}$	
Rubidium				
Ruthenium (44)	Ru-97		$4 \times 10^{-3}$	
	Ru-103		$8 \times 10^{-4}$	
	Ru-105		$1 \times 10^{-3}$	
	Ru-106		$1 \times 10^{-4}$	
	Sm-153		$8 \times 10^{-4}$	
Samarium (62)	Sc-46		$4 \times 10^{-4}$	
	Scandium (21)			
	Sc-47		$9 \times 10^{-4}$	
	Sc-48		$3 \times 10^{-4}$	
Selenium (34)	Se-75		$3 \times 10^{-3}$	
Silicon (14)	Si-31		$9 \times 10^{-3}$	
	Ag-105		$1 \times 10^{-3}$	
	Ag-110m		$3 \times 10^{-4}$	
Silver (47)	Ag-111		$4 \times 10^{-4}$	
	Na-24		$2 \times 10^{-3}$	
	Sodium (11)			
Strontium (38)	Sr-85		$1 \times 10^{-3}$	
	Sr-89		$1 \times 10^{-4}$	
	Sr-91		$7 \times 10^{-4}$	
	Sr-92		$7 \times 10^{-4}$	
	S-35		$6 \times 10^{-4}$	
Sulfur (16)		$9 \times 10^{-8}$		
Tantalum (73)	Ta-182		$4 \times 10^{-4}$	
Technetium (43)	Tc-96m		$1 \times 10^{-1}$	
	Tc-96		$1 \times 10^{-3}$	
	Tc-99		$2 \times 10^{-3}$	
Tellurium (52)	Tc-125m		$6 \times 10^{-4}$	
	Tc-127m		$6 \times 10^{-4}$	
	Tc-127		$3 \times 10^{-3}$	
	Tc-129m		$3 \times 10^{-4}$	
	Tc-131m		$6 \times 10^{-4}$	
	Tc-132		$3 \times 10^{-4}$	
Terbium (65)	Tb-160		$4 \times 10^{-4}$	
	Tl-200		$4 \times 10^{-3}$	
Thallium (81)	Tl-201		$3 \times 10^{-3}$	
	Tl-202		$1 \times 10^{-3}$	
	Tl-204		$1 \times 10^{-3}$	
	Tm-170		$5 \times 10^{-4}$	
Thulium (69)	Tm-171		$5 \times 10^{-3}$	
	Sn-113		$9 \times 10^{-4}$	
Tin (50)	Sn-125		$2 \times 10^{-4}$	
Tungsten (Wolfram) (74)	W-181		$4 \times 10^{-3}$	
	W-187		$7 \times 10^{-4}$	
	V-48		$3 \times 10^{-4}$	
Vanadium (23)	Xe-131m		$4 \times 10^{-6}$	
	Xe-133		$3 \times 10^{-6}$	
Xenon (54)	Xc-135		$1 \times 10^{-6}$	
	Yb-175		$1 \times 10^{-3}$	
Ytterbium (70)	Y-90		$2 \times 10^{-4}$	
	Y-91m		$3 \times 10^{-2}$	
	Y-91		$3 \times 10^{-4}$	
	Y-92		$3 \times 10^{-4}$	
	Y-93		$6 \times 10^{-4}$	
	Yttrium (39)	Y-93		$3 \times 10^{-4}$

Element (atomic number)	Isotope	Column I Gas con- centra- tion $\mu\text{Ci/ml}^1$	Column II Liquid and solid concentra- tion $\mu\text{Ci/ml}^2$
Zinc (30)	Zn-65		$1 \times 10^{-3}$
	Zn-69m		$7 \times 10^{-4}$
Zirconium (40)	Zn-69		$2 \times 10^{-2}$
	Zr-95		$6 \times 10^{-4}$
	Zr-97		$2 \times 10^{-4}$
Beta and/or gamma emitting radioactive material not listed above with half-life less than 3 years			
		$1 \times 10^{-10}$	$1 \times 10^{-6}$

Notes:

<sup>1</sup>Values are given in Column I only for those materials normally used as gases  
<sup>2</sup> $\mu\text{Ci/gm}$  for solids

Note 1: Many radioisotopes disintegrate into isotopes which are also radioactive. In expressing the concentrations in Schedule C the activity stated is that of the parent isotope and takes into account the daughters.

Note 2: For purposes of WAC ((402-19-190)) 246-232-010(2) where there is involved a combination of isotopes, the limit for the combination should be derived as follows: Determine for each isotope in the product the ratio between the concentration present in the product and the exempt concentration established in Schedule C for the specific isotope when not in combination. The sum of such ratios may not exceed "1" (i.e., unity).

Example:

$$\frac{\text{Concentration of Isotope A in Product}}{\text{Exempt concentration of Isotope A}} + \frac{\text{Concentration of Isotope B in Product}}{\text{Exempt concentration of Isotope B}} \leq 1$$

Note 3: For the purpose of determining concentration in a product or device, the total quantity of radioactive material present is divided by only that weight or volume of the discrete part or component throughout which the radioactive material is relatively uniformly distributed. If the weight or volume of this part or component cannot be determined then the product or device should be evaluated on the basis of the total quantity of radioactive material present.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-232-990 FEES. Fees are required from all applicants, licensees, or registrants. Chapter ((402-70)) 246-254 WAC specifies fees for ((owners or operators of uranium or thorium mills and their associated mill tailings as authorized pursuant to RCW 70.121.030; Chapter 440-44 WAC specifies fees for all other applicants pursuant to chapter 43.20A RCW)) users of radiation subject to regulation under chapters 246-220 through 246-255 WAC.

**REPEALER**

The following sections of the Washington Administrative Code are repealed:

WAC 246-232-100 REQUIREMENTS FOR USERS OF THE WASHINGTON COMMERCIAL LOW-LEVEL WASTE DISPOSAL SITE.

WAC 246-232-110 LARGE VOLUMES OF NATURALLY OCCURRING MATERIAL.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-233-001 PURPOSE AND SCOPE. This chapter establishes general licenses for the possession and use of radioactive material contained in certain items and a general license for ownership of radioactive material. Chapter ((402-19)) 246-232 WAC also contains provisions applicable to the subject matter of this part.

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-233-010 GENERAL LICENSES—SOURCE MATERIAL. (1) A general license is hereby issued authorizing use, possession, and transfer of not more than fifteen pounds of source material at any one time by persons in the following categories:

(a) Pharmacists using the source material solely for the preparation of medicinal compounds;

(b) Physicians using the source material for medicinal purposes;

(c) Persons receiving possession of source material from pharmacists and physicians in the form of medicinals or drugs;

(d) Commercial and industrial firms, and research, educational, and medical institutions, and state and local government agencies for research, development, educational, operational, or commercial purposes: AND PROVIDED, That no such person shall, pursuant to this general license, receive more than a total of one hundred fifty pounds of source material in any one calendar year.

(2) Persons who receive, possess, use, or transfer source material pursuant to the general license issued in subsection (1) of this section are exempt from the provisions of chapters ((402-24 and 402-48)) 246-221 and 246-222 WAC to the extent that such receipt, possession, use, or transfer is within the terms of such general license: PROVIDED, HOWEVER, That this exemption shall not be deemed to apply to any such person who is also in possession of source material under a specific license issued pursuant to chapter ((402-22)) 246-235 WAC.

(3) A general license is hereby issued authorizing the receipt of title to source material without regard to quantity. This general license does not authorize any person to receive, possess, use, or transfer source material.

(4) Depleted uranium in industrial products and devices.

(a) A general license is hereby issued to receive, acquire, possess, use, or transfer, in accordance with the provisions of paragraphs (4)(b), (c), (d), and (e) of this section, depleted uranium contained in industrial products or devices for the purpose of providing a concentrated mass in a small volume of the product or device.

(b) The general license in paragraph (4)(a) of this section applies only to industrial products or devices which have been manufactured either in accordance with a specific license issued to the manufacturer of the products or devices pursuant to WAC ((402-22-110)) 246-235-100(13) or in accordance with a specific license issued to the manufacturer by the United States Nuclear Regulatory Commission or an agreement state which authorizes manufacture of the products or devices for distribution to persons generally licensed by the United States Nuclear Regulatory Commission or an agreement state.

(c)(i) Persons who receive, acquire, possess, or use depleted uranium pursuant to the general license established by paragraph (4)(a) of this section shall file department form RHF-20 "Registration certificate - Use of depleted uranium under general license." with the department. The form shall be submitted within thirty days after the first receipt or acquisition of such depleted uranium. The registrant shall furnish on department form RHF-20 the following information and such other information as may be required by that form:

(A) Name and address of the registrant;

(B) A statement that the registrant has developed and will maintain procedures designed to establish physical control over the depleted uranium described in paragraph (4)(a) of this section and designed to prevent transfer of such depleted uranium in any form, including metal scrap, to persons not authorized to receive the depleted uranium; and

(C) Name and/or title, address, and telephone number of the individual duly authorized to act for and on behalf of the registrant in supervising the procedures identified in item (4)(c)(i)(B) of this section.

(ii) The registrant possessing or using depleted uranium under the general license established by paragraph (4)(a) of this section shall report in writing to the department any changes in information previously furnished on the "Registration certificate - Use of depleted uranium under general license." The report shall be submitted within thirty days after the effective date of such change.

(d) A person who receives, acquires, possesses, or uses depleted uranium pursuant to the general license established by paragraph (4)(a) of this section:

(i) Shall not introduce such depleted uranium, in any form, into a chemical, physical, or metallurgical treatment or process, except a treatment or process for repair or restoration of any plating or other covering of the depleted uranium.

(ii) Shall not abandon such depleted uranium.

(iii) Shall transfer or dispose of such depleted uranium only by transfer in accordance with the provision of chapter ((402-19)) 246-232 WAC. In the case where the transferee receives the depleted uranium pursuant to the general license established by paragraph (4)(a) of this section the transferor shall furnish the transferee a copy of this regulation and a copy of department form RHF-20.

In the case where the transferee receives the depleted uranium pursuant to a general license contained in the United States Nuclear Regulatory Commission's or agreement state's regulation equivalent to paragraph (4)(a) of this section the transferor shall furnish the transferee a copy of this regulation and a copy of department form RHF-20 accompanied by a note explaining that use of the product or device is regulated by the United States Nuclear Regulatory Commission or agreement state under requirements substantially the same as those in this regulation.

(iv) Shall maintain and make available to the department upon request the name and address of the person receiving the depleted uranium pursuant to such transfer.

(v) Shall not export such depleted uranium except in accordance with a license issued by the United States Nuclear Regulatory Commission pursuant to 10 CFR Part 110.

(e) Any person receiving, acquiring, possessing, using, or transferring depleted uranium pursuant to the general license established by paragraph (4)(a) of this section is exempt from the requirements of chapters ((402-24 and 402-48)) 246-221 and 246-222 WAC of these regulations with respect to the depleted uranium covered by that general license.

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

## WAC 246-233-020 GENERAL LICENSES\*—RADIOACTIVE MATERIAL OTHER THAN SOURCE MATERIAL.

\*Note: Different general licenses are issued in this section, each of which has its own specific conditions and requirements.

(1) Certain devices and equipment. A general license is hereby issued to transfer, receive, acquire, own, possess, and use radioactive material incorporated in the following devices or equipment which have been manufactured, tested and labeled by the manufacturer in accordance with a specific license issued to the manufacturer by the United States Nuclear Regulatory Commission for use pursuant to Section 31.3 of 10 CFR Part 31. This general license is subject to the provisions of WAC ((402-12-080 through 402-12-140, chapters 402-19, 402-24\*\* and 402-48)) 246-220-020, 246-220-030, 246-220-040, 246-220-050, 246-220-060, 246-220-070, chapters 246-232, 246-221\*\* and 246-222 WAC.

(a) Static elimination device. Devices designed for use as static eliminators which contain, as a sealed source or sources, radioactive material consisting of a total of not more than 500 microcuries of Polonium-210 per device.

(b) Ion generating tube. Devices designed for ionization of air which contain, as a sealed source or sources, radioactive material consisting of a total of not more than 500 microcuries of Polonium-210 per device or a total of not more than 50 millicuries of Hydrogen-3 (tritium) per device.

\*\*Attention is directed particularly to the provisions of chapter ((402-24)) 246-221 WAC of these regulations which relate to the labeling of containers.

(2) Reserved.

(3) Reserved.

(4) Certain measuring, gauging or controlling devices.

(a) A general license is hereby issued to commercial and industrial firms and research, educational and medical institutions, individuals in the conduct of their business, and state or local government agencies to own, acquire, receive, possess, use or transfer, in accordance with the provisions of (b), (c), and (d) of this subsection, radioactive material excluding special nuclear material contained in devices designed and manufactured for the purpose of detecting, measuring, gauging or controlling thickness, density, level, interface location, radiation, leakage, or qualitative or quantitative chemical composition, or for producing light or an ionized atmosphere.

(b) The general license in (a) of this subsection applies only to radioactive material contained in devices which have been manufactured and labeled in accordance with the specifications contained in a specific license issued by the department pursuant to WAC ((402-22-110))

246-235-100(4) or in accordance with the Nuclear Regulatory Commission, an agreement state or a licensing state, which authorizes distribution of devices to persons generally licensed by the United States Nuclear Regulatory Commission, an agreement state or licensing state\*\*.

\*Note: Regulations under the Federal Food, Drug, and Cosmetic Act authorizing the use of radioactive control devices in food production require certain additional labeling thereon which is found in Section 179.21 of 21 CFR Part 179.

(c) Any person who owns, acquires, receives, possesses, uses or transfers radioactive material in a device pursuant to the general license in (a) of this subsection:

(i) Shall assure that all labels affixed to the device at the time of receipt and bearing a statement that removal of the label is prohibited are maintained thereon and shall comply with all instructions and precautions provided by such labels;

(ii) Shall assure that the device is tested for leakage of radioactive material and proper operation of the on-off mechanism and indicator, if any, at no longer than six-month intervals or at such other intervals as are specified in the label, however:

(A) Devices containing only krypton need not be tested for leakage of radioactive material; and

(B) Devices containing only tritium or not more than 100 microcuries of other beta and/or gamma emitting material or 10 microcuries of alpha emitting material need not be tested for any purpose. Devices held in storage in the original shipping container prior to initial installation need not be tested until immediately prior to use;

(iii) Shall assure that the tests required by (c)(ii) of this subsection and other testing, ~~((installation))~~ installing, servicing, and ~~((removal))~~ removing from installation involving the radioactive materials, its shielding or containment, are performed:

(A) In accordance with the instructions provided by the labels; or

(B) By a person holding a specific license from the department or from the United States Nuclear Regulatory Commission or from any agreement state or from a licensing state to perform such activities;

(iv) Shall maintain records showing compliance with the requirements of (c)(ii) and (iii) of this subsection. The records shall show the results of tests. The records also shall show the dates of performance and the names of persons performing, testing, ~~((installation))~~ installing, servicing, and ~~((removal))~~ removing from installation concerning the radioactive material, its shielding or containment. Records of tests for leakage of radioactive material required by (c)(ii) of this subsection shall be maintained for one year after the next required leak test is performed or the sealed source is transferred or disposed. Records of tests of the on/off mechanism and indicator required by (c)(ii) of this subsection shall be maintained for one year after the next required test of the on/off mechanism and indicator is performed or the sealed source is transferred or disposed. Records of other testing, installation, servicing, and removal from installation required by (c)(iii) of this subsection shall be maintained for a period of two years from the date of the recorded event or until the device is transferred or disposed;

(v) Upon the occurrence of a failure of or damage to, or any indication of a possible failure of or damage to, the shielding of the radioactive material or the on/off mechanism or indicator, or upon the detection of 0.005 microcuries or more removable radioactive material, shall immediately suspend operation of the device until it has been repaired by the manufacturer or other person holding a specific license from the department, the United States Nuclear Regulatory Commission, or from an agreement state or a licensing state to repair such devices, or disposed by transfer to a person authorized by a specific license to receive the radioactive material contained in the device and, within thirty days, furnish to the department a written report containing a brief description of the event and the remedial action taken;

(vi) Shall not abandon the device containing radioactive material;

(vii) Except as provided in (c)(viii) of this subsection, shall transfer or dispose the device containing radioactive material only by transfer to a person holding a specific license of the department, the United States Nuclear Regulatory Commission, or an agreement state, or a licensing state whose specific license authorizes the person to receive the device and within thirty days after transfer of a device to a specific licensee shall furnish to the department a report containing identification of the device by manufacturer's name, model number and the name and address of the person receiving the device. No report is required if the device is transferred to the specific licensee in order to obtain a replacement device;

(viii) Shall transfer the device to another general licensee only;

(A) Where the device remains in use at a particular location. In such case, the transferor shall give the transferee a copy of this subsection and any safety documents identified in the label of the device and within thirty days of the transfer, report to the department the manufacturer's name, model number of device transferred, the name and address of the transferee, and the name and/or position of an individual who may constitute a point of contact between the department and the transferee; or

(B) Where the device is held in storage in the original shipping container at its intended location of use prior to initial use by a general licensee:

(ix) Shall comply with the provisions of WAC (~~((402-24-180 and 402-24-190))~~ 246-221-240 and 246-221-250 for reporting radiation incidents, theft or loss of licensed material, but shall be exempt from the other requirements of chapters (~~((402-24 and 402-48))~~ 246-221 and 246-222 WAC.

(d) The general license in (a) of this subsection does not authorize the manufacture, import or export of devices containing radioactive material.

(e) The general license provided in this subsection is subject to the provisions of WAC (~~((402-12-080 through 402-12-100, 402-12-130, 402-12-140, 402-12-170, 402-19-300, 402-19-350, 402-19-400, and 402-19-500))~~ 246-220-020, 246-220-030, 246-220-040, 246-220-060, 246-220-070, 246-220-100, 246-232-050, 246-232-070, 246-232-080, and 246-232-090.

(5) Luminous safety devices for aircraft.

(a) A general license is hereby issued to own, receive, acquire, possess and use tritium or Promethium-147 contained in luminous safety devices for use in aircraft, provided:

(i) Each device contains not more than 10 curies of tritium or 300 millicuries of Promethium-147; and

(ii) Each device has been manufactured, assembled or imported in accordance with a specific license issued by the United States Nuclear Regulatory Commission, or each device has been manufactured or assembled in accordance with the specifications contained in a specific license issued by the department or any agreement state to the manufacturer or assembler of such device pursuant to licensing requirements equivalent to those in Section 32.53 of 10 CFR Part 32 of the regulations of the United States Nuclear Regulatory Commission.

(b) Persons who own, receive, acquire, possess or use luminous safety devices pursuant to the general license in this subsection are exempt from the requirements of chapters (~~((402-24 and 402-48))~~ 246-221 and 246-222 WAC except that they shall comply with the provisions of WAC (~~((402-24-180 and 402-24-190))~~ 246-221-240 and 246-221-250.

(c) This general license does not authorize the manufacture, assembly, or repair of luminous safety devices containing tritium or Promethium-147.

(d) This general license does not authorize the ownership, receipt, acquisition, possession or use of Promethium-147 contained in instrument dials.

(e) This general license is subject to the provisions of WAC (~~((402-12-080 through 402-12-140, 402-12-170, 402-19-300, 402-19-350, 402-19-400, and 402-19-500))~~ 246-220-020, 246-220-030, 246-220-040, 246-220-050, 246-220-060, 246-220-070, 246-220-100, 246-232-050, 246-232-070, 246-232-080, and 246-232-090.

(6) Ownership of radioactive material. A general license is hereby issued to own radioactive material without regard to quantity. Notwithstanding any other provisions of this chapter, this general license does not authorize the manufacture, production, transfer, receipt, possession or use of radioactive material.

(7) Calibration and reference sources.

(a) A general license is hereby issued to those persons listed below to own, receive, acquire, possess, use and transfer, in accordance with the provisions of (d) and (e) of this subsection, Americium-241 in the form of calibration or reference sources:

(i) Any person who holds a specific license issued by the department which authorizes that person to receive, possess, use and transfer radioactive material; or

(ii) Any person who holds a specific license issued by the United States Nuclear Regulatory Commission which authorizes that person to receive, possess, use and transfer special nuclear material.

(b) A general license is hereby issued to own, receive, possess, use and transfer plutonium in the form of calibration or reference sources in accordance with the provisions of (d) and (e) of this subsection to any person who holds a specific license issued by the department which

authorizes that person to receive, possess, use and transfer radioactive material.

(c) A general license is hereby issued to own, receive, possess, use and transfer Radium-226 in the form of calibration or reference sources in accordance with the provisions of (d) and (e) of this subsection to any person who holds a specific license issued by the department which authorizes that person to receive, possess, use and transfer radioactive material.

(d) The general licenses in (a), (b) and (c) of this subsection apply only to calibration or reference sources which have been manufactured in accordance with the specifications contained in a specific license issued to the manufacturer or importer of the sources by the United States Nuclear Regulatory Commission pursuant to Section 32.57 of 10 CFR Part 32 or Section 70.39 of 10 CFR Part 70 or which have been manufactured in accordance with the specifications contained in a specific license issued to the manufacturer by the department or any agreement state or licensing state pursuant to licensing requirements equivalent to those contained in Section 32.57 of 10 CFR Part 32 or Section 70.39 of 10 CFR Part 70 of the regulations of the United States Nuclear Regulatory Commission.

(e) The general licenses provided in (a), (b) and (c) of this subsection are subject to the provisions of WAC (~~402-12-080 through 402-12-100, 402-12-130, 402-12-140, 402-12-170, 402-19-300, 402-19-350, 402-19-400, 402-19-500, chapters 402-24 and 402-48~~) 246-220-020, 246-220-030, 246-220-040, 246-220-060, 246-220-070, 246-220-100, 246-232-050, 246-232-070, 246-232-080, 246-232-090, chapters 246-221 and 246-222 WAC.

In addition, persons who own, receive, acquire, possess, use or transfer one or more calibration or reference sources pursuant to these general licenses:

(i) Shall not possess at any one time, at any one location of storage or use, more than 5 microcuries of Americium-241 and 5 microcuries of plutonium and 5 microcuries of Radium-226 in such sources;

(ii) Shall not receive, possess, use or transfer such source unless the source, or the storage container, bears a label which includes one of the following statements or a substantially similar statement which contains the information called for in the following statement:

(A) The receipt, possession, use and transfer of this source, Model . . . . ., Serial No. . . . ., are subject to a general license and the regulations of the United States Nuclear Regulatory Commission or of a state with which the commission has entered into an agreement for the exercise of regulatory authority. Do not remove this label.

CAUTION - RADIOACTIVE MATERIAL - THIS SOURCE CONTAINS (AMERICIUM-241). (PLUTONIUM)\*. DO NOT TOUCH RADIOACTIVE PORTION OF THIS SOURCE

.....  
Name of manufacturer or importer

\*Note: Showing only the name of the appropriate material.

(B) The receipt, possession, use and transfer of this source, Model . . . . ., Serial No. . . . ., are subject to a general license and the regulations of any licensing state. Do not remove this label.

CAUTION - RADIOACTIVE MATERIAL - THIS SOURCE CONTAINS RADIUM-226. DO NOT TOUCH RADIOACTIVE PORTION OF THIS SOURCE.

.....  
Name of manufacturer or importer

(iii) Shall not transfer, abandon, or dispose of such source except by transfer to a person authorized by a license from the department, the United States Nuclear Regulatory Commission, or an agreement state or licensing state to receive the source;

(iv) Shall store such source, except when the source is being used, in a closed container adequately designed and constructed to contain Americium-241, Plutonium, or Radium-226/Radon-222 which might otherwise escape during storage; and

(v) Shall not use such source for any purpose other than the calibration of radiation detectors or the standardization of other sources.

(f) These general licenses do not authorize the manufacture of calibration or reference sources containing Americium-241, Plutonium, or Radium-226.

(8) General license for use of radioactive material for certain in vitro clinical or laboratory testing.\*

(a) A general license is hereby issued to any physician, veterinarian, clinical laboratory or hospital to receive, acquire, possess, transfer or use, for any of the following stated tests, in accordance with the provisions of or use, for any of the following stated tests, in accordance with the provisions of (b), (c), (d), (e), and (f) of this subsection the following radioactive materials in prepackaged units:

(i) Iodine-125, in units not exceeding 10 microcuries each for use in in vitro clinical or laboratory tests not involving internal or external administration of radioactive material, or the radiation therefrom, to human beings or animals.

(ii) Iodine-131, in units not exceeding 10 microcuries each for use in in vitro clinical or laboratory tests not involving internal or external administration of radioactive material, or the radiation therefrom, to human beings or animals.

(iii) Carbon-14, in units not exceeding 10 microcuries each for use in in vitro clinical or laboratory tests not involving internal or external administration of radioactive material, or the radiation therefrom, to human beings or animals.

(iv) Hydrogen-3 (tritium), in units not exceeding 50 microcuries each for use in in vitro clinical or laboratory tests not involving internal or external administration of radioactive material, or the radiation therefrom, to human beings or animals.

(v) Iron-59, in units not exceeding 20 microcuries each for use in in vitro clinical or laboratory tests not involving internal or external administration of radioactive material, or the radiation therefrom, to human beings or animals.

(vi) Cobalt-57, in units not exceeding 10 microcuries each for use in in vitro clinical or laboratory tests not involving internal or external administration of radioactive material, or the radiation therefrom, to human beings or animals.

(vii) Selenium-75, in units not to exceed 10 microcuries each for use in in vitro clinical or laboratory tests not involving internal or external administration of radioactive material, or the radiation therefrom, to human beings or animals.

(viii) Mock Iodine-125 reference or calibration sources, in units not exceeding 0.05 microcurie of Iodine-129 and 0.005 microcurie of Americium-241 each for use in in vitro clinical or laboratory tests not involving internal or external administration of radioactive material, or the radiation therefrom, to human beings or animals.

\*Note: The new drug provisions of the Federal Food, Drug and Cosmetic Act also govern the availability and use of any specific diagnostic drugs in interstate commerce.

(b) No person shall receive, acquire, possess, use or transfer radioactive material pursuant to the general license established by (a) of this subsection until that person has received a validated copy of department Form RHF-15 "Certificate-in vitro testing with radioactive material under general license." Annual validation requires resubmission of revised department Form RHF-15 and submittal of the annual fee to the department. The physician, veterinarian, clinical laboratory or hospital shall furnish on department Form RHF-15 the following information and such other information as may be required by that form:

(i) Name and address of the physician, veterinarian, clinical laboratory or hospital;

(ii) The location of use; and

(iii) A statement that the physician, veterinarian, clinical laboratory or hospital has appropriate radiation measuring instruments to carry out in vitro clinical or laboratory tests with radioactive material as authorized under the general license in (a) of this subsection and that such tests will be performed only by personnel competent in the use of such instruments and in the handling of the radioactive material.

(c) A person who receives, acquires, possesses or uses radioactive material pursuant to the general license established by (a) of this subsection shall comply with the following:

(i) The general licensee shall not possess at any one time, pursuant to the general license in (a) of this subsection at any one location of storage or use, a total amount of Iodine-125, Iodine-131, Selenium-75, Iron-59, and/or Cobalt-57 in excess of 200 microcuries.

(ii) The general licensee shall store the radioactive material, until used, in the original shipping container or in a container providing equivalent radiation protection.

(iii) The general licensee shall use the radioactive material only for the uses authorized by (a) of this subsection.



(iv) The general licensee shall not transfer the radioactive material to a person who is not authorized to receive it pursuant to a license issued by the department, the United States Nuclear Regulatory Commission, any agreement state or licensing state, nor transfer the radioactive material in any manner other than in the unopened, labeled shipping container as received from the supplier.

(v) The general licensee shall dispose of the Mock Iodine-125 reference or calibration sources described in (a)(viii) of this subsection as required by WAC ((402-24-130)) 246-221-170.

(d) The general licensee shall not receive, acquire, possess, or use radioactive material pursuant to (a) of this subsection:

(i) Except as prepackaged units which are labeled in accordance with the provision of an applicable specific license issued pursuant to WAC ((402-22-110)) 246-235-100(8) or in accordance with the provisions of a specific license issued by the United States Nuclear Regulatory Commission, or any agreement state or licensing state which authorizes the manufacture and distribution of Iodine-125, Iodine-131, Carbon-14, Hydrogen-3 (tritium), Iron-59, Selenium-75, Cobalt-57, or Mock Iodine-125 to persons generally licensed under this subsection or its equivalent; and

(ii) Unless one of the following statements, as appropriate, or a substantially similar statement which contains the information called for in one of the following statements, appears on a label affixed to each prepackaged unit or appears in a leaflet or brochure which accompanies the package:

This radioactive material shall be received, acquired, possessed and used only by physicians, veterinarians, clinical laboratories or hospitals and only for in vitro clinical or laboratory tests not involving internal or external administration of the material, or the radiation therefrom, to human beings or animals. Its receipt, acquisition, possession, use and transfer are subject to the regulations and a general license of the United States Nuclear Regulatory Commission or of a state with which the commission has entered into an agreement for the exercise of regulatory authority.

.....  
Name of manufacturer

This radioactive material shall be received, acquired, possessed and used only by physicians, veterinarians, clinical laboratories or hospitals and only for in vitro clinical or laboratory tests not involving internal or external administration of the material, or the radiation therefrom, to human beings or animals. Its receipt, acquisition, possession, use and transfer are subject to the regulations and a general license of a licensing state.

.....  
Name of manufacturer

(e) The physician, veterinarian, clinical laboratory or hospital possessing or using radioactive material under the general license of (a) of this subsection shall report in writing to the department, any changes in the information previously furnished in the "Certificate - in vitro testing with radioactive material under general license," department Form RHF-15. The report shall be furnished within thirty days after the effective date of such change.

(f) This general license is subject to the provisions of WAC ((402-12-080 through 402-12-100, 402-12-130, 402-12-140, 402-12-160 and 402-12-170)) 246-220-020, 246-220-030, 246-220-040, 246-220-060, 246-220-070, 246-220-090 and 246-220-100. In addition, any person using radioactive material pursuant to the general license of (a) of this subsection is exempt from the requirements of chapters ((402-24 and 402-48)) 246-221 and 246-222 WAC with respect to radioactive material covered by that general license, except that such persons using the Mock Iodine-125 described in (a)(viii) of this subsection shall comply with the provisions of WAC ((402-24-130, 402-24-180, and 402-24-190)) 246-221-170, 246-221-240, and 246-221-250 and of these regulations.

(9) Ice detection devices.

(a) A general license is hereby issued to own, receive, acquire, possess, use and transfer Strontium-90 contained in ice detection devices, provided each device contains not more than 50 microcuries of Strontium-90 and each device has been manufactured or imported in accordance with a specific license issued by the United States Nuclear Regulatory Commission or each device has been manufactured in accordance with the specifications contained in a specific license issued

by the department or any agreement state to the manufacturer of such device pursuant to licensing requirements equivalent to those in Section 32.61 of 10 CFR Part 32 of the regulations of the United States Nuclear Regulatory Commission.

(b) Persons who own, receive, acquire, possess, use or transfer Strontium-90 contained in ice detection devices pursuant to the general license in (a) of this subsection:

(i) Shall, upon occurrence of visually observable damage, such as a bend or crack or discoloration from overheating to the device, discontinue use of the device until it has been inspected, tested for leakage and repaired by a person holding a specific license from the United States Nuclear Regulatory Commission or an agreement state to manufacture or service such devices; or shall dispose of the device pursuant to the provisions of these regulations;

(ii) Shall assure that all labels affixed to the device at the time of receipt, and which bear a statement which prohibits removal of the labels, are maintained thereon; and

(iii) Are exempt from the requirements of chapters ((402-24 and 402-48)) 246-221 and 246-222 WAC except that such persons shall comply with the provisions of WAC ((402-24-130, 402-24-180, and 402-24-190)) 246-221-170, 246-221-240, and 246-221-250.

(c) This general license does not authorize the manufacture, assembly, disassembly or repair of Strontium-90 sources in ice detection devices.

(d) This general license is subject to the provisions of WAC ((402-12-080 through 402-12-100, 402-12-130, 402-12-140, 402-12-170, 402-19-300, 402-19-350, 402-19-400, and 402-19-500)) 246-220-020, 246-220-030, 246-220-040, 246-220-060, 246-220-070, 246-220-100, 246-232-050, 246-232-070, 246-232-080, and 246-232-090.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-235-001 PURPOSE AND SCOPE. (1) This chapter prescribes requirements for the issuance of specific licenses.

(2) The provisions and requirements of this chapter are in addition to, and not in substitution for, other requirements of these regulations. In particular the provisions of chapter ((402-19)) 246-232 WAC apply to applications and licenses subject to this chapter.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-235-020 GENERAL REQUIREMENTS FOR THE ISSUANCE OF SPECIFIC LICENSES. A license application will be approved if the department determines that:

(1) The applicant is qualified by reason of training and experience to use the material in question for the purpose requested in accordance with these regulations in such a manner as to minimize danger to public health and safety or property;

(2) The applicant's proposed equipment, facilities, and procedures are adequate to minimize danger to public health and safety or property;

(3) The issuance of the license will not be inimical to the health and safety of the public; and

(4) The applicant satisfies any applicable special requirements in WAC ((402-22-070, 402-22-090, 402-22-110, and 402-80-060)) 246-235-080, 246-235-090, 246-235-095, 246-235-100, and 246-247-050.

(5) In the case of an application for a license to receive and possess radioactive material for commercial waste disposal by land burial, source material milling, or for the conduct of any other activity which the agency determines will significantly affect the quality of the environment, the department, before commencement of construction of the plant or facility in which the activity will be conducted, has concluded, after independently weighing the environmental, economic, technical and other benefits against environmental costs and considering available alternatives, that the action called for is the issuance of the proposed license, with any appropriate conditions to protect environmental values. Commencement of construction prior to such conclusion shall be grounds for denial of a license to receive and possess radioactive material in such plant or facility. As used in this paragraph the term "commencement of construction" means any clearing of land, excavation, or other substantial action that would adversely affect the environment of a site. The term does not mean site exploration, necessary borings to determine foundation conditions, or other preconstruction

monitoring or testing to establish background information related to the suitability of the site or the protection of environmental values.

**((6) Financial surety arrangements:**

(a) Pursuant to chapter 70.121 RCW, and except as otherwise provided, financial surety arrangements for site reclamation and long-term surveillance and control which may consist of surety bonds, cash deposits, certificates of deposit, deposits of government securities, irrevocable letters or lines of credit, or any combination of the above for source material milling operations shall be established to ensure the protection of the public health and safety in the event of abandonment, default, or other inability of the licensee to meet the requirements of the act and these regulations.

(i) The amount of funds to be ensured by such surety arrangements shall be based on department-approved cost estimates.

(ii) Self-insurance, or any arrangement which essentially constitutes self-insurance (e.g., a contract with a state or federal agency), will not satisfy the surety requirement since this provides no additional assurance other than that which already exists through license requirements.

(b) The arrangements required in (a) of this subsection shall be established prior to commencement of operations to assure that sufficient funds will be available to carry out decontamination and decommissioning of the facility.

(c) Amendments to licenses in effect on the effective date of this regulation may be issued providing that the required surety arrangements are established within ninety days after the effective date of this subsection.

(d) For source material milling operations, the amount of funds to be ensured by such surety arrangements shall be based on department-approved cost estimates in an approved plan for (i) decontamination and decommissioning of mill buildings and the milling site to levels which would allow unrestricted use of these areas upon decommissioning, and (ii) the reclamation of tailings and/or waste disposal areas in accordance with the technical criteria delineated in WAC 402-52-100. The licensee shall submit this plan in conjunction with an environmental report that addresses the expected environmental impacts of the milling operation, decommissioning and tailings reclamation, and evaluates alternatives for mitigating these impacts. In addition, the surety shall cover the payment of the charge for long-term surveillance and control required by the department. In establishing specific surety arrangements, the licensee's cost estimates shall take into account total costs that would be incurred if an independent contractor were hired to perform the decommissioning and reclamation work. In order to avoid unnecessary duplication and expense, the department may accept financial sureties that have been consolidated with financial or surety arrangements established to meet requirements of other federal or state agencies and/or local governing bodies for such decommissioning, decontamination, reclamation, and long-term site surveillance, provided such arrangements are considered adequate to satisfy these requirements and that portion of the surety which covers the decommissioning and reclamation of the mill, mill tailings site and associated areas, and the long-term funding charge are clearly identified. The licensee's surety mechanism will be reviewed annually by the department to assure that sufficient funds will be available for completion of the reclamation plan if the work had to be performed by an independent contractor. The amount of surety liability should be adjusted to recognize any increases or decreases resulting from inflation, changes in engineering plans, activities performed, and any other conditions affecting costs. Regardless of whether reclamation is phased through the life of the operation or takes place at the end of operations, an appropriate portion of surety liability shall be retained until final compliance with the reclamation plan is determined. This will yield a surety that is at least sufficient at all times to cover the costs of decommissioning and reclamation of the areas that are expected to be disturbed before the next license renewal. The term of the surety mechanism must be open ended, unless it can be demonstrated that another arrangement would provide an equivalent level of assurance. This assurance could be provided with a surety instrument which is written for a specified period of time (e.g., five years) yet which must be automatically renewed unless the surety notifies the beneficiary (the state regulatory agency) and the principal (the licensee) some reasonable time (e.g., ninety days) prior to the renewal date of their intention not to renew. In such a situation the surety requirement still exists and the licensee would be required to submit an acceptable replacement surety within a brief period of time to allow at least sixty days for the department to collect.

(7) Long-term care requirements. Pursuant to chapter 70.121 RCW, and as otherwise provided in WAC 402-22-070 (6)(d), a long-

term care trust fund shall be established by source material milling licensees prior to the issuance of the license.

**(8) Continued surveillance requirements for source material mills:**

(a) The final disposition of tailings or wastes at source material milling sites should be such that the need for active maintenance is not necessary to preserve isolation. As a minimum, annual site inspections shall be conducted by the government agency retaining ultimate custody of the site where tailings, or wastes are stored to confirm the integrity of the stabilized tailings, or waste systems and to determine the need, if any, for maintenance and/or monitoring and/or environmental sampling. Results of the inspection shall be reported to the United States Nuclear Regulatory Commission within sixty days following each inspection. The United States Nuclear Regulatory Commission may require more frequent site inspections, if, on the basis of a site-specific evaluation, such a need appears necessary due to the features of a particular tailings or waste disposal system.

(b) A minimum charge of two hundred fifty thousand dollars (1978 United States dollars) accrued as specified in WAC 402-22-070 (6)(d) to cover the costs of long-term surveillance shall be paid by each mill operator to the agency prior to the termination of a uranium or thorium mill license. If site surveillance or control requirements at a particular site are determined, on the basis of a site-specific evaluation, to be significantly greater than those specified in (a) of this subsection (e.g., if fencing is determined to be necessary) variance in funding requirements may be specified by the department. The total charge to cover the costs of long-term surveillance shall be such that, with an assumed one percent annual real interest rate, the collected funds will yield interest in an amount sufficient to cover the annual costs of site surveillance. The charge will be adjusted annually prior to actual payments to recognize inflation. The inflation rate to be used is that indicated by the change in the consumer price index published by the United States Department of Labor, Bureau of Labor Statistics. Contributions by a licensee to the long-term care trust fund pursuant to chapter 70.121 RCW shall be transferred to cover the costs assessed under this criterion.)

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-235-040 EXPIRATION OF LICENSES. Except as provided in WAC ((402-22-055)) 246-235-050(2), each specific license shall expire at the end of the day, in the month and year stated therein.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-235-050 RENEWAL OF LICENSE. (1) Applications for renewal of specific licenses shall be filed in accordance with WAC ((402-22-020)) 246-235-010.

(2) In any case in which a licensee, not less than thirty days prior to expiration of the existing license, has filed an application in proper form for renewal or for a new license authorizing the same activities, such existing license shall not expire until the application has been finally determined by the department.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-235-060 AMENDMENT OF LICENSES AT REQUEST OF LICENSEE. Applications for amendment of a license shall be filed in accordance with WAC ((402-22-020)) 246-235-010 and shall specify the respects in which the licensee desires the license to be amended and the grounds for such amendment.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-235-080 SPECIAL REQUIREMENTS FOR ISSUANCE OF CERTAIN SPECIFIC LICENSES FOR RADIOACTIVE MATERIAL. (1) Human use of radioactive material in institutions. In addition to the requirements set forth in WAC ((402-22-040)) 246-235-020 a specific license for human use of radioactive material in institutions will be issued if:

(a) The applicant has appointed a radiation safety committee to coordinate the use of radioactive material throughout that institution and to maintain surveillance over the institution's radiation safety program. Membership of the committee should include a specialist (where applicable a physician) from each department where radioactive material

is used, a representative of the institution's management, a representative of the nursing staff, and a person trained in radiation safety. The radiation safety committee shall meet at intervals not to exceed six months. Minutes shall be taken and maintained for two years for inspection by the department;

(b) The applicant possesses adequate facilities for the clinical care of patients. The applicant is advised that construction of new radioisotope facilities and modification of existing facilities must also comply with the requirements of WAC (~~(248-18-665)~~) 246-318-660 of the construction review section of the department;

(c) The physician(s) designated on the application as the individual user(s) has (or have) substantial experience in the handling and administration of radioactive material and, where applicable, the clinical management of radioactive patients; and

(d) If the application is for a license to use unspecified quantities or multiple types of radioactive material, the applicant's staff has substantial experience in the use of a variety of radioactive materials for a variety of human uses.

(2) Licensing of individual physicians for human use of radioactive material. In addition to the requirements set forth in WAC (~~(402-22-040)~~) 246-235-020 a specific license for the human use of radioactive material will be issued to an individual physician if:

(a) The applicant has access to a hospital possessing adequate facilities to hospitalize and monitor the applicant's radioactive patients whenever it is advisable;

(b) The applicant has extensive experience in the handling and administration of radioactive material and, where applicable, the clinical management of radioactive patients;

(c) The application is for use in the applicant's practice in an office outside a medical institution; and

(d) The department will approve an application by an individual physician or group of physicians for a specific license to receive, possess or use radioactive material on the premises of a medical institution only if:

(i) The use of radioactive material is limited to the:

(A) Administration of radiopharmaceuticals for diagnostic or therapeutic purposes;

(B) Performance of diagnostic studies on patients to whom a radiopharmaceutical has been administered;

(C) Performance of in vitro diagnostic studies; or

(D) Calibration and quality control checks of radioactive assay instrumentation, radiation safety instrumentation and diagnostic instrumentation;

(ii) The physician brings the radioactive material with him or her and removes the radioactive material when he or she departs. (The institution cannot receive, possess or store radioactive material other than the amount of material remaining in the patient); and

(iii) The medical institution does not hold a radioactive material license issued pursuant to the provisions of subsection (1) of this section.

(3) Specific licenses for certain groups of medical uses of radioactive material.

(a) Subject to the provisions of (b), (c) and (d) of this subsection an application for a specific license pursuant to subsection (1), (2) or (4) of this section, or for any medical use or uses of radioactive material specified in one or more of Groups I to VI, inclusive, of WAC (~~(402-22-200)~~) 246-235-120, Schedule A, will be approved for all of the uses within the group or groups which include the use or uses specified in the application if:

(i) The applicant satisfies the requirements of subsection (1), (2) or (4) of this section;

(ii) The applicant, or the physician designated in the application as the individual user, has adequate clinical experience in the types of uses included in the group or groups;

(iii) The applicant, or the physicians and all other personnel who will be involved in the preparation and use of the radioactive material, have adequate training and experience in the handling of radioactive material appropriate to their participation in the uses included in the group or groups;

(iv) The applicant's radiation detection and measuring instrumentation is adequate for conducting the procedures involved in the uses included in the group or groups, specifically:

(A) For Groups I through V, applicant must possess and use a calibrated and operable low-range survey instrument with a thin window (less than 7 mg/cm<sup>2</sup>) capable of detecting radiation levels of 0.05 milliroentgen per hour up to at least 20 milliroentgens per hour;

(B) For Groups III, V, and VI, applicant must possess a calibrated and operable high-range survey instrument capable of detecting radiation levels up to at least one Roentgen per hour;

(v) The applicant's radiation safety operating procedures are adequate for handling and disposal of the radioactive material involved in the uses included in the group or groups.

(b) Any licensee or registrant who is authorized to use radioactive material pursuant to one or more groups in (a) of this subsection and WAC (~~(402-22-200)~~) 246-235-120, Schedule A, is subject to the following conditions:

(i) For Groups I, II, IV, and V, no licensee or registrant shall receive, possess or use radioactive material except as a radiopharmaceutical manufactured in the form to be administered to the patient, labeled, packaged and distributed in accordance with a specific license issued by the department pursuant to WAC (~~(402-22-110)~~) 246-235-100(10), a specific license issued by the United States Nuclear Regulatory Commission pursuant to Section 32.72 of 10 CFR Part 32, or a specific license issued by an agreement state or a licensing state pursuant to equivalent regulations.

(ii) For Group III, no licensee or registrant shall receive, possess or use generators or reagent kits containing radioactive material or shall use reagent kits that do not contain radioactive material to prepare radiopharmaceuticals containing radioactive material, except:

(A) Reagent kits not containing radioactive material that are approved by the department, the United States Nuclear Regulatory Commission, an agreement state or a licensing state for use by persons licensed pursuant to this subsection and WAC (~~(402-22-200)~~) 246-235-120, Schedule A, or equivalent regulations; or

(B) Generators or reagent kits containing radioactive material that are manufactured, labeled, packaged and distributed in accordance with a specific license issued by the department pursuant to WAC (~~(402-22-110)~~) 246-235-100(11), a specific license issued by the United States Nuclear Regulatory Commission pursuant to Section 32.73 of 10 CFR Part 32, or a specific license issued by an agreement state or a licensing state pursuant to equivalent regulations.

(iii) For Group VI, no licensee or registrant shall receive, possess or use radioactive material except as contained in a source or device that has been manufactured, labeled, packaged and distributed in accordance with a specific license issued by the department pursuant to WAC (~~(402-22-110)~~) 246-235-100(12), a specific license issued by the United States Nuclear Regulatory Commission pursuant to Section 32.74 of 10 CFR Part 32, or a specific license issued to the manufacturer by an agreement state or a licensing state pursuant to equivalent regulations.

(iv) For Group III, any licensee or registrant who uses generators or reagent kits shall elute the generator or process radioactive material with the reagent kit in accordance with instructions which are approved by the department, the United States Nuclear Regulatory Commission, an agreement state or a licensing state and are furnished by the manufacturer on the label attached to or in the leaflet or brochure which accompanies the generator or reagent kit.

(v) For Groups I, II and III any licensee using byproduct material for clinical procedures other than those specified in the product labeling (package insert) shall comply with the product labeling regarding:

(A) Chemical and physical form;

(B) Route of administration; and

(C) Dosage range.

(c) Any licensee who is licensed pursuant to (a) of this subsection for one or more of the medical use groups in WAC (~~(402-22-200)~~) 246-235-120, Schedule A, also is authorized, subject to the provisions of (c) and (d) of this subsection to receive, possess and use for calibration and reference standards:

(i) Any radioactive material authorized for use in IND/NDA products under Group I, Group II, or Group III of WAC (~~(402-22-200)~~) 246-235-120, Schedule A, with a half-life not longer than one hundred days, in amounts not to exceed 15 millicuries total;

(ii) Any radioactive material authorized for use in IND/NDA products under Group I, Group II, or Group III of WAC (~~(402-22-200)~~) 246-235-120, Schedule A, with half-life greater than one hundred days in amounts not to exceed 200 microcuries total;

(iii) Technetium-99m in amounts not to exceed 30 millicuries;

(iv) Any radioactive material excluding Radium-226, in amounts not to exceed three millicuries per source (except Cobalt-57, which may be possessed in amounts not to exceed 5.5 millicuries), contained in calibration or reference sources that have been manufactured, labeled, packaged, and distributed in accordance with a specific license issued by the department pursuant to WAC (~~(402-22-110)~~) 246-235-

100(11), a specific license issued by the United States Nuclear Regulatory Commission pursuant to Section 32.74 of 10 CFR Part 32, or a specific license issued to the manufacturer by an agreement state or a licensing state pursuant to equivalent regulations.

(d) Leak tests.

(i) Any licensee or registrant who possesses sealed sources as calibration or reference sources pursuant to (c) of this subsection shall cause each sealed source containing radioactive material, other than Hydrogen-3, with a half-life greater than thirty days in any form other than gas to be tested for leakage and/or contamination at intervals not to exceed six months. In the absence of a certificate from a transferor indicating that a test has been made within six months prior to the transfer, the sealed sources shall not be used until tested: PROVIDED, HOWEVER, That no leak tests are required when:

(A) The source contains 100 microcuries or less of beta and/or gamma emitting material or 10 microcuries or less of alpha emitting material;

(B) The sealed source is stored and is not being used: PROVIDED, That a physical inventory of the source and wipe surveys of the storage area or storage container are conducted.

(ii) The leak test shall be capable of detecting the presence of 0.005 microcurie of radioactive material on the test sample. The test sample shall be taken from the sealed source or from the surfaces of the device in which the sealed source is mounted or stored on which contamination might be expected to accumulate. Records of leak test results shall be kept in units of microcuries and maintained for inspection by the department.

(iii) If the leak test reveals the presence of 0.005 microcurie or more of removable contamination, the licensee or registrant shall immediately withdraw the sealed source from use and shall cause it to be decontaminated and repaired or to be disposed of in accordance with chapters ((402-22 and 402-24)) 246-235 and 246-221 WAC. A report shall be filed within five days of the test with the department describing the equipment involved, the test results, and the corrective action taken.

(e) Any licensee or registrant who possesses and uses calibration and reference sources pursuant to (c)(iv) of this subsection shall:

(i) Follow the radiation safety and handling instructions approved by the department, the United States Nuclear Regulatory Commission, an agreement state or a licensing state and furnished by the manufacturer on the label attached to the source, or permanent container thereof, or in the leaflet or brochure that accompanies the source, and maintain such instruction in a legible and conveniently available form; and

(ii) Conduct a quarterly physical inventory to account for all sources received and possessed. Records of the inventories shall be maintained for inspection by the department and shall include at a minimum the quantities and kinds of radioactive material, location of sources, name of person performing the inventory, and the date of the inventory.

(4) Human use of sealed sources. In addition to the requirements set forth in WAC ((402-22-040)) 246-235-020, a specific license for human use of sealed sources will be issued only if the applicant or, if the application is made by an institution, the individual user:

(a) Has specialized training in the diagnostic or therapeutic use of the sealed source considered, or has experience equivalent to such training; and

(b) Is a physician.

(5) Use of sealed sources in industrial radiography. In addition to the requirements set forth in WAC ((402-22-040)) 246-235-020, a specific license for use of sealed sources in industrial radiography will be issued if:

(a) The applicant will have an adequate program for training radiographers and radiographer's assistants and submits to the department a schedule or description of such program which specifies the:

(i) Initial training;

(ii) Periodic training;

(iii) On-the-job training;

(iv) Means to be used by the licensee to determine the radiographer's knowledge and understanding of and ability to comply with department regulations and licensing requirements, and the operating and emergency procedures of the applicant; and

(v) Means to be used by the licensee to determine the radiographer's assistant's knowledge and understanding of and ability to comply with the operating and emergency procedures of the applicant;

(b) The applicant submits to the department and complies with satisfactory written operating and emergency procedures (described in WAC ((402-36-110)) 246-243-140);

(c) The applicant will have a quarterly internal inspection system, to assure that license provisions, regulations, and the applicant's operating and emergency procedures are followed by radiographers and radiographer's assistants. Records of this management control program shall be maintained for two years;

(d) The applicant submits to the department a description of the applicant's overall organizational structure pertaining to the industrial radiography program, including specified delegations of authority and responsibility for operation of the program;

(e) The applicant who desires to conduct leak tests has established adequate procedures to be followed in leak testing sealed sources for possible leakage and contamination and submits to the department a description of such procedures including:

(i) Instrumentation to be used;

(ii) Method of performing tests, e.g., points on equipment to be smeared and method of taking smear; and

(iii) Pertinent experience of the person who will perform the tests;

(f) The licensee shall conduct a program for inspection and maintenance of radiographic exposure devices and storage containers to assure proper functioning of components important to safety.

(6) Environmentally significant licensing actions. In addition to the requirements set forth in WAC ((402-22-040)) 246-235-020, a specific license for any activity within the licensing authority of the department which the department determines will significantly affect the radiological quality of the human environment, including those specified in WAC ((197-10-175 (7)(a))) 197-11-845(1) and 246-03-030 (1)(a)(ii) (i.e., licenses to operate low level waste burial facilities or licenses to operate or expand beyond the design capacity, mineral processing facilities or their tailings areas, whose products, or byproducts, have concentrations of naturally occurring radioactive material in excess of exempt concentrations as specified in WAC ((402-19-580)) 246-232-130, Schedule C), will be issued if the following conditions are met:

(a) Environmental impact statement.

(i) The application for a license or license amendment (other than administrative amendments) is accompanied or preceded by a final environmental impact statement or final declaration of nonsignificance completed in accordance with the State Environmental Policy Act (SEPA) procedures and guidelines specified in chapters 197-11 and ((248-06)) 246-03 WAC. For any uranium or thorium mill in operation on or before the effective date of this regulation for which an environmental impact statement has not been prepared previously, an application for license renewal must be accompanied or preceded by a final environmental impact statement or final declaration of nonsignificance completed in accordance with SEPA guidelines.

Note: No construction shall be commenced until the license has been issued or unless an emergency exemption from SEPA requirements is granted in accordance with WAC ((197-10-180)) 197-11-880. For the purposes of this subsection, the term "commencement of construction" means any clearing of land, excavation or other substantial action related to a proposed activity for specific licensing that would adversely affect the natural environment of a site; this term does not include changes desirable for the temporary use of the land for public recreational use, limited borings to determine site characteristics as necessary for environmental assessment, or other preconstruction monitoring to establish background information related to suitability of a site or to the protection of environmental values. In the case where an exemption is granted, the applicant shall assume all financial risk for construction activity; waive any claim of entitlement to the issuance of a license based solely upon the grant of the exemption or the commencement of construction pursuant thereto; and furnish, if the circumstances warrant and the department so requires, a financial surety arrangement to insure the protection of the public health, safety and the environment in the event of abandonment, default, or inability of the license applicant to meet the requirements of the act or these regulations.

(ii) In addition to the information required in chapter 197-11 WAC, the following additional areas shall be addressed in the final environmental impact statement:

(A) Alternative sites to those chosen by the applicant shall include all alternative sites, whether or not those sites are under the control or ownership of the applicant.

(B) Long term impacts shall include, but not be limited to, decommissioning, decontamination, reclamation impacts and material management associated with the proposed activities.

(C) Environmental reviews, dose assessments, ecology, construction effects on biota, impact on the environment from the use of chemicals, and socioeconomic effects shall be addressed.

(D) Alternative disposal sites and techniques for disposal shall be evaluated to determine if a site or technique is clearly superior.

(b) For uranium or thorium milling operations, a bond made payable to the department of ~~((social and))~~ health ~~((services))~~ or other acceptable government agency, and in an amount specified by the department, shall be posted to ensure the protection of the public health and safety in the event of abandonment, default or other inability of the licensee to meet the requirements for reclamation and disposal of tailings and for decommissioning the site. The bond, or a copy thereof when the bond is made payable to another government agency, shall be received by the department prior to issuance of the license, or prior to license renewal for mills in operation on or before the effective date of this regulation. Other acceptable surety arrangements in addition to surety bonding include cash deposits, certificates of deposit, deposits of government securities, letters or lines of credit or combinations of the foregoing. The amount and mechanism of the surety arrangement may be reviewed by the department preceding each license renewal and adjustments may be required of the licensee prior to such renewal.

(c) The owner of the proposed uranium or thorium mill and tailings site(s) agrees to transfer or revert to the appropriate state or federal agency upon termination of the license, all lands, buildings and grounds, and any interest therein, necessary to fulfill the purposes of this subsection, except where the lands are held in trust for, or are owned by any Indian tribe. For any uranium or thorium mill in operation on or before the effective date of this regulation, such an agreement will be required prior to license renewal.

(d) For all uranium and thorium milling operations, the owner or operator shall arrange to pay to the department or its designee ~~((on a quarterly basis a charge on each kilogram of uranium or thorium compound which is milled out of the raw ore on or after January 1, 1980.~~

~~((i) The specific charge shall be twenty cents per kilogram on each kilogram of uranium or thorium compound milled out of the raw ore.~~

~~((ii) The specific charge may be increased or decreased as is considered necessary to provide)) a fee in accordance with WAC 246-254-150 for a special security fund for the further maintenance, surveillance or care which may be required after a licensee has ceased to operate.~~

~~((iii) The total charge shall not exceed one million dollars.~~

~~((iv)) A minimum fund of two hundred fifty thousand dollars shall be provided by the licensee payable to the state. If a shortfall exists between the amount of money in the special security fund and the two hundred fifty thousand dollars minimum amount, a surety bond, or other acceptable surety instrument as defined above shall be arranged.~~

(e) The application for a license includes a description of an appropriate program for effluent monitoring, environmental monitoring and data reporting. Such description shall encompass locations, frequency, and types of sampling, analytical plans and procedures, minimum detection levels, sampling equipment and quality assurance programs.

(f) All licensees or registrants required to meet the additional requirements set forth in this subsection shall establish environmental monitoring programs adequate to determine the impact of their activity on the natural environment around the site of their environmentally significant activity. The established environmental and effluent monitoring program shall address all environmentally significant radionuclide releases and external radiation sources caused or threatened to be caused by the licensee's activities.

(i) Effluent and environmental monitoring results shall include the following minimum information as pertinent:

(A) Information as to flow rates, total volume of effluent, peak concentration, concentration of each radionuclide in the effluent averaged over a period of one year at the point where the effluent leaves a stack, tube, pipe, or similar conduit;

(B) A description of the properties of the effluents, including:

(I) Chemical composition;

(II) Physical characteristics, including suspended solids content in liquid effluents, and nature of gas aerosol for air effluents;

(III) The hydrogen ion concentrations (pH) of liquid effluents; and

(IV) The size range of particulates in effluent released into air;

(C) A description of the anticipated human occupancy in the unrestricted area where the highest concentration of radioactive material from the effluent is expected, and, in the case of a river stream a description of water uses downstream from the point of release of the effluent.

(D) Information as to the highest concentration of each radionuclide in an unrestricted area, including anticipated concentrations averaged over a period of one year:

(I) In air at any point of human occupancy; or

(II) In water at points of use downstream from the point of release of the effluent;

(E) The background concentration of radionuclides in the receiving river or stream prior to the release of liquid effluent;

(F) A description of the waste treatment facilities and procedures used to reduce the concentration of radionuclides in effluents prior to their release;

(G) A written description of sampling techniques and sample analysis methods;

(H) A written description of how all calculated results were obtained from sample analysis data. This explanation shall include example calculations and estimates of the precision and sensitivity of monitoring results;

(I) A written description of the licensee's quality control program including specification of control samples and standard samples used.

(ii) The licensee shall submit in writing to the department within sixty days after January 1 and July 1 of each year, reports specifying the quantities of each of the principle radionuclides released to unrestricted areas in liquid and in gaseous effluent during the previous six months of operations. This data shall be reported in a manner that will permit the department to confirm the potential annual radiation doses to the public. All data from the radiological and nonradiological environmental monitoring program will also be submitted for the same time period and frequency as specified above. The data shall be reported in a manner which will allow the department to confirm the potential annual radiation doses to the public.

(g) For land disposal of radioactive material, the provisions of chapter ~~((402-61))~~ 246-250 WAC must also be met.

(h) For operation of mineral processing facilities, the provisions of chapter 246-252 WAC must also be met.

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-235-090 SPECIAL REQUIREMENTS FOR SPECIFIC LICENSES OF BROAD SCOPE. This section prescribes requirements for the issuance of specific licenses of broad scope for radioactive material ("broad licenses") and certain regulations governing holders of such licenses.\*

\*Note: Authority to transfer possession or control by the manufacturer, processor, or producer of any equipment, device, commodity or other product containing source material or byproduct material whose subsequent possession, use, transfer and disposal by all other persons who are exempted from regulatory requirements may be obtained only from the United States Nuclear Regulatory Commission, Washington, D.C. 20555.

(I) The different types of broad licenses are set forth below:

(a) A "Type A specific license of broad scope" is a specific license authorizing receipt, acquisition, ownership, possession, use and transfer of any chemical or physical form of the radioactive material specified in the license, but not exceeding quantities specified in the license, for any authorized purpose. The quantities specified are usually in the multicurie range.

(b) A "Type B specific license of broad scope" is a specific license authorizing receipt, acquisition, ownership, possession, use and transfer of any chemical or physical form of radioactive material specified in WAC ~~((402-22-250))~~ 246-235-140 Schedule B, for any authorized purpose. The possession limit for a Type B broad license, if only one radionuclide is possessed thereunder, is the quantity specified for that radionuclide in WAC ~~((402-22-250))~~ 246-235-140 Schedule B, Column I. If two or more radionuclides are possessed thereunder, the possession limit for each is determined as follows: For each radionuclide, determine the ratio of the quantity possessed to the applicable quantity specified in WAC ~~((402-22-250))~~ 246-235-140 Schedule B, Column I, for that radionuclide. The sum of the ratios for all radionuclides possessed under the license shall not exceed unity.

(c) A "Type C specific license of broad scope" is a specific license authorizing receipt, acquisition, ownership, possession, use and transfer of any chemical or physical form of radioactive material specified in WAC ~~((402-22-250))~~ 246-235-140 Schedule B, for any authorized purpose. The possession limit for a Type C broad license, if only one radionuclide is possessed thereunder, is the quantity specified for that radionuclide in WAC ~~((402-22-250))~~ 246-235-140 Schedule B, Column II. If two or more radionuclides are possessed thereunder, the possession limit is determined for each as follows: For each radionuclide determine the ratio of the quantity possessed to the applicable quantity specified in WAC ~~((402-22-250))~~ 246-235-140 Schedule B,

Column II, for that radionuclide. The sum of the ratios for all radionuclides possessed under the license shall not exceed unity.

(2) An application for a Type A specific license of broad scope will be approved if:

(a) The applicant satisfies the general requirements specified in WAC ((~~402-22-040~~) 246-235-020).

(b) The applicant has engaged in a reasonable number of activities involving the use of radioactive material; and

(c) The applicant has established administrative controls and provisions relating to organization and management, procedures, record-keeping, material control and accounting, and management review that are necessary to assure safe operations, including:

(i) The establishment of a radiation safety committee composed of such persons as a radiation safety officer, a representative of management, and persons trained and experienced in the safe use of radioactive material;

(ii) The appointment of a radiation safety officer who is qualified by training and experience in radiation protection, and who is available for advice and assistance on radiation safety matters; and

(iii) The establishment of appropriate administrative procedures to assure:

(A) Control of procurement and use of radioactive material;

(B) Completion of safety evaluation of proposed uses of radioactive material which take into consideration such matters as the adequacy of facilities and equipment, training and experience of the user, and the operating or handling procedures; and

(C) Review, approval, and recording by the radiation safety committee of safety evaluation of proposed uses prepared in accordance with item (2)(c)(iii)(B) of this section prior to use of the radioactive material.

(3) An application for a Type B specific license of broad scope will be approved if:

(a) The applicant satisfies the general requirements specified in WAC ((~~402-22-040~~) 246-235-020); and

(b) The applicant has established administrative controls and provisions relating to organization and management, procedures, record-keeping, material control and accounting, and management review that are necessary to assure safe operations, including:

(i) The appointment of a radiation safety officer who is qualified by training and experience in radiation protection, and who is available for advice and assistance on radiation safety matters; and

(ii) The establishment of appropriate administrative procedures to assure:

(A) Control of procurement and use of radioactive material;

(B) Completion of safety evaluations of proposed uses of radioactive material which take into consideration such matters as the adequacy of facilities and equipment, training and experience of the user, and the operating or handling procedures; and

(C) Review, approval, and recording by the radiation safety officer of safety evaluations of proposed uses prepared in accordance with item (3)(b)(ii)(B) of this section prior to use of the radioactive material.

(4) An application for a Type C specific license of broad scope will be approved if:

(a) The applicant satisfies the general requirements specified in WAC ((~~402-22-040~~) 246-235-020).

(b) The applicant submits a statement that radioactive material will be used only by, or under the direct supervision of individuals, who have received:

(i) A college degree at the bachelor level, or equivalent training and experience, in the physical or biological sciences or in engineering; and

(ii) At least forty hours of training and experience in the safe handling of radioactive material, and in the characteristics of ionizing radiation, units of radiation dose and quantities, radiation detection instrumentation, and biological hazards of exposure to radiation appropriate to the type and forms of radioactive material to be used; and

(c) The applicant has established administrative controls and provisions relating to procurement of radioactive material, procedures, recordkeeping, material control and accounting, and management review necessary to assure safe operations.

(5) Specific licenses of broad scope are subject to the following conditions:

(a) Unless specifically authorized by the department, persons licensed pursuant to this section shall not:

(i) Conduct tracer studies in the environment involving direct release of radioactive material;

(ii) Receive, acquire, own, possess, use or transfer devices containing 100,000 curies or more of radioactive material in sealed sources used for irradiation of materials;

(iii) Conduct activities for which a specific license issued by the department under WAC ((~~402-22-070 or 402-22-110~~) 246-235-080 or 246-235-100 is required; or

(iv) Add or cause the addition of radioactive material to any food, beverage, cosmetic, drug or other product designed for ingestion or inhalation by, or application to, a human being.

(b) Each Type A specific license of broad scope issued under this part shall be subject to the condition that radioactive material possessed under the license may only be used by, or under the direct supervision of, individuals approved by the licensee's radiation safety committee.

(c) Each Type B specific license of broad scope issued under this part shall be subject to the condition that radioactive material possessed under the license may only be used by, or under the direct supervision of, individuals approved by the licensee's radiation safety officer.

(d) Each Type C specific license of broad scope issued under this part shall be subject to the condition that radioactive material possessed under the license may only be used by, or under the direct supervision of, individuals who satisfy the requirements of subsection (4) of this section.

#### AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-235-100 SPECIAL REQUIREMENTS FOR A SPECIFIC LICENSE TO MANUFACTURE, ASSEMBLE, REPAIR, OR DISTRIBUTE COMMODITIES, PRODUCTS, OR DEVICES WHICH CONTAIN RADIOACTIVE MATERIAL. (1) Licensing the introduction of radioactive material into products in exempt concentrations. In addition to the requirements set forth in WAC ((~~402-22-040~~) 246-235-020), a specific license authorizing the introduction of radioactive material into a product or material owned by or in the possession of the licensee or another to be transferred to persons exempt under WAC ((~~402-19-190~~) 246-232-010) (2)(a) will be issued if:

(a) The applicant submits a description of the product or material into which the radioactive material will be introduced, intended use of the radioactive material and the product or material into which it is introduced, method of introduction, initial concentration of the radioactive material in the product or material, control methods to assure that no more than the specified concentration is introduced into the product or material, estimated time interval between introduction and transfer of the product or material, and estimated concentration of the radioactive material in the product or material at the time of transfer; and

(b) The applicant provides reasonable assurance that the concentrations of radioactive material at the time of transfer will not exceed the concentrations in WAC ((~~402-19-580~~) 246-232-130, Schedule C, that reconstruction of the radioactive material in concentrations exceeding those in WAC ((~~402-19-580~~) 246-232-130, Schedule C, is not likely, that use of lower concentrations is not feasible, and that the product or material is not likely to be incorporated in any food, beverage, cosmetic, drug or other commodity or product designed for ingestion or inhalation by, or application to a human being.

(c) Each person licensed under subsection (1) of this section shall file an annual report with the department which shall identify the type and quantity of each product or material into which radioactive material has been introduced during the reporting period; name and address of the person who owned or possessed the product and material, into which radioactive material has been introduced, at the time of introduction; the type and quantity of radionuclide introduced into each such product or material; and the initial concentrations of the radionuclide in the product or material at time of transfer of the radioactive material by the licensee. If no transfers of radioactive material have been made pursuant to subsection (1) of this section during the reporting period, the report shall so indicate. The report shall cover the year ending June 30, and shall be filed within thirty days thereafter.

(2) Licensing the distribution of radioactive material in exempt quantities.\*

\*Note: Authority to transfer possession or control by the manufacturer, processor or producer of any equipment, device, commodity or other product containing source material or byproduct material whose subsequent possession, use, transfer and disposal by all other persons who are exempted from regulatory requirements may be obtained only from the



United States Nuclear Regulatory Commission, Washington, D.C. 20555.

(a) An application for a specific license to distribute naturally occurring and accelerator-produced radioactive material (NARM) to persons exempted from these regulations pursuant to WAC ((402-19-190)) 246-232-010 (2)(b) will be approved if:

(i) The radioactive material is not contained in any food, beverage, cosmetic, drug or other commodity designed for ingestion or inhalation by, or application to, a human being;

(ii) The radioactive material is in the form of processed chemical elements, compounds, or mixtures, tissue samples, bioassay samples, counting standards, plated or encapsulated sources, or similar substances, identified as radioactive and to be used for its radioactive properties, but is not incorporated into any manufactured or assembled commodity, product, or device intended for commercial distribution; and

(iii) The applicant submits copies of prototype labels and brochures and the department approves such labels and brochures.

(b) The license issued under paragraph (2)(a) of this section is subject to the following conditions:

(i) No more than ten exempt quantities shall be sold or transferred in any single transaction. However, an exempt quantity may be composed of fractional parts of one or more of the exempt quantity provided the sum of the fractions shall not exceed unity.

(ii) Each exempt quantity shall be separately and individually packaged. No more than ten such packaged exempt quantities shall be contained in any outer package for transfer to persons exempt pursuant to WAC ((402-19-190)) 246-232-010 (2)(b). The outer package shall be such that the dose rate at the external surface of the package does not exceed 0.5 millirem per hour.

(iii) The immediate container of each quantity or separately packaged fractional quantity of radioactive material shall bear a durable, legible label which:

(A) Identifies the radionuclide and the quantity of radioactivity; and  
(B) Bears the words "radioactive material."

(iv) In addition to the labeling information required by item (2)(b)(iii) of this section, the label affixed to the immediate container, or an accompanying brochure, shall:

(A) State that the contents are exempt from licensing state requirements;

(B) Bear the words "Radioactive material—Not for human use—Introduction into foods, beverages, cosmetics, drugs, or medicinals, or into products manufactured for commercial distribution is prohibited—Exempt quantities should not be combined"; and

(C) Set forth appropriate additional radiation safety precautions and instructions relating to the handling, use, storage and disposal of the radioactive material.

(c) Each person licensed under paragraph (2)(a) of this section shall maintain records identifying, by name and address, each person to whom radioactive material is transferred for use under WAC ((402-19-190)) 246-232-010 (2)(b) or the equivalent regulations of a licensing state, and stating the kinds and quantities of radioactive material transferred. An annual summary report stating the total quantity of each radionuclide transferred under the specific license shall be filed with the department. Each report shall cover the year ending June 30, and shall be filed within thirty days thereafter. If no transfers of radioactive material have been made pursuant to subsection (2) of this section during the reporting period, the report shall so indicate.

(3) Licensing the incorporation of naturally occurring and accelerator-produced radioactive material into gas and aerosol detectors. An application for a specific license authorizing the incorporation of NARM into gas and aerosol detectors to be distributed to persons exempt under WAC ((402-19-190)) 246-232-010 (2)(c)(iii) will be approved if the application satisfies requirements equivalent to those contained in Section 32.26 of 10 CFR Part 32.

(4) Licensing the manufacture and distribution of devices to person generally licensed under WAC ((402-21-050)) 246-233-020(4).

(a) An application for a specific license to manufacture or distribute devices containing radioactive material, excluding special nuclear material, to persons generally licensed under WAC ((402-21-050)) 246-233-020(4) or equivalent regulations of the United States Nuclear Regulatory Commission, an agreement state or a licensing state will be approved if:

(i) The applicant satisfies the general requirements of WAC ((402-22-040)) 246-235-020;

(ii) The applicant submits sufficient information relating to the design, manufacture, prototype testing, quality control, labels, proposed

uses, installation, servicing, leak testing, operating and safety instructions, and potential hazards of the device to provide reasonable assurance that:

(A) The device can be safely operated by persons not having training in radiological protection;

(B) Under ordinary conditions of handling, storage and use of the device, the radioactive material contained in the device will not be released or inadvertently removed from the device, and it is unlikely that any person will receive in any period of one calendar quarter a dose in excess of ten percent of the limits specified in the table in WAC ((402-24-020)) 246-221-010(1); and

(C) Under accident conditions (such as fire and explosion) associated with handling, storage and use of the device, it is unlikely that any person would receive an external radiation dose or dose commitment in excess of the following organ doses:

Whole body; head and trunk; active blood-forming organs; gonads; or lens of eye 15 rems

Hands and forearms; feet and ankles; localized areas of skin averaged over areas no larger than one square centimeter 200 rems

Other organs 50 rems

(iii) Each device bears a durable, legible, clearly visible label or labels approved by the department, which contain in a clearly identified and separate statement:

(A) Instructions and precautions necessary to assure safe installation, operation and servicing of the device (documents such as operating and service manuals may be identified in the label and used to provide this information);

(B) The requirement, or lack of requirement, for leak testing, or for testing any on-off mechanism and indicator, including the maximum time interval for such testing, and the identification of radioactive material by isotope, quantity of radioactivity, and date of determination of the quantity; and

(C) The information called for in one of the following statements, as appropriate, in the same or substantially similar form:

(aa) The receipt, possession, use and transfer of this device, Model . . . . ., Serial No. . . . . Note\*, are subject to a general license or the equivalent, and the regulations of the United States Nuclear Regulatory Commission or a state with which the United States Nuclear Regulatory Commission has entered into an agreement for the exercise of regulatory authority. This label shall be maintained on the device in a legible condition. Removal of this label is prohibited.

CAUTION - RADIOACTIVE MATERIAL.

(Name of manufacturer or distributor)\*

(bb) The receipt, possession, use and transfer of this device, Model . . . . ., Serial No. . . . . Note\*, are subject to a general license or the equivalent, and the regulations of a licensing state. This label shall be maintained on the device in a legible condition. Removal of this label is prohibited.

CAUTION - RADIOACTIVE MATERIAL.

(Name of manufacturer or distributor)\*

\*Note: The model, serial number, and name of the manufacturer or distributor may be omitted from this label provided the information is elsewhere specified in labeling affixed to the device.

(b) In the event the applicant desires that the device be required to be tested at intervals longer than six months, either for proper operation of the on-off mechanism and indicator, if any, or for leakage of radioactive material or for both, ((he)) the applicant shall include in ((his)) the application sufficient information to demonstrate that such longer interval is justified by performance characteristics of the device or similar devices and by design features which have a significant bearing on the probability or consequences of leakage of radioactive material from the device or failure of the on-off mechanism and indicator. In determining the acceptable interval for the test for leakage of radioactive material, the department will consider information which includes, but is not limited to:

- (i) Primary containment (source capsule);
- (ii) Protection of primary containment;
- (iii) Method of sealing containment;
- (iv) Containment construction materials;
- (v) Form of contained radioactive material;

- (vi) Maximum temperature withstood during prototype tests;
- (vii) Maximum pressure withstood during prototype tests;
- (viii) Maximum quantity of contained radioactive material;
- (ix) Radiotoxicity of contained radioactive material; and
- (x) Operating experience with identical devices or similarly designed and constructed devices.

(c) In the event the applicant desires that the general licensee under WAC ((402-21-050)) 246-233-020(4), or under equivalent regulations of the United States Nuclear Regulatory Commission, an agreement state or a licensing state be authorized to install the device, collect the sample to be analyzed by a specific licensee for leakage of radioactive material, service the device, test the on-off mechanism and indicator, or remove the device from installation, ((he) the applicant shall include in ((his) the application written instructions to be followed by the general licensee, estimated calendar quarter doses associated with such activity or activities, and bases for such estimates. The submitted information shall demonstrate that performance of such activity or activities by an individual untrained in radiological protection, in addition to other handling, storage, and use of devices under the general license, is unlikely to cause that individual to receive a calendar quarter dose in excess of ten percent of the limits specified in the table in WAC ((402-24-020)) 246-221-010(1).

(d) Each person licensed under paragraph (4)(a) of this section to distribute devices to generally licensed persons shall:

(i) Furnish a copy of the general license contained in WAC ((402-21-050)) 246-233-020(4) to each person to whom the person directly or through an intermediate person transfers radioactive material in a device for use pursuant to the general license contained in WAC ((402-21-050)) 246-233-020(4);

(ii) Furnish a copy of the general license contained in the United States Nuclear Regulatory Commission's, agreement state's, or licensing state's regulation equivalent to WAC ((402-21-050)) 246-233-020(4), or alternatively, furnish a copy of the general license contained in WAC ((402-21-050)) 246-233-020(4) to each person to whom ((he), directly or through an intermediate person ((transfers)), is transferred radioactive material in a device for use pursuant to the general license of the United States Nuclear Regulatory Commission, the agreement state or the licensing state. If a copy of the general license in WAC ((402-21-050)) 246-233-020(4) is furnished to such a person, it shall be accompanied by a note explaining that the use of the device is regulated by the United States Nuclear Regulatory Commission, agreement state or licensing state under requirements substantially the same as those in WAC ((402-21-050)) 246-233-020(4);

(iii) Report to the department all transfers of such devices to persons for use under the general license in WAC ((402-21-050)) 246-233-020(4). Such report shall identify each general licensee by name and address, an individual by name and/or position who may constitute a point of contact between the department and the general licensee, the type and model number of device transferred, and the quantity and type of radioactive material contained in the device. If one or more intermediate persons will temporarily possess the device at the intended place of use prior to its possession by the user, the report shall include identification of each intermediate person by name, address, contact, and relationship to the intended user. If no transfers have been made to persons generally licensed under WAC ((402-21-050)) 246-233-020(4) during the reporting period, the report shall so indicate. The report shall cover each calendar quarter and shall be filed within thirty days thereafter.

(iv) Reports to other departments.

(A) Report to the United States Nuclear Regulatory Commission all transfers of such devices to persons for use under the United States Nuclear Regulatory Commission general license in Section 31.5 of 10 CFR Part 31.

(B) Report to the responsible department all transfers of devices manufactured and distributed pursuant to subsection (4) of this section for use under a general license in that state's regulations equivalent to WAC ((402-21-050)) 246-233-020(4).

(C) Such reports shall identify each general licensee by name and address, an individual by name and/or position who may constitute a point of contact between the department and the general licensee, the type and model of the device transferred, and the quantity and type of radioactive material contained in the device. If one or more intermediate persons will temporarily possess the device at the intended place of use prior to its possession by the user, the report shall include identification of each intermediate person by name, address, contact, and relationship to the intended user. The report shall be submitted within

thirty days after the end of each calendar quarter in which such a device is transferred to the generally licensed person.

(D) If no transfers have been made to United States Nuclear Regulatory Commission licensees during the reporting period, this information shall be reported to the United States Nuclear Regulatory Commission.

(E) If no transfers have been made to general licensees within a particular state during the reporting period, this information shall be reported to the responsible department upon request of the department.

(v) Keep records showing the name, address and the point of contact for each general licensee to whom the person directly or through an intermediate person transfers radioactive material in devices for use pursuant to the general license provided in WAC ((402-21-050)) 246-233-020(4), or equivalent regulations of the United States Nuclear Regulatory Commission, an agreement state or a licensing state. The records shall show the date of each transfer, the radionuclide and the quantity of radioactivity in each device transferred, the identity of any intermediate person, and compliance with the report requirements of paragraph (4)(d) of this section.

(5) Special requirements for the manufacture, assembly or repair of luminous safety devices for use in aircraft. An application for a specific license to manufacture, assemble or repair luminous safety devices containing tritium or promethium-147 for use in aircraft for distribution to persons generally licensed under WAC ((402-21-050)) 246-233-020(5) will be approved subject to the following conditions:

(a) The applicant satisfies the general requirements specified in WAC ((402-22-040)) 246-235-020; and

(b) The applicant satisfies the requirements of Sections 32.53, 32.54, 32.55, 32.56, 32.101 of 10 CFR Part 32 or their equivalent.

(6) Special requirements for license to manufacture calibration sources containing americium-241, plutonium or radium-226 for distribution to persons generally licensed under WAC ((402-21-050)) 246-233-020(7). An application for a specific license to manufacture calibration and reference sources containing americium-241, plutonium or radium-226 to persons generally licensed under WAC ((402-21-050)) 246-233-020(7) will be approved subject to the following conditions:

(a) The applicant satisfies the general requirement of WAC ((402-22-040)) 246-235-020; and

(b) The applicant satisfies the requirements of Sections 32.57, 32.58, 32.59, 32.102 of 10 CFR Part 32 and Section 70.39 of 10 CFR Part 70 or their equivalent.

(7) Manufacture and distribution of radioactive material for certain in vitro clinical or laboratory testing under general license. An application for a specific license to manufacture or distribute radioactive material for use under the general license of WAC ((402-21-050)) 246-233-020(8) will be approved if:

(a) The applicant satisfies the general requirements specified in WAC ((402-22-040)) 246-235-020;

(b) The radioactive material is to be prepared for distribution in prepackaged units of:

- (i) Iodine-125 in units not exceeding 10 microcuries each;
- (ii) Iodine-131 in units not exceeding 10 microcuries each;
- (iii) Carbon-14 in units not exceeding 10 microcuries each;
- (iv) Hydrogen-3 (tritium) in units not exceeding 50 microcuries each;

- (v) Iron-59 in units not exceeding 20 microcuries each;
- (vi) Cobalt-57 in units not exceeding 10 microcuries each;
- (vii) Selenium-75 in units not exceeding 10 microcuries each;
- (viii) Mock Iodine-125 in units not exceeding 0.05 microcurie of iodine-129 and 0.005 microcurie of americium-241 each.

(c) Each prepackaged unit bears a durable, clearly visible label:

- (i) Identifying the radioactive contents as to chemical form and radionuclide, and indicating that the amount of radioactivity does not exceed 10 microcuries of iodine-125, iodine-131, carbon-14, cobalt-57, or selenium-75; 50 microcuries of hydrogen-3 (tritium); 20 microcuries of iron-59; or Mock Iodine-125 in units not exceeding 0.05 microcurie of iodine-129 and 0.005 microcurie of americium-241 each; and
- (ii) Displaying the radiation caution symbol described in WAC ((402-24-090)) 246-221-120 (1)(a) and the words, "CAUTION, RADIOACTIVE MATERIAL," and "Not for internal or external use in humans or animals."

(d) One of the following statements, as appropriate, or a substantially similar statement which contains the information called for in



one of the following statements, appears on a label affixed to each pre-packaged unit or appears in a leaflet or brochure which accompanies the package:

(i) This radioactive material may be received, acquired, possessed and used only by physicians, veterinarians, clinical laboratories or hospitals and only for in vitro clinical or laboratory tests not involving internal or external administration of the material, or the radiation therefrom, to human beings or animals. Its receipt, acquisition, possession, use and transfer are subject to the regulations and a general license of the United States Nuclear Regulatory Commission or of a state with which the commission has entered into an agreement for the exercise of regulatory authority.

.....  
Name of manufacturer

(ii) This radioactive material may be received, acquired, possessed and used only by physicians, veterinarians, clinical laboratories or hospitals and only for in vitro clinical or laboratory tests not involving internal or external administration of the material, or the radiation therefrom, to human beings or animals. Its receipt, acquisition, possession, use and transfer are subject to the regulations and a general license of a licensing state.

.....  
Name of manufacturer

(e) The label affixed to the unit, or the leaflet or brochure which accompanies the package, contains adequate information as to the precautions to be observed in handling and storing such radioactive material. In the case of the Mock Iodine-125 reference or calibration source, the information accompanying the source must also contain directions to the licensee regarding the waste disposal requirements set out in WAC ((402-24-130)) 246-221-170 of these regulations.

(8) Licensing the manufacture and distribution of ice detection devices. An application for a specific license to manufacture and distribute ice detection devices to persons generally licensed under WAC ((402-21-050)) 246-233-020(9) will be approved subject to the following conditions:

(a) The applicant satisfies the general requirements of WAC ((402-22-040)) 246-235-020; and

(b) The criteria of Sections 32.61, 32.62, 32.103 of 10 CFR Part 32 are met.

(9) Manufacture and distribution of radiopharmaceuticals containing radioactive material for medical use under group licenses. An application for a specific license to manufacture and distribute radiopharmaceuticals containing radioactive material for use by persons licensed pursuant to WAC ((402-22-070)) 246-235-080(3) for the uses listed in Group I, Group II, Group IV, or Group V of WAC ((402-22-200)) 246-235-120, Schedule A, will be approved if:

(a) The applicant satisfies the general requirements specified in WAC ((402-22-040)) 246-235-020 of this part;

(b) The applicant submits evidence that:

(i) The radiopharmaceutical containing radioactive material will be manufactured, labeled and packaged in accordance with the Federal Food, Drug and Cosmetic Act or the Public Health Service Act, such as a new drug application (NDA) approved by the United States Food and Drug Administration (FDA), a biologic product license issued by FDA or a "notice of claimed investigational exemption for a new drug" (IND) that has been accepted by the FDA; or

(ii) The manufacture, compounding and distribution of the radiopharmaceutical containing radioactive material is not subject to the Federal Food, Drug and Cosmetic Act and the Public Health Service Act;

(c) The applicant submits information on the radionuclide, chemical and physical form, packaging including maximum activity per package, and shielding provided by the packaging of the radioactive material which is appropriate for safe handling and storage of radiopharmaceuticals by group licensees; and

(d) The label affixed to each package of the radiopharmaceutical contains information on the radionuclide, quantity and date of assay, and the label affixed to each package, or the leaflet or brochure which accompanies each package, contains a statement that the radiopharmaceutical is licensed by the department for distribution to persons licensed pursuant to WAC ((402-22-070)) 246-235-080(3) and ((402-22-200)) 246-235-120 Schedule A, Group I, Group II, Group IV, and Group V, as appropriate, or under equivalent regulations of the United States Nuclear Regulatory Commission, an agreement state or a licensing state. The labels, leaflets or brochures required by subsection

(9) of this section are in addition to the labeling required by the Food and Drug Administration (FDA) and they may be separate from or, with the approval of FDA, may be combined with the labeling required by FDA.

(10) Manufacture and distribution of generators or reagent kits for preparation of radiopharmaceuticals containing radioactive material. An application for a specific license to manufacture and distribute generators or reagent kits containing radioactive material for preparation of radiopharmaceuticals by persons licensed pursuant to WAC ((402-22-070)) 246-235-080(3) for the uses listed in Group III of WAC ((402-22-200)) 246-235-120, Schedule A will be approved if:

(a) The applicant satisfies the general requirements specified in WAC ((402-22-040)) 246-235-020;

(b) The applicant submits evidence that:

(i) The generator or reagent kit is to be manufactured, labeled and packaged in accordance with the Federal Food, Drug and Cosmetic Act or the Public Health Service Act, such as a new drug application (NDA) approved by the Food and Drug Administration (FDA), a biologic product license issued by FDA, or a "Notice of claimed investigational exemption for a new drug" (IND) that has been accepted by the FDA; or

(ii) The manufacture and distribution of the generator or reagent kit are not subject to the Federal Food, Drug and Cosmetic Act and the Public Health Service Act;

(c) The applicant submits information on the radionuclide, chemical and physical form, packaging including maximum activity per package, and shielding provided by the packaging of the radioactive material contained in the generator or reagent kit;

(d) The label affixed to the generator or reagent kit contains information on the radionuclide, quantity, and date of assay; and

(e) The label affixed to the generator or reagent kit, or the leaflet or brochure which accompanies the generator or reagent kit, contains:

(i) Adequate information, from a radiation safety standpoint, on the procedures to be followed and the equipment and shielding to be used in eluting the generator or processing radioactive material with the reagent kit; and

(ii) A statement that this generator or reagent kit (as appropriate) is approved for use by persons licensed by the department pursuant to WAC ((402-22-070)) 246-235-080(3) and Group III of WAC ((402-22-200)) 246-235-120, Schedule A, or under equivalent regulations of the United States Nuclear Regulatory Commission, an agreement state or a licensing state. The labels, leaflets or brochures required by subsection (10) of this section are in addition to the labeling required by FDA and they may be separate from or, with the approval of FDA, may be combined with the labeling required by FDA.

Note: Although the department does not regulate the manufacture and distribution of reagent kits that do not contain radioactive material, it does regulate the use of such reagent kits for the preparation of radiopharmaceuticals containing radioactive material as part of its licensing and regulation of the users of radioactive material. Any manufacturer of reagent kits that do not contain radioactive material who desires to have (his) reagent kits approved by the department for use by persons licensed pursuant to WAC ((402-22-070)) 246-235-080(3) and Group III of WAC ((402-22-200)) 246-235-120 Schedule A may submit the pertinent information specified in subsection (10) of this section.

(11) Manufacture and distribution of sources or devices containing radioactive material for medical use. An application for a specific license to manufacture and distribute sources and devices containing radioactive material to persons licensed pursuant to WAC ((402-22-070)) 246-235-080(3) for use as a calibration or reference source or for the uses listed in Group VI of WAC ((402-22-200)) 246-235-120 Schedule A of this part will be approved if:

(a) The applicant satisfies the general requirements in WAC ((402-22-040)) 246-235-020 of this part;

(b) The applicant submits sufficient information regarding each type of source or device pertinent to an evaluation of its radiation safety, including:

(i) The radioactive material contained, its chemical and physical form and amount;

(ii) Details of design and construction of the source or device;

(iii) Procedures for, and results of, prototype tests to demonstrate that the source or device will maintain its integrity under stresses likely to be encountered in normal use and accidents;

(iv) For devices containing radioactive material, the radiation profile of a prototype device;

(v) Details of quality control procedures to assure that production sources and devices meet the standards of the design and prototype tests;

(vi) Procedures and standards for calibrating sources and devices;  
 (vii) Legend and methods for labeling sources and devices as to their radioactive content; and

(viii) Instructions for handling and storing the source or device from the radiation safety standpoint, these instructions are to be included on a durable label attached to the source or device or attached to a permanent storage container for the source or device: PROVIDED, That instructions which are too lengthy for such label may be summarized on the label and printed in detail on a brochure which is referenced on the label.

(c) The label affixed to the source or device, or to the permanent storage container for the source or device, contains information on the radionuclide, quantity and date of assay, and a statement that the named source or device is licensed by the department for distribution to persons licensed pursuant to WAC ((402-22-070)) 246-235-080(3) and Group VI of WAC ((402-22-200)) 246-235-120 Schedule A or under equivalent regulations of the United States Nuclear Regulatory Commission, an agreement state or a licensing state: PROVIDED, That such labeling for sources which do not require long term storage (e.g., gold-198 seeds) may be on a leaflet or brochure which accompanies the source.

(d) In the event the applicant desires that the source or device be required to be tested for leakage of radioactive material at intervals longer than six months, the applicant shall include in the application sufficient information to demonstrate that such longer interval is justified by performance characteristics of the source or device or similar sources or devices and by design features that have a significant bearing on the probability or consequences of leakage of radioactive material from the source.

(e) In determining the acceptable interval for test of leakage of radioactive material, the department will consider information that includes, but is not limited to:

- (i) Primary containment (source capsule);
- (ii) Protection of primary containment;
- (iii) Method of sealing containment;
- (iv) Containment construction materials;
- (v) Form of contained radioactive material;
- (vi) Maximum temperature withstood during prototype tests;
- (vii) Maximum pressure withstood during prototype tests;
- (viii) Maximum quantity of contained radioactive material;
- (ix) Radiotoxicity of contained radioactive material; and
- (x) Operating experience with identical sources or devices or similarly designed and constructed sources or devices.

(12) Requirements for license to manufacture and distribute industrial products containing depleted uranium for mass-volume applications.

(a) An application for a specific license to manufacture industrial products and devices containing depleted uranium for use pursuant to WAC ((402-21-030)) 246-233-010(4) or equivalent regulations of the United States Nuclear Regulatory Commission or an agreement state will be approved if:

(i) The applicant satisfies the general requirements specified in WAC ((402-22-040)) 246-235-020;

(ii) The applicant submits sufficient information relating to the design, manufacture, prototype testing, quality control procedures, labeling or marking, proposed uses and potential hazards of the industrial product or device to provide reasonable assurance that possession, use or transfer of the depleted uranium in the product or device is not likely to cause any individual to receive in any period of one calendar quarter a radiation dose in excess of ten percent of the limits specified in WAC ((402-24-020)) 246-221-010(1); and

(iii) The applicant submits sufficient information regarding the industrial product or device and the presence of depleted uranium for a mass-volume application in the product or device to provide reasonable assurance that unique benefits will accrue to the public because of the usefulness of the product or device.

(b) In the case of an industrial product or device whose unique benefits are questionable, the department will approve an application for a specific license under subsection (12) of this section only if the product or device is found to combine a high degree of utility and low probability of uncontrolled disposal and dispersal of significant quantities of depleted uranium into the environment.

(c) The department may deny any application for a specific license under subsection (12) of this section if the end use(s) of the industrial product or device cannot be reasonably foreseen.

(d) Each person licensed pursuant to paragraph (12)(a) of this section shall:

(i) Maintain the level of quality control required by the license in the manufacture of the industrial product or device, and in the installation of the depleted uranium into the product or device;

(ii) Label or mark each unit to:

(A) Identify the manufacturer of the product or device and the number of the license under which the product or device was manufactured, the fact that the product or device contains depleted uranium, and the quantity of depleted uranium in each product or device; and

(B) State that the receipt, possession, use and transfer of the product or device are subject to a general license or the equivalent and the regulations of the United States Nuclear Regulatory Commission or of an agreement state;

(iii) Assure that the depleted uranium before being installed in each product or device has been impressed with the following legend clearly legible through any plating or other covering: "Depleted uranium";

(iv) Furnish to each person to whom depleted uranium in a product or device is transferred for use pursuant to the general license contained in WAC ((402-21-030)) 246-233-010(4) or its equivalent:

(A) A copy of the general license contained in WAC ((402-21-030)) 246-233-010(4) and a copy of department Form RHF- 20; or

(B) A copy of the general license contained in the United States Nuclear Regulatory Commission's or agreement state's regulation equivalent to WAC ((402-21-030)) 246-233-010(4) and a copy of the United States Nuclear Regulatory Commission's or agreement state's certificate, or alternatively, furnish a copy of the general license contained in WAC ((402-21-030)) 246-233-010(4) and a copy of department Form RHF- 20 with a note explaining that use of the product or device is regulated by the United States Nuclear Regulatory Commission or an agreement state under requirements substantially the same as those in WAC ((402-21-030)) 246-233-010(4).

(v) Report to the department all transfers of industrial products or devices to persons for use under the general license in WAC ((402-21-030)) 246-233-010(4). Such report shall identify each general licensee by name and address, an individual by name and/or position who may constitute a point of contact between the department and the general licensee, the type and model number of device transferred, and the quantity of depleted uranium contained in the product or device. The report shall be submitted within thirty days after the end of each calendar quarter in which such a product or device is transferred to the generally licensed person. If no transfers have been made to persons generally licensed under chapter ((402-21)) 246-233 WAC during the reporting period, the report shall so indicate;

(vi) Provide certain other reports as follows:

(A) Report to the United States Nuclear Regulatory Commission all transfers of industrial products or devices to persons for use under the United States Nuclear Regulatory Commission general license in Section 40.25 of 10 CFR Part 40;

(B) Report to the responsible department all transfers of devices manufactured and distributed pursuant to subsection (12) of this section for use under a general license in that state's regulations equivalent to WAC ((402-21-030)) 246-233-010(4);

(C) Such report shall identify each general licensee by name and address, an individual by name and/or position who may constitute a point of contact between the department and the general licensee, the type and model number of the device transferred, and the quantity of depleted uranium contained in the product or device. The report shall be submitted within thirty days after the end of each calendar quarter in which such product or device is transferred to the generally licensed person;

(D) If no transfers have been made to United States Nuclear Regulatory Commission licensees during the reporting period, this information shall be reported to the United States Nuclear Regulatory Commission;

(E) If no transfers have been made to general licensees within a particular agreement state during the reporting period, this information shall be reported to the responsible department; and

(vii) Keep records showing the name, address and point of contact for each general licensee to whom the person transfers depleted uranium in industrial products or devices for use pursuant to the general license provided in WAC ((402-21-030)) 246-233-010(4) or equivalent regulations of the United States Nuclear Regulatory Commission or of an agreement state. The records shall be maintained for a period of two years and shall show the date of each transfer, the quantity of depleted uranium in each product or device transferred, and compliance with the report requirements of this section.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-235-110 SPECIAL REQUIREMENTS FOR ISSUANCE OF SPECIFIC LICENSES FOR SOURCE MATERIAL MILLING. In addition to the requirements set forth in WAC ((~~402-22-040~~) 246-235-020), a specific license for source material milling will be issued if the applicant submits to the department a satisfactory application as described herein and meets the other conditions specified below:

(1) An application for a license to receive title to, receive, possess, and use source material for milling or byproduct material as defined in WAC ((~~402-12-050(6)~~) 246-220-010) shall address the following:

- (a) Description of the proposed project or action.
- (b) Area/site characteristics including geology, demography, topography, hydrology and meteorology.
- (c) Radiological and nonradiological impacts of the proposed project or action, including waterway and groundwater impacts.
- (d) Environmental effects of accidents.
- (e) Tailings disposal and decommissioning.
- (f) Site and project alternatives.
- (g) Description of how the provisions of chapter ((~~402-52~~) 246-252) WAC shall be met.

(2) Pursuant to WAC ((~~402-22-040(6)~~) 246-235-080 (6)(a)(i)) the applicant shall not commence construction of the project until the department has weighed the environmental, economic, technical, and other benefits against the environmental costs and has concluded that the issuance of the license is appropriate.

(3) Prior to issuance of a license, a public hearing shall be held. The scope shall extend to the question of license issuance and the adequacy of the reclamation, disposal, decommissioning, and decontamination plans.

(4) At least one full year prior to any major site construction, a preoperational monitoring program shall be conducted to provide complete baseline data on a milling site and its environs. Throughout the construction and operating phases of the mill, an operational monitoring program shall be conducted to measure or evaluate compliance with applicable standards and regulations; to evaluate performance of control systems and procedures; to evaluate environmental impacts of operation; and to detect potential long-term effects.

(5) Prior to issuance of the license, the mill operator shall establish financial surety arrangements consistent with the requirements of WAC ((~~402-22-040(6)~~) 246-252-030).

(6) The applicant shall provide procedures describing the means employed to meet the following requirements during the operational phase of any project.

(a) Milling operations shall be conducted so that all effluent releases are reduced to as low as is reasonably achievable below the limits of chapter ((~~402-24~~) 246-221) WAC.

(b) The mill operator shall conduct at least daily inspection of any tailings or waste retention systems. Records of such inspections shall be maintained for review by the department.

(c) The mill operator shall immediately notify the department of the following:

- (i) Any failure in a tailings or waste retention system which results in a release of tailings or waste into unrestricted areas; and
- (ii) Any unusual conditions (conditions not contemplated in the design of the retention system) which if not corrected could lead to failure of the system and result in a release of tailings or waste into unrestricted areas.

(7) An application for a license to own, receive, possess and use byproduct material as defined in WAC ((~~402-12-050(6)(b)~~) 246-220-010) shall contain proposed specifications relating to the emissions control and disposition of the byproduct material to achieve the requirements and objectives set forth in the criteria listed in WAC ((~~402-52-100~~) 246-252-030).

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-235-120 SCHEDULE A GROUPS OF MEDICAL USES OF RADIOACTIVE MATERIAL (REF. WAC ((~~402-22-070(3)~~ AND ~~402-22-110(9)~~) 246-235-080(3) AND 246-235-100(9)). (1) Group I. Use of prepared radiopharmaceuticals for certain diagnostic studies involving measurements of uptake, dilution and excretion. This group does not include imaging or localization studies.

(a) Any radioactive material in a radiopharmaceutical and for a diagnostic use involving measurements of uptake, dilution or excretion

for which a "Notice of claimed investigational exemption for a new drug" (IND) has been accepted by the Food and Drug Administration (FDA) or for which a "New drug application" (NDA) is in effect.

(b) The provisions of (a) of this subsection notwithstanding, no radioactive material in gaseous form or for use as an aerosol is permitted by this subsection except as specifically authorized in a license.

(2) Group II. Use of prepared radiopharmaceuticals for diagnostic imaging and localization studies.

(a) Any radioactive material in a radiopharmaceutical and for a diagnostic use involving imaging or localizing for which a "Notice of claimed investigational exemption for a new drug" (IND) has been accepted by the Food and Drug Administration (FDA) or for which a "New drug application" (NDA) is in effect;

(b) The provisions of (a) of this subsection notwithstanding, no radioactive material in gaseous form or for use as an aerosol is permitted by this subsection except as specifically authorized by a license or subsection (3)(b) of this section.

(3) Group III. Use of generators and reagent kits for the preparation and use of radiopharmaceuticals containing radioactive material for diagnostic imaging and localization studies.

(a) Any generator or reagent kit for preparation and diagnostic use of a radiopharmaceutical containing radioactive material for which generator or reagent kit a "Notice of claimed investigational exemption of a new drug" (IND) has been accepted by the Food and Drug Administration (FDA) or for which a "New drug application" (NDA) is in effect.

(b) The provisions of (a) of this subsection notwithstanding, no generator or reagent kit is authorized for preparation of any gaseous form or aerosol of a radioactive material, except Technetium-99m as sodium pentetate as an aerosol for pulmonary function studies when used only with an approved and shielded delivery system, and disposed in accordance with applicable requirements, or as specifically authorized in a license.

(4) Group IV. Use of prepared radiopharmaceuticals for certain therapeutic uses that do not normally require hospitalization for purposes of radiation safety.

(a) Iodine-131 as iodide for treatment of hyperthyroidism and cardiac dysfunction;

(b) Phosphorus-32 as soluble phosphate for treatment of polycythemia vera, leukemia and bone metastases;

(c) Phosphorus-32 as colloidal chromic phosphate for intracavitary treatment of malignant effusions;

(d) Any radioactive material in a radiopharmaceutical and for a therapeutic use not normally requiring hospitalization for purposes of radiation safety for which a "Notice of claimed investigational exemption for a new drug" (IND) has been accepted by the Food and Drug Administration (FDA) or for which a "New drug application" (NDA) is in effect.

(5) Group V. Use of prepared radiopharmaceuticals for certain therapeutic uses that normally require hospitalization for purposes of radiation safety.

(a) Gold-198 as colloid for intracavitary treatment of malignant effusions;

(b) Iodine-131 as iodide for treatment of thyroid carcinoma;

(c) Any radioactive material in a radiopharmaceutical and for a therapeutic use normally requiring hospitalization for radiation safety reasons for which a "Notice of claimed investigational exemption for a new drug" (IND) has been accepted by the Food and Drug Administration (FDA) or for which a "New drug application" (NDA) is in effect.

(6) Group VI. Use of sources and devices containing radioactive material for certain medical uses.

(a) Americium-241 as a sealed source in a device for bone mineral analysis;

(b) Cesium-137 encased in needles and applicator cells for topical, interstitial, and intracavitary treatment of cancer;

(c) Cobalt-60 encased in needles and applicator cells for topical, interstitial, and intracavitary treatment of cancer;

(d) Gold-198 as seeds for interstitial treatment of cancer;

(e) Iodine-125 as a sealed source in a device for bone mineral analysis;

(f) Gadolinium-153 as a sealed source in a device for bone mineral analysis;

(g) Iridium-192 as seeds encased in nylon ribbon for interstitial treatment of cancer;

(h) Strontium-90 sealed in an applicator for treatment of superficial eye conditions; and

(i) Iodine-125 as seeds for interstitial treatment of cancer.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-235-130 APPENDIX—GENERAL LABORATORY RULES FOR SAFE USE OF UNSEALED SOURCES. (1) In addition to the requirements set forth in WAC ((402-22-040)) 246-235-020, a specific licensee who uses unsealed, unplated and/or liquid sources should ((the applicant)) possess adequate facilities including ventilation systems which are compatible with the proposed uses: and,

(2) Possess, use, and store, radioactive materials in accordance with, but not limited to, the following:

(a) Receive, handle, and store radioactive materials only at specifically designated locations within the applicant's facility. Vessels containing radioactive material must be labeled as required by chapter ((402-24)) 246-221 WAC.

(b) Wear disposable gloves at all times when handling dispersible radioactive material or potentially contaminated items.

(c) Wear personnel monitoring devices (film badge and/or TLD), when required, at all times when working with, or in the vicinity of, radioactive materials. Extremity doses shall be considered in evaluating the need for separate extremity dosimeters. Calculations based on whole body badge results for photon emitters may be used in lieu of separate extremity dosimeters. Extremity dosimetry should be worn when working with millicurie or greater quantities of material (excluding low energy beta emitters and pure alpha emitters). Monitoring devices, when not in use, shall be stored only in a designated low-background area.

(d) Use remote tools, lead shields, lead-glass shields, and/or plexiglass shields as appropriate.

(e) Prohibit eating, chewing, drinking, smoking, and application of cosmetics in any area where radioactive material is used or stored.

(f) Do not store food, drink or personal effects in any area, container, or refrigerator designated for radioactive materials use or storage.

(g) Do not pipette radioactive materials or perform any similar operation by employing mouth suction.

(h) Use disposable absorbent material with impervious backing to cover work surfaces where spillage is possible.

(i) Properly dress and protect open wounds on exposed body surfaces before working with radioactive materials.

(j) Wear laboratory coats when working with radioactive material. Potentially contaminated laboratory coats shall not be worn outside the immediate work area.

(k) Nuclides in volatile form, or with a high potential for volatilization should be used only in areas with ventilation systems which conform to the requirements of WAC ((402-24-030 and 402-24-050)) 246-221-040 and 246-221-070.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-235-140 SCHEDULE B, LIMITS FOR BROAD LICENSES. (See also WAC ((402-22-090)) 246-235-090)

RADIOACTIVE MATERIAL	COL. I CURIES	COL. II CURIES
Antimony-122	1	0.01
Antimony-124	1	0.01
Antimony-125	1	0.01
Arsenic-73	10	0.1
Arsenic-74	1	0.01
Arsenic-76	1	0.01
Arsenic-77	10	0.1
Barium-131	10	0.1
Barium-140	1	0.01
Beryllium-7	10	0.1
Bismuth-210	0.1	0.001
Bromine-82	10	0.1
Cadmium-109	1	0.01
Cadmium-115m	1	0.01
Cadmium-115	10	0.1
Calcium-45	1	0.01
Calcium-47	10	0.1
Carbon-14	100	1.
Cerium-141	10	0.1
Cerium-143	10	0.1

RADIOACTIVE MATERIAL	COL. I CURIES	COL. II CURIES
Cerium-144	0.1	0.001
Cesium-131	100	1.
Cesium-134m	100	1.
Cesium-134	0.1	0.001
Cesium-135	1	0.01
Cesium-136	10	0.1
Cesium-137	0.1	0.001
Chlorine-36	1	0.01
Chlorine-38	100	1.
Chromium-51	100	1.
Cobalt-57	10	0.1
Cobalt-58m	100	1.
Cobalt-58	1	0.01
Cobalt-60	0.1	0.001
Copper-64	10	0.1
Dysprosium-165	100	1.
Dysprosium-166	10	0.1
Erbium-169	10	0.1
Erbium-171	10	0.1
Europium-152 (9.2h)	10	0.1
Europium-152 (13 y)	0.1	0.001
Europium-154	0.1	0.001
Europium-155	1	0.01
Fluorine-18	100	1.
Gadolinium-153	1	0.01
Gadolinium-159	10	0.1
Gallium-72	10	0.1
Germanium-71	100	1.
Gold-198	10	0.1
Gold-199	10	0.1
Hafnium-181	1	0.01
Holmium-166	10	0.1
Hydrogen-3	100	1.
Indium-113m	100	1.
Indium-114m	1	0.01
Indium-115m	100	1.
Indium-115	1	0.01
Iodine-125	0.1	0.001
Iodine-126	0.1	0.001
Iodine-129	0.1	0.001
Iodine-131	0.1	0.001
Iodine-132	10	0.1
Iodine-133	1	0.01
Iodine-134	10	0.1
Iodine-135	1	0.01
Iridium-192	1	0.01
Iridium-194	10	0.1
Iron-55	10	0.1
Iron-59	1	0.01
Krypton-85	100	1.
Krypton-87	10	0.1
Lanthanum-140	1	0.01
Lutetium-177	10	0.1
Manganese-52	1	0.01
Manganese-54	1	0.01
Manganese-56	10	0.1
Mercury-197m	10	0.1
Mercury-197	10	0.1
Mercury-203	1	0.01
Molybdenum-99	10	0.1
Neodymium-147	10	0.1
Neodymium-149	10	0.1
Nickel-59	10	0.1
Nickel-63	1	0.01
Nickel-65	10	0.1
Niobium-93m	1	0.01
Niobium-95	1	0.01
Niobium-97	100	1.
Osmium-185	1	0.01
Osmium-191m	100	1.
Osmium-191	10	0.1
Osmium-193	10	0.1
Palladium-103	10	0.1
Palladium-109	10	0.1

RADIOACTIVE MATERIAL	COL. I CURIES	COL. II CURIES
Phosphorus-32	1	0.01
Platinum-191	10	0.1
Platinum-193m	100	1.
Platinum-193	10	0.1
Platinum-197m	100	1.
Platinum-197	10	0.1
Polonium-210	0.01	0.0001
Potassium-42	1	0.01
Praseodymium-142	10	0.1
Praseodymium-143	10	0.1
Promethium-147	1	0.01
Promethium-149	10	0.1
Radium-226	0.01	0.0001
Rhenium-186	10	0.1
Rhenium-188	10	0.1
Rhodium-103m	1,000	10.
Rhodium-105	10	0.1
Rubidium-86	1	0.01
Rubidium-87	1	0.01
Ruthenium-97	100	1.
Ruthenium-103	1	0.01
Ruthenium-105	10	0.1
Ruthenium-106	0.1	0.001
Samarium-151	1	0.01
Samarium-153	10	0.1
Scandium-46	1	0.01
Scandium-47	10	0.1
Scandium-48	1	0.01
Selenium-75	1	0.01
Silicon-31	10	0.1
Silver-105	1	0.01
Silver-110m	0.1	0.001
Silver-111	10	0.1
Sodium-22	0.1	0.001
Sodium-24	1	0.01
Strontium-85m	1,000	10.
Strontium-85	1	0.01
Strontium-89	1	0.01
Strontium-90	0.01	0.0001
Strontium-91	10	0.1
Strontium-92	10	0.1
Sulphur-35	10	0.1
Tantalum-182	1	0.01
Technetium-96	10	0.1
Technetium-97m	10	0.1
Technetium-97	10	0.1
Technetium-99m	100	1.
Technetium-99	1	0.01
Tellurium-125m	1	0.01
Tellurium-127m	1	0.01
Tellurium-127	10	0.1
Tellurium-129m	1	0.01
Tellurium-129	100	1.
Tellurium-131m	10	0.1
Tellurium-132	1	0.01
Terbium-160	1	0.01
Thallium-200	10	0.1
Thallium-201	10	0.1
Thallium-202	10	0.1
Thallium-204	1	0.01
Thulium-170	1	0.01
Thulium-171	1	0.01
Tin-113	1	0.01
Tin-125	1	0.01
Tungsten-181	1	0.01
Tungsten-185	1	0.01
Tungsten-187	10	0.1
Vanadium-48	1	0.01
Xenon-131m	1,000	10.
Xenon-133	100	1.
Xenon-135	100	1.
Ytterbium-175	10	0.1
Yttrium-90	1	0.01
Yttrium-91	1	0.01

RADIOACTIVE MATERIAL	COL. I CURIES	COL. II CURIES
Yttrium-92	10	0.1
Yttrium-93	1	0.01
Zinc-65	1	0.01
Zinc-69m	10	0.1
Zinc-69	100	1.
Zirconium-93	1	0.01
Zirconium-95	1	0.01
Zirconium-97	1	0.01
Any radioactive material other than source material, special nuclear material, or alpha emitting radioactive material not listed above.	0.1	0.001

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-239-010 DEFINITIONS. (1) "Nuclear medicine" means the intentional internal or external administration of unsealed radioactive material to human beings.

(2) "Nuclear medicine technologist" means any individual who performs nuclear medical procedures under the supervision of a physician licensed pursuant to chapter ((402-22)) 246-235 WAC.

(3) "Training" means instruction or experience acquired under the direct supervision of a physician, a certified/registered nuclear medicine technologist, and/or a qualified expert who has the necessary knowledge and training to advise personnel on radiation protection.

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-239-020 RADIATION SAFETY COMMITTEE. (1) Where required by license condition or pursuant to WAC ((402-22-070)) 246-235-080(1), the radiation safety committee, shall meet at least once every six months. Where required by license condition, the committee shall meet at the frequency stated in the license or application. Such meetings shall be documented by written minutes and those minutes shall be maintained for inspection by the department for at least two years.

(2) Evaluation of the adequacy of the licensee's radiation safety program shall be conducted at least once each calendar year. Such evaluations may be performed by the radiation safety officer, a competent outside agent, or by qualified personnel at the licensee's own facility. These evaluations shall be documented, maintained for inspection by the department, and presented to the radiation safety committee for review and approval.

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-239-030 PERSONNEL MONITORING. In addition to the requirements of WAC ((402-24-070)) 246-221-090 and the conditions of the license, extremity monitoring (such as TLD ring badges) shall be provided and used on a monthly exchange basis for those personnel who elute Tc 99<sup>m</sup>/Mo 99 generators.

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-239-040 RADIOPHARMACEUTICALS. (1) Radioactive material to be administered to humans shall be the subject of an FDA-approved "new drug application" (NDA) or an FDA-accepted "notice of claimed investigational exemption for a new drug" (IND), unless otherwise stated in the license.

(2) Any licensee using radioactive material for clinical procedures other than those specified in the product labeling (package insert) shall comply with the product labeling regarding:

- Chemical and physical form;
- Route of administration; and
- Dosage range.

(3) No licensee shall receive, possess, or use radioactive material as a radiopharmaceutical except when it has been:

(a) Manufactured in the form to be administered to the patient, and labeled, packaged, and distributed, in accordance with a specific license; or

(b) Prepared from reagent kits and/or radionuclide generators approved in accordance with WAC ((402-22-070)) 246-235-080 (3)(b) and ((402-22-110)) 246-235-100(10).

(4) The provisions of this part notwithstanding:

(a) No radioactive material in gaseous form or for use as an aerosol is permitted except Technetium-99m pentetate used as an aerosol for lung function studies, or as specifically authorized by license condition. Radioactive aerosols must be administered with a closed, shielded system that either is vented to the outside atmosphere through an air exhaust or provides for collection and disposal of the aerosol; and

(b) No generator or reagent kit is authorized for preparation of any gaseous form or aerosol of the radioactive material, except as specifically authorized by license condition.

(5) Radioactive material to be administered to humans shall be assayed for activity to determine the dose within ten percent accuracy of the prescribed dose prior to being administered to patients.

(a) In the absence of a certificate from a supplier which specifies the activity of each dose, the license shall establish written procedures for the personnel to perform assays to an accuracy of ten percent of the prescribed dose prior to being administered to patients.

(b) The licensee shall maintain for inspection by the department, records of the results of each assay performed to determine the activity of each dose administered to a patient. Records shall be maintained for two years following performance of each assay.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-239-060 LABORATORY SAFETY. In addition to those requirements found in WAC ((402-22-240)) 246-235-130, the licensee shall utilize syringe shields or other shielding devices for all manipulations. Syringe shields should be used for injections whenever practicable.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-239-080 CALIBRATION AND REFERENCE SOURCES. (1) Any licensee who owns, receives, acquires, possesses, uses, or transfers calibration reference sources pursuant to the general license authorized in WAC ((402-21-050)) 246-233-020(7) shall:

(a) Maintain a file or log identifying such sources, including isotope, amount, model and serial numbers, manufacturer, date of receipt, date of transfer, and to whom transferred (where applicable);

(b) Possess at any one time, and at any one location of storage or use, no more than five uCi of Am-241 and five uCi of Pu and five uCi of Ra-226 in such sources;

(c) Store such source(s), except when the source(s) is being used, in a closed container adequately designed and constructed to contain Americium-241, Plutonium, or Radium 226 which might otherwise escape during storage; and

(d) Not use such source(s) for any purpose other than the calibration of radiation detectors or the standardization of other sources.

(2) Any licensee who receives, possesses, or uses calibration and reference standards pursuant to the group licensing provisions of WAC ((402-22-070)) 246-235-080 (3)(c):

(a) Shall conduct leak tests in accordance with WAC ((402-22-070)) 246-235-080 (3)(d);

(b) Shall follow the radiation safety and handling instructions approved by the department, the United States Nuclear Regulatory Commission, and agreement state or a licensing state and furnished by the manufacturer on the label attached to the source, or permanent container thereof, or in the leaflet or brochure that accompanies the source, and maintain such instruction in a legible and conveniently available form; and

(c) Shall conduct a quarterly physical inventory to account for all sources received and possessed. Records of the inventory shall be maintained for inspection by the department, and shall include, but not be limited to, the quantities and kinds of radioactive material, location of sources, and the date of inventory.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-239-090 INSTRUMENTATION. (1) Instrumentation used to conduct surveys shall be appropriate for the nuclide(s) and radiation levels present.

(2) Portable and stationary survey instruments shall be calibrated at least once each calendar year, and after any repair using either approved procedures or by a facility specifically licensed to perform calibrations. Records shall be maintained for inspection by the department.

(3) An operational check utilizing an appropriate check source shall be conducted.

(4) Imaging systems shall have a flood performed daily when the system is used. In addition, mobile nuclear medicine services employing imaging systems which are moved from one facility to another shall perform a flood prior to use at each location. Bar phantoms shall be performed weekly. Records of such quality assurance for imaging systems, shall be maintained for inspection by the departments.

(5) Appropriate source(s) for calibration and reference of dose calibrators shall be used. Dose calibrators shall receive:

(a) Daily constancy checks;

(b) Quarterly linearity tests;

(c) Annual tests for accuracy; and

(d) Geometry tests upon installation and following major repair.

(6) Quality assurance procedures for dose calibrators found in ((WAC 402-34-190(5))) subsection (5) of this section, excluding daily constancy checks shall be conducted by individuals qualified to perform these tests, and shall be documented for future inspection by the department.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-239-100 RADIOACTIVE GASES. (1) Licensees utilizing radioactive gases, such as Xenon-133 or Krypton-81m, shall have and use by January 1, 1984 a ventilation system adequate for such use, including an approved trap. Radioactive gas shall be disposed only as specifically authorized by the license.

(2) Licensees utilizing radioactive gases shall maintain emissions in accordance with limits specified in chapters ((402-24 and 402-80)) 246-221 and 246-247 WAC. Verification shall be documented. Such verification may be made by calculation, air samples, or the use of constant monitoring instrumentation.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-240-020 INTERSTITIAL, INTRACAVITARY AND SUPERFICIAL APPLICATIONS. (1) Accountability, storage, and handling.

(a) Except as otherwise specifically authorized by the department, each licensee shall provide accountability of sealed sources and shall keep a record of the issue and return of all sealed sources to their place of storage.

(b) Each licensee shall conduct a quarterly physical inventory to account for all sources and devices received and possessed. Records of the inventories shall be maintained for inspection by the department and shall include the quantities and kinds of radioactive material, location of sources and devices, and the date of the inventory.

(c) Each licensee shall follow the radiation safety and handling instructions approved by the department, the United States Nuclear Regulatory Commission, an agreement state or a licensing state and furnished by the manufacturer on the label attached to the source, device or permanent container thereof, or in the leaflet or brochure which accompanies the source or device, and maintain such instruction in a legible and conveniently available form.

(d) Each licensee shall assure that needles or standard medical applicator cells containing Radium-226, or Cobalt-60 as wire are not opened while in the licensee's possession unless specifically authorized by license condition.

(2) Testing sealed sources for leakage and contamination.

(a) All sealed sources containing more than 100 microcuries of radioactive material with a half-life greater than thirty days, except Iridium-192 seeds encased in nylon ribbon, shall be tested for contamination and/or leakage at intervals not to exceed six months or at such other intervals as are approved by the department, the United States Nuclear Regulatory Commission, an agreement state or a licensing state and described by the manufacturer on the label attached to the source, device, or permanent container thereof, or in the leaflet or brochure which accompanies the source or device. Each source or device shall be so tested prior to its first use unless the supplier furnishes a certificate that the source or device has been so tested within six months prior to the transfer.

(b) Leak tests shall be capable of detecting the presence of 0.005 microcurie of radioactive material on the test sample or in the case of radium, the escape of radon at the rate of 0.001 microcurie per twenty-four hours. The test sample shall be taken from the source or from the surfaces of the device in which the source is permanently or semi-permanently mounted or stored on which one might expect contamination to accumulate. Records of leak test results shall be kept in units of microcuries and maintained for inspection by the department.

(c) Any leak test conducted pursuant to (a) of this subsection which reveals the presence of 0.005 microcurie or more of removable contamination or in the case of radium, the escape of radon at the rate of 0.001 microcurie per twenty-four hours, shall be considered evidence that the sealed source is leaking. The licensee shall immediately withdraw the source from use and cause it to be decontaminated and repaired or to be disposed of in accordance with department regulations. A report shall be filed within five days of the test with the department, describing the equipment involved, the test results, and the corrective action taken.

(3) Radiation surveys.

(a) The maximum radiation level at a distance of one meter from the patient in whom brachytherapy sources have been inserted shall be determined by measurement or calculation. This radiation level shall be entered on the patient's chart and other signs as required under subsection (4) of this section.

(b) The radiation levels in the patient's room and the surrounding area shall be determined, recorded, and maintained for inspection by the department.

(c) The licensee shall assure that patients treated with Cobalt-60, Cesium-137, Iridium-192, or Radium-226 or any other nonpermanent implants remain hospitalized until a source count and a radiation survey of the patient and the patient's room confirm that all implants have been removed and are accounted for.

(4) Signs and records.

(a) In addition to the requirements of WAC ((~~402-24-090~~) 246-221-120), the bed, cubicle, or room of the hospital brachytherapy patient shall be marked with a sign indicating the presence of brachytherapy sources. This sign shall incorporate the radiation symbol and specify the radionuclide, the activity, date, and the individual(s) to contact for radiation safety instructions. The sign is not required provided the exception in WAC ((~~402-24-095~~) 246-221-130(2)) is met.

(b) The following information shall be included for the duration of the patient's treatment in the patient's official hospital medical record/chart:

(i) The radionuclide administered, number of sources, activity in millicuries and time and date of administration;

(ii) The exposure rate at one meter, the time the determination was made, and by whom;

(iii) The radiation symbol; and

(iv) The precautionary instructions necessary to assure that the exposure of individuals does not exceed that permitted under WAC ((~~402-24-020~~) 246-221-010).

(5) Information required by subsection (4)(b)(i) and (ii) of this section shall be retained for review by the department.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-240-030 TELEETHERAPY. (1) Equipment.

(a) The housing shall be so constructed that, at one meter from the source, the maximum exposure rate does not exceed ten milliroentgens per hour when the beam control mechanism is in the "off" position. The average exposure rate measured at a representative number of points about the housing, each one meter from the source, shall not exceed two milliroentgens per hour.

(b) For teletherapy equipment installed after the effective date of these regulations, the leakage radiation measured at one meter from the source when the beam control mechanism is in the "on" position shall not exceed 0.1 percent of the useful beam exposure rate.

(c) Adjustable or removable beam-defining diaphragms shall allow transmission of not more than five percent of the useful beam exposure rate.

(d) The beam control mechanism shall be of a positive design capable of acting in any orientation of the housing for which it is designed to be used. In addition to an automatic closing device, the mechanism shall be designed so that it can be manually returned to the "off" position with a minimum risk of exposure.

(e) The closing device shall be so designed as to return automatically to the "off" position in the event of any breakdown or interruption

of the activating force and shall stay in the "off" position until activated from the control panel.

(f) Beam control mechanisms.

(i) When any door to the treatment room is opened, the beam control mechanism shall automatically and rapidly restore the unit to the "off" position and cause it to remain there until the unit is reactivated from the control panel.

(ii) Beam control mechanisms shall be tested at intervals not to exceed three months for proper function. Records of these tests shall be maintained for inspection by the department.

(g) There shall be at the housing and at the control panel a warning device that plainly indicates whether the beam is on or off.

(h) The equipment shall be provided with a locking device to prevent unauthorized use.

(i) The control panel shall be provided with a timer that automatically terminates the exposure after a pre-set time.

(j) Provision shall be made to permit continuous observation of patients during irradiation.

(k) The treatment room shall be equipped with a permanent radiation monitor which shall:

(i) Continuously monitor the condition of the teletherapy beam;

(ii) Provide a continuous visible signal to the teletherapy unit operator and any person entering the treatment room, of a unit malfunction;

(iii) Each radiation monitor must be equipped with an emergency power supply separate from the power supply to the teletherapy unit. This emergency power supply may be a battery system;

(iv) Each radiation monitor must be tested for proper operation each day before the teletherapy unit is used for treatment of patients; and

(v) If a radiation monitor is inoperable for any reason, any person entering the teletherapy room shall use a properly operating portable survey instrument or audible alarm personal dosimeter to monitor for any malfunction of the source exposure mechanism that may have resulted in an exposed or partially exposed source. Survey instruments or dosimeters must be tested daily before use.

(2) Operation. Except in the emergency condition when a source fails to retract, no individual shall be in the treatment room during irradiation unless that individual is the patient. Mechanical restraining or supporting devices shall be used for positioning the patient, if necessary.

(3) Testing for leakage and contamination. Teletherapy sources shall be tested for leakage and contamination in accordance with the procedures described in WAC ((~~402-32-020~~) 246-240-020(2)). Tests of leakage may be made by wiping accessible surfaces of the housing port or collimator while the source is in the "off" position and measuring these wipes for transferred contamination.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-240-040 SPECIAL REQUIREMENTS FOR TELEETHERAPY LICENSEES. (1) Requirement to perform full calibration requirements of teletherapy units.

(a) Any licensee authorized under WAC ((~~402-22-070~~) 246-235-080) to use teletherapy units for treating humans shall cause full calibration measurements to be performed on each teletherapy unit:

(i) Prior to the first use of the unit for treating humans;

(A) Whenever spot-check measurements indicate that the output value differs by more than five percent from the value obtained at the last full calibration corrected mathematically for physical decay;

(B) Following replacement of the radiation source or following reinstallation of the teletherapy unit in a new location;

(C) Following any repair of the teletherapy unit that includes removal of the source or major repair of the components associated with the source exposure assembly; and

(D) At intervals not exceeding one year.

(b) Full calibration measurements required by (a) of this subsection shall include determination of:

(i) The exposure rate or dose rate to an accuracy within  $\pm 3$  percent for the range of field sizes and for the range of distances (or for the axis distance) used in radiation therapy;

(ii) The congruence between the radiation field and the field indicated by the light beam localizing device;

(iii) The uniformity of the radiation field and its dependence upon the orientation of the useful beam;

(iv) Timer accuracy; and

(v) The accuracy of all distance measuring devices used for treating humans.



(c) Full calibration measurements shall be made in accordance with the procedures recommended by the Scientific Committee on Radiation Dosimetry of the American Association of Physicists in Medicine (Physics in Medicine and Biology, Vol. 16, No. 3, 1971, pp. 379-386).<sup>1</sup>

(d) The exposure rate or dose rate values determined in (b)(i) of this subsection shall be corrected mathematically for physical decay for intervals not exceeding one month for units employing a Cobalt-60 source and six months for units employing a Cesium-137 source.

(e) Full calibration measurements required by (a) of this subsection and physical decay corrections required by (d) of this subsection shall be performed by an expert qualified by training and experience in accordance with subsection (4) of this section.

(2) Requirement to perform periodic spot-check measurements of teletherapy units.

(a) Any licensee authorized under WAC (~~(402-22-070)~~) 246-235-080(4) to use teletherapy units for treating humans shall cause spot-check measurements to be performed on each teletherapy unit at intervals not exceeding one month.

(b) Spot-check measurements required by (a) of this subsection shall include determination of:

(i) Timer accuracy;

(ii) The congruence between the radiation field and the field indicated by the light beam localizing device;

(iii) The accuracy of all distance measuring devices used for treating humans;

(iv) The exposure rate, dose rate, or a quantity related in a known manner to these rates for one typical set of operating conditions; and

(v) The difference between the measurement made in (b) of this subsection and the anticipated output, expressed as a percentage of the anticipated output (i.e., the value obtained at last full calibration corrected mathematically for physical decay).

(c) Spot-check measurements required by (a) of this subsection shall be performed in accordance with procedures established by an expert qualified by training and experience in accordance with subsection (4) of this section. (A qualified expert need not actually perform the spot-check measurements.) If a qualified expert does not perform the spot-check measurements, the results of the spot-check measurements shall be reviewed by a qualified expert within fifteen days.

(3) Requirement to calibrate instruments used for full calibration and spot-check measurements.

(a) Full calibration measurements required by subsection (1) of this section shall be performed using a dosimetry system that has been calibrated by the National Bureau of Standards or by a Regional Calibration Laboratory accredited by the American Association of Physicists in Medicine. The dosimetry system shall have been calibrated within the previous two years and after any servicing that may have affected system calibration.

(b) Spot-check measurements required by subsection (2) of this section shall be performed using a dosimetry system that has been calibrated in accordance with (a) of this subsection. Alternatively, a dosimetry system used solely for spot-check measurements may be calibrated by direct intercomparison with a system that has been calibrated in accordance with (a) of this subsection. This alternative calibration method shall have been performed within the previous one year and after each servicing that may have affected system calibration. Dosimetry systems calibrated by this alternative method shall not be used for full calibration measurements. The use of thermoluminescent dosimeter does not satisfy the requirements of this section.

(4) Qualified expert. The licensee shall determine if a person is an expert qualified by training and experience to calibrate a teletherapy unit and establish procedures for (and review the results of) spot-check measurements. The licensee shall determine that the qualified expert:

(a) Is certified by the American Board of Radiology in Therapeutic Radiological Physics, Radiological Physics, Roentgen-Ray and Osmin-Ray Physics, or X-ray and Radium Physics; or

(b) Has the following minimum training and experience:

(i) A master's or doctor's degree in physics, biophysics, radiological physics or health physics;

(ii) One year of full-time training in therapeutic radiological physics; and

(iii) One year of full-time experience in a radiotherapy facility including personal calibration and spot-check of at least one teletherapy unit.

Note: The requirements of subsection (4) of this section are in addition to those set forth under "Qualified expert" in WAC (~~(402-2-050(4))~~) 246-220-010.

(5) Records.

The licensee shall maintain, for inspection by the department, records of the measurements, tests, corrective actions, and instrument calibrations made under subsections (1) and (2) of this section and records of the licensee's evaluation of the qualified expert's training and experience made under subsection (4) of this section.

(a) Records of (i) full calibration measurements and (ii) calibration of instruments used to make these measurements shall be preserved for five years after completion of the full calibration.

(b) Records of (i) spot-check measurements and corrective actions and (ii) calibration of instruments used to make spot-check measurements shall be preserved for two years after completion of the spot-check measurements and corrective actions.

(c) Records of the licensee's evaluation of the qualified expert's training and experience shall be preserved for five years after the qualified expert's last performance of a full calibration of the licensee's teletherapy unit.

(6) Inspection and servicing of the source exposure mechanism.

(a) Each teletherapy machine shall be fully inspected and serviced during source replacement or at intervals not to exceed five years, whichever comes first, to assure proper function of the source exposure mechanism. This inspection and servicing must be performed by persons specifically authorized to do so by the department, the United States Nuclear Regulatory Commission, or an agreement state, and a complete written report of the inspection and servicing must be kept on file for review by the department.

(b) The following shall be performed only by persons specifically authorized by the department, the United States Nuclear Regulatory Commission, or an agreement state to perform such services:

(i) Installation, inspection, servicing, relocation, or removal of teletherapy units containing sources.

(ii) Source exchange.

(iii) Any maintenance or repair operations on a teletherapy unit involving work on the source drawer, the shutter, or other mechanism that could expose the source, reduce the shielding around the source or compromise the safety of the unit and result in increased radiation levels.

<sup>1</sup>Licensees that have their teletherapy units calibrated by persons who do not meet these criteria for minimum training and experience may require a license amendment excepting them from the requirements of subsection (4) of this section. The request should include the name of the proposed qualified expert, a description of his or her training and experience including information similar to that specified by subsection (4) of this section and a report of at least one calibration and spot-check program based on measurements personally made by the proposed expert within the last ten years and written endorsement of the technical qualifications of the proposed expert from personal knowledge by a physicist certified by the American Board of Radiology in one of the specialties listed therein.

#### AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-243-020 DEFINITIONS. As used in this part:

(1) "Enclosed radiography" means industrial radiography employing radiation machines conducted in an enclosed cabinet or room and includes cabinet radiography and shielded room radiography.

(a) "Cabinet radiography" means industrial radiography employing radiation machines conducted in an enclosure or cabinet so shielded that every location at the exterior meets the conditions specified in WAC (~~(402-24-040)~~) 246-221-060 of these regulations.

(i) "Cabinet x-ray system" means an x-ray system with the x-ray tube installed in an enclosure (hereinafter termed "cabinet") which, independently of existing architectural structure except the floor on which it may be placed, is intended to contain at least that portion of a material being irradiated, provide radiation attenuation, and exclude personnel from its interior during generation of x radiation. Included are all x-ray systems designed primarily for the inspection of carry-on baggage at airline, railroad, and bus terminals, and in similar facilities. An x-ray tube used within a shielded part of a building, or x-ray equipment which may temporarily or occasionally incorporate portable shielding is not considered a cabinet x-ray system.

(b) "Shielded-room radiography" means industrial radiography conducted in a room so shielded that every location on the exterior meets the conditions specified in WAC (~~(402-24-040)~~) 246-221-060 of these regulations.



(2) "Industrial radiography" means the examination of the macroscopic structure of materials by nondestructive methods utilizing sources of radiation. Industrial radiography as used in this chapter does not include well logging operations.

(3) "Permanent radiographic installation" means a shielded installation or structure designed or intended for radiography employing a radiographic exposure device and in which radiography is regularly performed, regardless of ownership.

(4) "Personal supervision" means supervision by a radiographer such that the radiographer is physically present at the radiography site and in such proximity that communication can be maintained and immediate assistance given as required. When a radiographer's assistant is using or handling sources of radiation, the radiographer must maintain direct surveillance.

(5) "Radiographer" means any individual who performs or who, in attendance at the site where sources of radiation are being used, personally supervises industrial radiographic operations and who is responsible to the licensee or registrant for assuring compliance with the requirements of these regulations and all license conditions.

(6) "Radiographer's assistant" means any individual who, under the personal supervision of a radiographer, uses sources of radiation, related handling tools, or radiation survey instruments in industrial radiography.

(7) "Radiographic exposure device" means any instrument containing a sealed source fastened or contained therein, in which the sealed source or shielding thereof may be moved, or otherwise changed, from a shielded to unshielded position for purposes of making a radiographic exposure.

(8) "Shielded position" means the location within the radiographic exposure device or storage container which, by manufacturer's design, is in one proper location for storage of the sealed source.

(9) "Source changer" means a device designed and used for replacement of sealed sources in radiographic exposure devices, including those also used for transporting and storage of sealed sources.

(10) "Storage container" means a device in which sealed sources are transported or stored.

(11) Temporary job site refers to any location which is not specifically authorized and described in a license or registration.

#### AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-243-060 LOCKING OF RADIOGRAPHIC EXPOSURE DEVICES. (1) Each radiographic exposure device shall be provided with a lock or outerlocked container designed to prevent unauthorized or accidental production of radiation or removal or exposure of a sealed source and shall be locked when returned to the shielded position at all times. In addition, during radiographic operations the sealed source assembly shall be locked in the shielded position each time the source is returned to that position.

(2) Each sealed source storage container and source changer shall have a lock or outer locked container designed to prevent unauthorized or accidental removal of the sealed source from its shielded position. Storage containers and source changers shall be kept locked when containing sealed sources except when under the direct surveillance of a radiographer or a radiographer's assistant.

(3) Radiographic exposure devices, source changers, and storage containers, prior to being moved from one location to another and also prior to being secured at a given location, shall be locked and surveyed to assure that the sealed source is in the shielded position.

#### AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-243-080 RADIATION SURVEY INSTRUMENTS. (1) The licensee or registrant shall maintain sufficient calibrated and operable radiation survey instruments to make physical radiation surveys as required by this part and chapter ~~((402-24))~~ 246-221 WAC. Instrumentation required by this section shall have a range such that two milliroentgens per hour through one roentgen per hour can be measured.

(2) Each radiation survey instrument shall be calibrated:

(a) At energies appropriate for use and at intervals not to exceed three months and after each instrument servicing;

(b) Such that accuracy within  $\pm 20$  percent traceable to a national standard can be demonstrated; and

(c) At two or more widely separated points, other than zero, on each scale.

(3) Records shall be maintained of these calibrations for two years after the calibration date for inspection by the department.

(4) The requirements of ~~((WAC 402-36-060))~~ this section do not apply to registrants using only radiation machines in enclosed radiographic systems.

#### AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-243-090 LEAK TESTING, REPAIR, TAGGING, OPENING, MODIFICATION, AND REPLACEMENT OF SEALED SOURCES. (1) The replacement of any sealed source fastened to or contained in a radiographic exposure device and leak testing, repair, tagging, opening, or any other modification of any sealed source shall be performed only by persons specifically authorized to do so by the department, the United States Nuclear Regulatory Commission, or any agreement state.

(2) Each sealed source shall be tested for leakage at intervals not to exceed six months. In the absence of a certificate from a transferor that a test has been made within the six-month period prior to the transfer, the sealed source shall not be put into use until tested and results obtained.

(3) The leak test shall be capable of detecting the presence of 0.005 microcurie of removable contamination on the sealed source. An acceptable leak test for sealed sources in the possession of a radiography licensee would be to test at the nearest accessible point to the sealed source storage position, or other appropriate measuring point, by a procedure to be approved pursuant to WAC ~~((402-22-070))~~ 246-235-080 (5)(e). Records of leak test results shall be kept in units of microcuries and maintained for inspection by the department for two years after the leak test is performed.

(4) Any test conducted pursuant to subsections (2) and (3) of this section which reveals the presence of 0.005 microcurie or more of removable radioactive material shall be considered evidence that the sealed source is leaking. The licensee shall immediately withdraw the equipment involved from use and shall cause it to be decontaminated and repaired or to be disposed ~~((of))~~ in accordance with regulations of the department. Within five days after obtaining results of the test, the licensee shall file a report with the department describing the involved equipment, the test results, and the corrective action taken.

(5) A sealed source which is not fastened to or contained in a radiographic exposure device shall have permanently attached to it a durable tag at least one inch square bearing the prescribed radiation caution symbol in conventional colors magenta or purple on a yellow background, and at least the instructions: "Danger - Radioactive material - Do not handle - Notify civil authorities if found."

(6) Each radiographic exposure device shall have permanently and conspicuously attached to it a durable label at least two inches square bearing the prescribed radiation caution symbol in conventional colors (magenta or purple on a yellow background), and at a minimum the instructions, "Danger - Radioactive material - Do not handle - Notify civil authorities if found."

#### AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-243-110 UTILIZATION LOGS. (1) Each licensee and/or registrant shall maintain current logs, which shall be kept available for inspection by the department for two years from the date of the recorded event, at the address specified in the license showing for each radiation exposure device the following information:

(a) A description (or make and model number) of each radiation exposure device or storage container in which the sealed source is located;

(b) The identity of the radiographer to whom assigned; and

(c) Locations where used and dates of use.

(2) The requirements of subsection (1) of this section shall not apply in industrial radiography utilizing radiation machines in enclosed interlocked cabinets or rooms which are not occupied during radiographic operations, which are equipped with interlocks such that the radiation machine will not operate unless all openings are securely closed and which is so shielded that every location on the exterior meets conditions for an unrestricted area, as specified in WAC ~~((402-24-040))~~ 246-221-060.

(3) A separately identified utilization log is not required if the equivalent information is available in records of the licensee or registrant and available at the address specified in the license.

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-243-120 INSPECTION AND MAINTENANCE OF RADIOGRAPHIC EXPOSURE DEVICES, CONTROL CABLES, STORAGE CONTAINERS AND SOURCE CHANGERS. (1) The licensee shall conduct a program for inspection and maintenance of radiographic exposure devices, storage containers, control units (to include cables), and source changers at intervals, not to exceed three months or prior to first use thereafter to assure proper functioning of components important to safety. Records of these inspections and maintenance shall be kept for two years.

(2) The licensee shall check for obvious defects in radiographic exposure devices, storage containers, control assemblies, and source changers prior to use each day the equipment is used.

(3) The licensee's program shall include a thorough visual inspection for corrosion, and specific maintenance procedures that address corrosion removal and prevention.

(4) If any inspection conducted pursuant to ((WAC 402-36-095)) subsections (1) or (2) of this section reveals damage to components critical to radiation safety, the device shall be removed from service until proper repairs have been made.

(5) Any maintenance performed on radiographic exposure devices and accessories shall be in accordance with the manufacturer's specifications.

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-243-130 LIMITATIONS—PERSONAL RADIATION SAFETY REQUIREMENTS FOR RADIOGRAPHERS AND RADIOGRAPHERS' ASSISTANTS. (1) No licensee or registrant shall permit any individual to act as a radiographer as defined in this chapter until such individual:

(a) Has been instructed in the subjects outlined in WAC ((402-36-+60)) 246-243-230;

(b) Has received copies of and instruction in the regulations contained in chapters ((402-10, 402-12, 402-24, 402-36, and 402-48)) 246-220, 246-222, 246-221, and 246-243 WAC and the applicable sections of appropriate license(s), and the licensee's or registrant's operating and emergency procedures, and shall have demonstrated understanding thereof;

(c) Has demonstrated competence to use the source of radiation, related handling tools, and radiation survey instruments which will be employed in the individual's assignment; and

(d) Has demonstrated understanding of the instructions in this paragraph by successful completion of written test and a field examination on the subjects covered.

(2) No licensee or registrant shall permit any individual to act as a radiographer's assistant as defined in this part until such individual:

(a) Has received copies of and instruction in the licensee's or registrant's operating and emergency procedures;

(b) Has demonstrated competence to use under the personal supervision of the radiographer the sources of radiation, related handling tools, and radiation survey instruments which will be employed in the individual's assignment;

(c) Has demonstrated understanding of the instructions in this paragraph by successfully completing a written or oral test and a field examination on the subjects covered; and

(d) Records of the above training including copies of written tests and dates of oral tests and field examinations shall be maintained for three years.

(3) Each licensee or registrant shall maintain, for inspection by the department, records of training and testing which demonstrate that the requirements of ((WAC 402-36-100)) subsections (1) and (2) of this section and ((402-22-070)) 246-235-080 (5)(a) are met.

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-243-140 OPERATING AND EMERGENCY PROCEDURES. The licensee's or registrant's operating and emergency procedures shall include instructions in at least the following:

(1) The handling and use of sources of radiation to be employed such that no individual is likely to be exposed to radiation doses in excess of the limits established in chapter ((402-24)) 246-221 WAC Standards for protection against radiation;

(2) Methods and occasions for conducting radiation surveys;

(3) Methods for controlling access to radiographic areas;

(4) Methods and occasions for locking and securing sources of radiation;

(5) Personnel monitoring and the use of personnel monitoring equipment including steps that must be taken immediately by radiography personnel in the event a pocket dosimeter is found to be off-scale;

(6) Transportation to field locations, including packing of sources of radiation in the vehicles, posting of vehicles, and control of sources of radiation during transportation;

(7) Minimizing exposure of individuals in the event of an accident;

(8) The procedure for notifying proper personnel in the event of a theft, loss, overexposure or accident involving sources of radiation;

(9) Maintenance of records; and

(10) The inspection and maintenance of radiographic exposure devices and storage containers.

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-243-150 PERSONNEL MONITORING CONTROL. (1) No licensee or registrant shall permit any individual to act as a radiographer or as a radiographer's assistant unless, at all times during radiographic operations, each such individual shall wear a film or TLD badge and a direct reading pocket dosimeter. Pocket dosimeters shall be capable of measuring doses from zero to at least 200 milliroentgens. A film or TLD badge shall be assigned to and worn by only one individual.

(2) Pocket dosimeters shall be read and doses recorded daily. Pocket dosimeters shall be charged at the beginning of each working day. Pocket dosimeters shall be checked at periods not to exceed one year for correct response to radiation. Acceptable dosimeters shall read within plus or minus 30 percent of the true radiation exposure. A film or TLD badge shall be immediately processed if a pocket dosimeter is discharged beyond its range during normal use. The film or TLD badge reports received from the film or TLD badge processor and records of pocket dosimeter readings shall be maintained for inspection by the department until it authorizes their disposal.

(3) The requirements for use of pocket dosimeter or pocket chamber shall not apply in industrial radiography utilizing radiation machines in enclosed interlocked cabinets or rooms which are not occupied during radiographic operations, which are equipped with interlocks such that the radiation machine will not operate unless all openings are securely closed and which are so shielded that every location on the exterior meets conditions for an unrestricted area, as specified in WAC ((402-24-040)) 246-221-060.

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-243-160 SUPERVISION OF RADIOGRAPHERS' ASSISTANTS. Whenever a radiographer's assistant uses radiographic exposure devices, uses sealed sources or related source handling tools, or conducts radiation surveys required by WAC ((402-36-150)) 246-243-190 (2), (3), or (4) to determine that the sealed source has returned to the shielded position after an exposure, he or she shall be under the personal supervision of a radiographer, as defined in WAC ((402-36-025(4))) 246-243-020. Personal supervision shall include (1) the radiographer's personal presence at the site where the sealed sources are being used, (2) the ability of the radiographer to communicate and give immediate assistance if required, and (3) the radiographer's ability to observe the performance of his/her assistant during the operations referred to in this section.

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-243-170 SECURITY—PRECAUTIONARY PROCEDURES IN RADIOGRAPHIC OPERATIONS. (1) During each radiographic operation, the radiographer or radiographer's assistant shall maintain a direct surveillance of the operation to protect against unauthorized entry into a high radiation area, as defined in chapter ((402-12)) 246-220 WAC except:

(a) Where the high radiation area is equipped with a control device or alarm system as described in WAC ((402-24-090)) 246-221-120 (1)(e)(ii) or

(b) Where the high radiation area is locked to protect against unauthorized or accidental entry.

(2) When not in operation or when not under direct surveillance, portable radiation exposure devices and mobile or portable radiation machines shall be physically secured to prevent removal by unauthorized personnel.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-243-180 **POSTING**. Notwithstanding any provisions in paragraph WAC ((402-24-095)) 246-221-130 areas in which radiography is being performed or in which a radiographic exposure device is being stored shall be conspicuously posted and access to the area shall be controlled as required by WAC ((402-24-096)) 246-221-120.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-243-200 **RECORDS REQUIRED AT TEMPORARY JOB SITES**. Each licensee or registrant conducting industrial radiography at a temporary site shall have the following records available at that site for inspection by the department:

- (1) Appropriate license;
- (2) Operating and emergency procedures;
- (3) Applicable regulations;
- (4) Survey records required pursuant to WAC ((402-36-156)) 246-243-190 for the period of operation at the site;
- (5) Daily pocket dosimeter records for the period of operation at the site;
- (6) The latest instrument calibration and leak test record for specific devices in use at the site.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-243-210 **SPECIAL REQUIREMENTS FOR ENCLOSED RADIOGRAPHY**. (1) Systems for enclosed radiography designed to allow admittance of individuals during x-radiation generation shall:

(a) Comply with all applicable requirements of chapter ((402-36)) 246-243 WAC and WAC ((402-24-040)) 246-221-060 of these regulations.

(b) Be evaluated at intervals not to exceed one year to assure compliance with the applicable requirements as specified in ((WAC-402-36-155(+))) (a) of this subsection. Records of these evaluations shall be maintained for inspection by the department for a period of two years after the evaluation.

(c) Interlocks are required on all enclosed radiographic systems, such that the exposure will terminate if a door or port accessible to individuals is opened during the exposure, except for those systems employing conveyor belts or sample ports.

(2) Cabinet x-ray systems designed to exclude individuals during x-radiation are exempt from the requirements of chapter ((402-36)) 246-243 WAC except that:

(a) Operating personnel must be provided with either a film badge or a thermoluminescent dosimeter and reports of the results must be maintained for inspection by the department.

(b) No registrant shall permit any individual to operate a cabinet x-ray system until such individual has received a copy of and instruction in the operating procedures for the unit and has demonstrated competence in its use. Records which demonstrate compliance with this subparagraph shall be maintained for inspection by the department until disposition is authorized by the department.

(c) Tests for proper operation of high radiation area control devices or alarm systems, where applicable, must be conducted at the beginning of each day of use and recorded.

(d) The registrant shall perform an evaluation, at intervals not to exceed one year, to determine conformance with WAC ((402-24-040)) 246-221-060 of these regulations.

Records of these evaluations shall be maintained for inspection by the department for a period of two years after the evaluation.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-243-220 **SPECIAL REQUIREMENTS FOR PERMANENT RADIOGRAPHIC INSTALLATION**. Permanent radiographic installations having high radiation area entrance controls of the types described in WAC ((402-24-090)) 246-221-120 (1)(e)(ii)

or where the high radiation area is locked to protect against unauthorized or accidental entry, shall also meet the following special requirements.

(1) Each entrance that is used for personnel access to the high radiation area in a permanent radiographic installation to which this section applies shall have both visible and audible warning signals to warn of the presence of radiation. The visible signal shall be actuated by radiation whenever the source is exposed. The audible signal shall be actuated when an attempt is made to enter the installation while the source is exposed.

(2) Both visible and audible alarm systems are required and shall be tested prior to the first use of a source in the installation and thereafter at intervals not to exceed three months. Records of the tests shall be kept for two years.

(3) The department shall review and approve, in advance of construction, plans for permanent radiographic installations whose construction had not commenced by the effective date of these regulations. Construction of the permanent facility shall be in accordance with the plans approved by the department.

(4) A physical radiation survey shall be conducted and results recorded following construction or major modification of the facility to be used in the installation. Radiography shall not be conducted if exposure levels in unrestricted areas are greater than 2 mR in any hour. Any increase in source strength will require resurvey of the installation prior to the conduct of industrial radiography.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-244-001 **PURPOSE**. This chapter establishes radiation safety requirements for persons using sources of radiation for wireline service operations including mineral logging, radioactive markers, and/or subsurface tracers studies. The requirements of this chapter are in addition to, and not in substitution for, requirements of chapters ((402-10, 402-12, 402-19, 402-22, 402-24, and 402-48)) 246-220, 246-221, 246-222, 246-232, and 246-235 WAC.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-244-030 **PROHIBITIONS**. No licensee shall perform wireline service operations with a sealed source(s) or conduct subsurface tracer studies with sources of radiation unless, prior to commencement of the operation, the licensee has a written agreement with the well operator, well owner, drilling contractor, or land owner that:

(1) In the event a sealed source is lodged downhole every reasonable effort at recovery will be made;

(2) Potentially contaminated equipment or areas will not be released until an acceptable and documented survey is performed;

(3) Specific types of recovery operations which could endanger the integrity of the sealed source encapsulation will not be permitted or conducted; and

(4) In the event a decision is made to abandon the sealed source downhole, requirements of WAC ((402-38-500)) 246-244-240 shall be met.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-244-040 **LIMITS ON LEVELS OF RADIATION**. Sources of radiation shall be used, stored, and transported in such a manner that the transportation requirements of WAC ((402-19-500)) 246-232-090 and the dose limitation requirements of chapter ((402-24)) 246-221 WAC are met.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-244-060 **TRANSPORT PRECAUTIONS**. (1) Transport containers shall be physically secured to the transporting vehicle to prevent accidental loss, tampering, or unauthorized removal.

(2) Transport of radioactive material shall be in accordance with applicable provisions of the United States Department of Transportation, as required by WAC ((402-19-500)) 246-232-090.

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-244-080 LEAK TESTING OF SEALED SOURCES. Each licensee utilizing sealed sources of radioactive material shall have the sources tested for leakage and/or contamination in accordance with WAC ((402-24-060)) 246-221-080.

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-244-140 TRAINING REQUIREMENTS. (1) The licensee may not permit an individual to act as a logging supervisor until that person:

(a) Has completed at least forty hours of formal training in a course recognized by the department, the United States Nuclear Regulatory Commission, an agreement state, or a licensing state covering the subjects outlined in subsection (5) of this section;

(b) Has received copies of and instruction in:

(i) Washington state regulations contained in this chapter and in the applicable chapters ((402-10, 402-12, 402-24, and 402-48)) 246-220, 246-221, and 246-222 WAC or their equivalent;

(ii) The license under which the logging supervisor will perform well-logging operations; and

(iii) The licensee's operating, recordkeeping, and emergency procedures.

(c) Has completed three months of on-the-job training and demonstrated competence in the use of licensed materials, remote handling tools, and radiation survey instruments by a field evaluation; and

(d) Has demonstrated understanding of the requirements in (a) and (b) of this subsection by successfully completing a closed book written test.

(2) The licensee may not permit an individual to act as a logging assistant until that person:

(a) Has received copies of and instruction in the licensee's operating and emergency procedures;

(b) Has demonstrated understanding of the materials listed in subsection (1)(a) and (b) of this section by successfully completing a closed book written test; and

(c) Has received instructions in the use, under the personal supervision of the logging supervisor, of tracer material, sealed sources, remote handling tools, and radiation survey instruments, as appropriate.

(3) Each licensee shall provide for documented refresher training of logging supervisors and logging assistants at intervals not to exceed twelve months.

(4) Each licensee shall maintain a record of each logging supervisor's and logging assistant's training, including copies and dates of written tests for a minimum of three years following the termination of employment.

(5) Each licensee shall include the following subjects in the formal training required by this chapter:

(a) Fundamentals of radiation safety:

(i) Characteristics of radiation;

(ii) Units of radiation dose and quantity of radioactivity;

(iii) Hazards of exposure to radiation;

(iv) Levels of radiation from licensed material;

(v) Methods of controlling radiation dose:

(A) Working time;

(B) Working distances;

(C) Shielding;

(D) Radiation safety practices, including prevention and contamination and methods of decontamination;

(b) Radiation detection instrumentation to be used:

(i) Use of radiation survey instruments:

(A) Operation;

(B) Calibration;

(C) Limitations;

(ii) Survey techniques;

(iii) Use of personnel monitoring equipment;

(c) Equipment to be used:

(i) Handling equipment and remote handling tools;

(ii) Licensed materials;

(iii) Storage, control, and disposal of equipment and licensed material;

(iv) Operation and control of equipment and licensed materials;

(v) Maintenance of equipment;

(d) Requirements of pertinent state and federal regulations;

(e) Case histories and potential consequences of accidents in well-logging operations.

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-244-150 OPERATING AND EMERGENCY PROCEDURES. The licensee's operating and emergency procedures shall include instruction in at least the following:

(1) Handling and use of sources of radiation to be employed such that no individual is likely to be exposed to radiation doses in excess of the standards established in chapter ((402-24)) 246-221 WAC;

(2) Methods and occasions for conducting radiation surveys;

(3) Methods and occasions for locking and securing sources of radiation;

(4) Personnel monitoring and the use and care of personnel monitoring equipment;

(5) Transportation of sources of radiation to temporary job sites and field stations, including the marking, labeling, packaging, and placing of sources of radiation in vehicles, shipping papers, placarding of vehicles, and physical securing of sources of radiation to transport vehicles during transportation to prevent accidental loss, tampering, or unauthorized removal;

(6) Minimizing personnel exposure, including that from inhalation and ingestion of licensed material, during well-logging operations and in the event of an accident;

(7) Procedure for notifying proper personnel in the event of an accident;

(8) Maintenance of records;

(9) Inspection and maintenance of source holders, logging tools, source handling tools, storage containers, transport containers, and injection tools;

(10) Procedures to be followed in the event a sealed source is lodged downhole or ruptured;

(11) Procedures to be used for picking up, receiving, and opening packages containing radioactive material;

(12) The procedure and the use of tools for remote handling of sealed sources and radioactive tracer material, except low activity calibration sources;

(13) The procedure to use for detecting contamination and for preventing the spread of contamination; and

(14) The procedure to be used to decontaminate the environment, equipment, and/or personnel if any or all are contaminated.

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-244-160 PERSONNEL MONITORING. (1) The licensee may not permit an individual to act as a logging supervisor or logging assistant unless that person wears, at all times during well-logging operations, either a film badge or thermoluminescent dosimeter (TLD). Each film badge or TLD must be assigned to and worn by only one individual. The film badge must be exchanged and analyzed at least monthly and TLD badges exchanged and analyzed at least every three months. The licensee shall have each badge or TLD processed in a timely fashion.

(2) The licensee shall provide appropriate bioassay services to individuals using licensed materials for subsurface tracer studies.

(3) The licensee shall keep reports received from the badge or TLD processor and from the bioassay service laboratory for inspection until the department authorizes disposition or terminates the license.

(4) Personnel monitoring devices and equipment shall monitor for beta, gamma, and neutron radiation as appropriate.

(5) Each licensee shall adhere to the requirements of the ((United States Nuclear Regulatory Commission)) department's Regulatory Guide 8.20 ((Applications of)) Bioassay Program Criteria for I-125 and I-131.

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-244-180 SECURITY. During each logging or tracer application, the logging supervisor or other designated employee shall maintain direct surveillance of the operation to protect against unauthorized and/or unnecessary entry into the restricted area (as defined in WAC ((402-12-050)) 246-220-010).

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-244-220 DOCUMENTS AND RECORDS REQUIRED AT FIELD STATIONS. Each licensee shall maintain for inspection by the department the following documents and records for the specific devices and sources at the field station:

- (1) Appropriate license or equivalent documents;
- (2) Operating and emergency procedures;
- (3) Applicable regulations;
- (4) Records of the latest survey instrument calibrations required pursuant to WAC ((402-38-120)) 246-244-070;
- (5) Records of the latest leak test results required pursuant to WAC ((402-38-140)) 246-244-080;
- (6) Records of inventories required pursuant to WAC ((402-38-160)) 246-244-090;
- (7) Utilization records required pursuant to WAC ((402-38-180)) 246-244-100;
- (8) Records of inspection and maintenance required pursuant to WAC ((402-38-240)) 246-244-130;
- (9) Survey records required pursuant to WAC ((402-38-400)) 246-244-210; and
- (10) Training records required pursuant to WAC ((402-38-260)) 246-244-140.

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-244-230 DOCUMENTS AND RECORDS REQUIRED AT TEMPORARY JOB SITES. Each licensee conducting operations at a temporary job site shall have the following documents and records available at all times at that site for inspection by the department:

- (1) Current operating and emergency procedure(s);
- (2) Survey records required pursuant to WAC ((402-38-400)) 246-244-210 for the period of operation at the site;
- (3) Actual current calibration certificates (or photocopies) for the radiation survey instruments used at the site;
- (4) When operating in the state of Washington under reciprocity, a copy of the appropriate license, and the Washington state rules and regulations for radiation protection;
- (5) Records of current leak tests for all sealed sources which require such tests at the job site;
- (6) Use logs required pursuant to WAC ((402-38-180)) 246-244-100;
- (7) Current United States Department of Transportation shipping papers and transport container certifications for the material transported; and
- (8) Records of spotmarker inventories made prior to arrival required pursuant to WAC ((402-38-160)) 246-244-090.

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-244-240 NOTIFICATION OF INCIDENTS, ABANDONMENT, AND LOST SOURCES. (1) Notification of incidents and sources lost in other than downhole logging operations shall be made in accordance with appropriate provisions of chapter ((402-24)) 246-221 WAC.

(2) The licensee shall immediately notify the state of Washington ((office)) division of radiation protection by telephone (206/753-3468) and subsequently within five days by confirmatory letter if:

- (a) Licensed material has been lost in or near a fresh water aquifer; or
- (b) A sealed source has been ruptured. This notice must designate the well or other location and describe the magnitude and extent of licensed materials, assess the consequences of the loss or rupture, and explain efforts planned or being taken to mitigate these consequences.

(3) Whenever a sealed source or device containing radioactive material is lodged downhole, the licensee shall:

(a) Monitor the surface for the presence of radioactive contamination with an appropriate radiation survey instrument (not the logging tool itself) during logging tool recovery operations; and

(b) Notify the department immediately by telephone if radioactive contamination is detected at the surface or if the source appears to be damaged.

(4) When it becomes apparent that efforts to recover the radioactive source will not be successful, the licensee shall:

(a) Advise the well operator or owner, as appropriate, of the regulations of the state of Washington regarding abandonment, and an appropriate method of abandonment. The licensee shall ensure that such abandonment procedures are implemented within thirty days after the sealed source has been classified as irretrievable. Such abandonment procedures shall include:

(i) Immobilization and sealing in place of the radioactive source with a cement plug;

(ii) The setting of a whipstock or deflection device; and

(iii) The mounting of a permanent identification plaque at the surface of the well, containing the appropriate information required by subsection (5) of this section;

(b) Immediately notify the department by telephone (206/753-3468), giving the circumstances of the loss, and request and receive approval of the proposed abandonment procedures; and

(c) File a written report with the department within thirty days of the abandonment, setting forth the following information:

(i) Date and time of occurrence and a brief description of attempts to recover the source;

(ii) A description of the radioactive source(s) involved, including radionuclide, quantity, make, model and serial number, and chemical and physical form;

(iii) Surface location and identification of well;

(iv) Results of efforts to immobilize and seal the source in place;

(v) Depth of the radioactive source in meters or feet;

(vi) Depth to the top of cement plug in meters or feet;

(vii) Depth of the well in meters or feet; and

(viii) Information contained on the permanent identification plaque.

(5) Whenever a sealed source containing radioactive material is not recovered and is abandoned downhole, the licensee shall provide a permanent plaque at least eighteen centimeters square for posting the well or well bore (see Appendix A). This plaque shall:

(a) Be constructed of long lasting material, such as stainless steel or monel; and

(b) Contain the following information permanently and conspicuously engraved on its face:

(i) The word "CAUTION (OR DANGER)";

(ii) The radiation symbol(s) with or without the conventional color requirement;

(iii) The date of abandonment (month/day/year);

(iv) The name of the well operator or well owner;

(v) The well name and well identification number(s) or other designation;

(vi) The sealed source(s) by radionuclide and quantity of activity (if more than one source is involved, information for each source shall be included);

(vii) The source depth and the depth to the top of the plug in meters or feet; and

(viii) An appropriate warning, depending on the specific circumstances of each abandonment.<sup>1</sup>

(6) The department may, at its own discretion, impose such other requirements as it may deem necessary.

<sup>1</sup> An example of a suggested plaque is shown in Appendix A of this section. Appropriate warnings may include:

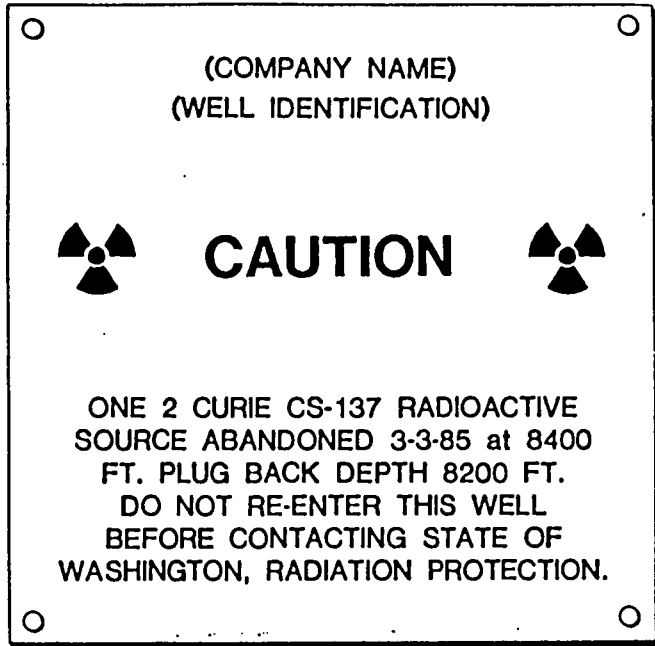
(a) "Do not drill below plug back depth";

(b) "Do not enlarge casing"; and/or

(c) "Do not reenter the hole before contacting the state of Washington division of radiation ((control-section)) protection."

APPENDIX A

Example of Plaque for Identifying Wells Containing Sealed Sources Containing Radioactive Material Abandoned Downhole



The size of the plaque should be convenient for use on active or inactive wells, and shall be at least eighteen centimeters square. Letter size of the word "CAUTION" or "DANGER" shall be approximately twice the letter size of the rest of the information, e.g., one-half inch and one-fourth inch letter size, respectively.

**WSR 91-11-082**  
**PROPOSED RULES**  
**DEPARTMENT OF HEALTH**  
 [Filed May 21, 1991, 2:53 p.m.]

**Original Notice.**

Title of Rule: Chapter 246-224 WAC, Registration of radiation machines; chapter 246-225 WAC, X-rays in the healing arts; chapter 246-228 WAC, Analytical x-rays, and chapter 246-229 WAC, Particle accelerators). WAC 246-224-001, we have included facilities not only where x-ray machines are used, but where they are also manufactured or tested, since there would be radiation safety issues there too. In addition, we have clarified the meaning of "under one roof"; WAC 246-224-020, we have added the requirement for fees which must accompany registration, this is a cross reference to the fee chapter of the WAC; WAC 246-224-060, each geographically separate facility must be separately registered and pay full fees, because the costs of Department of Health to inspect each facility are related. If one organization has ten satellite clinics around Puget Sound, this costs us as much to regulate and inspect as if these ten clinics were owned by ten individual, independent practitioners. We must not give an advantage to the concept of "one administrative control," when there are no cost savings for us; WAC 246-224-070, we added the requirement that change notification must be sent to us within 30 days after the change (e.g., address), because previously there was no time limit specified; WAC

246-224-100, we shortened the maximum time period over which a nonmedical or dental type x-ray machine can operate within out state without registering from 180 to 60 days. There is no reason why an industrial type facility should be allowed 180 days of "free" and unregulated operation. In addition, we have eliminated all "free" operation of medical and dental machines, no matter how long they operate here, they must register and pay fees. Mobile mammography or CT companies, for example, may come into the state for a few days, and set up at a temporary site such as a hospital, to make sure these companies comply with health and safety regulations and are not competing unfairly with other in-state health care delivery companies, we must require full compliance with chapter 246-224 WAC; WAC 246-225-010, a number of new definitions have been added. These were necessary since the words or phrases are to be found in subsequent parts of chapter 246-225 WAC; WAC 246-225-020 General requirements/administrative controls, many changes in this and following sections are language changes, that is, passive to active tense, deletion of redundant or superfluous words, splitting out multiple requirements into subheadings, etc. The substantive changes are: Subsection (2)(b), we have "beefed up" our requirement here for operator training in accordance with the Legislative Budget Committee's directive to enforce this standard. We have essentially clarified how we intend to enforce the standards, so that the registrant clearly understands the intent of the regulation; subsection (2)(c), we have simplified this and added a requirement on the technique chart of type and/or size of film/screen to be used, since this is a crucial part of x-ray technique; subsection (2)(g)(ii), in the past, we required a company or facility performing "screening x-rays," such as in a mobile van for chest radiography, to comply with many requirements which would assure us that quality was high and exposure was low. "Screening" is the taking of x-rays on asymptomatic people, where there may not be a doctor's prescription. We want to allow "screening" in mammography and not require the facility to go through all the laborious steps usually required for other diagnostic exams. Too many women depend on "walk-in" mammograms, and a significant number of cancers can be detected by this self-referred basis; subsection (2)(g)(iii), radiation exposure to a patient must be for the reason of helping a practitioner make a diagnosis, i.e., to identify or eliminate the possibility of certain diseases, whether it be lung cancer, broken bones, obstructed intestines, or dental caries. No insurance company should be allowed, however, to dictate that x-rays must be taken just for the claim documentation. That is frivolous and unjustified radiation exposure; subsection (2)(j), this is the counterpart to subsection (2)(g)(ii) above; subsection (2)(k), we have added the requirement for any scatter-suppressing grids being used to be of the proper focal distance for the x-ray projection distance, otherwise, the image is not optimal and the dose to the patient can be high; subsections (2)(l) and (m), these requirements have been for a long time in the "good practices" section of the regulations, WAC 246-225-99910, which means they have been recommendations

only. It is time now to place them into the standards section here and make them mandatory. Film must not be used in medical applications unless it is used in conjunction with intensifying screens which reduce the exposure and improve the contrast. Intensifying screens are "standards of the industry," and no one in right conscience would continue to use direct film with its accompanying high exposure. That is old-fashioned, if not irresponsible. Portable x-ray machines are prone to errors with respect to alignment and image quality, and stationary systems are preferred in cases where the patient can easily be transported or transport themselves. A log-book is necessary to make a record of patient exposures so that in the event of the need for information on number of films, technique utilized, problems like retakes, and the name of the person who took the x-rays, this information can be readily be obtained. This can be critical in the case of a pregnant patient, for example, who at the time of the exam did not know she was pregnant. In the case of other legal issues, as well as radiological ones, this new requirement is important; WAC 246-225-030 Plan review, subsection (1), we are specifying NCRP Report #49 as the source of shielding requirements, this publication is nationally recognized by other states, agencies and private groups. We want consistency among physicists who submit shielding calculations to us, and this resource provides that; subsection (3), veterinary, podiatric and dental facilities need not have shielding calculations done (in contrast to medical and chiropractic) because the potential for exposure to the operator and uncontrolled areas is not as high; subsection (4)(a), this has been an issue of some discussion among health physicists, assemblers and installers of x-ray machines, and the state. The orientation of the cathode and anode plays a role in creating the best possible radiograph for the least exposure, and we are here in this regulation simply requiring that the orientation of the tube be shown on the plans, so that we can be assured that the doctor and the assembler are aware of the choice they are making, and the effect it may have on radiography; subsection (5)(d), we have added this requirement so that both a facility and the state can be assured that if shielding plans were done in the past, that a copy of that plan is available in case any question of adequacy of shielding comes up. This is especially important if a facility changes hands, and another practitioner takes over with an entirely different x-ray machine, beam directions, x-ray workload, etc; WAC 246-225-040 General requirements, subsection (3), we added this statement under leakage radiation to be consistent with the federal (FDA) standards (21 CFR 1020.30); subsection (10) Linearity, we have expanded the scope of this section to include not only mA station linearity but mAs linearity. This means that x-ray machine radiation output must be proportional from one milli-ampere-second setting to another one, just as it is from one mA to another. This is what is being done in the proposed FDA regulations also. In addition, the size of the focal spot should not be a limiting factor to this requirement (unless it is very small, e.g., less than .45 mm); subsection (12), we deleted this allowance for older machines and now the requirement for linearity and kVp

accuracy is placed upon all machines, no matter if they are old or new, certified or uncertified. Each machine can be calibrated to the standards required, and if not, then it should be taken out of service or replaced, and not used on human beings; WAC 246-225-050 Fluoroscopic x-ray systems, subsections (3)(c)(iv) and (v), the expansion of these conditions is being done to match the revisions of 21 CFR 1020.30, defining exactly where measurements should be taken; WAC 246-225-060 Radiographic systems—Beam limitation, subsection (5), this has been deleted here but moved to a new draft part of chapter 246-225 WAC covering all aspects of mammography; WAC 246-225-070 Radiographic systems—Radiation exposure control devices, subsection (4), this section was reworded for clarity, and most importantly, the requirement itself was made twice as restrictive as before; a machine in which the timer does not provide consistent results means that retakes may be necessary, and therefore, excessive and unnecessary exposure to a patient (and operator) may occur; WAC 246-225-090 Radiographic systems—Exposure reproducibility; subsections (1) and (2), in like manner to WAC 246-225-070 above, we have made reproducibility more restrictive, requiring twice the consistency as before. The rationale is the same as above. This matches the draft requirements of the Suggested State Regulations for Radiation Control, Part F, published by CRCPD, Frankfort, KY. This is the national organization funded by FDA that creates model state regulations. This degree of consistency being required matches also the standards set by FDA itself on certified equipment. We feel that older machines should meet this standard also; WAC 246-225-110 Dental systems, subsection (5), here again, we have made the exposure reproducibility standard more restrictive matching CRCPD and FDA. Also, as above, the sentence structure is improved; subsection (6), we are not allowing dental x-ray machines of less than 50 kVp to be used for dental purposes on humans. Low kilovoltage machines are not recommended by any entity or organization, because the dose to the patient would be very high. There are very few machines of this type in use, so the impact is small; in fact, the 50 kVp machines are of questionable value in this regard, but to outlaw these would be radical, since many are in use, especially by endodontists. No new machines of that kilovoltage are being manufactured any more; WAC 246-225-120 Therapeutic x-ray less than 1 mEv, numerous updates have been made to this section after consultation and cooperation with state members of the American Association of Physicists in Medicine, professional physicists familiar with the x-ray systems covered in these regulations. We have cut out extraneous material, streamlined the sections and made the requirements match actual state of practices, which are considered more than adequate. Many of the requirements are simply statements of what is already done by the very few manufacturers who design these particular x-ray systems; WAC 246-225-130 Therapy one mEv and above, same as above; WAC 246-225-140 Veterinary medicine, subsection (1)(c), we have replaced the verbiage on filtration with a table listing HVL (half value layer) which is a measurable function of filtration based on



kilovoltage. This is consistent with the medical and dental requirements; WAC 246-225-150 X-ray film developing requirements, this whole section is a revision of current regulation in this area. Subsection (2) has been extensively changed, so that what we do during inspections is reflected, or documented, in the requirements. In the past, our inspectors have tested film processors in x-ray facilities and found them to be causing poor diagnostic film quality and high patient exposures, and we cited the facilities for a violation of this section. We were challenged on our findings by a film processor company on the basis that the regulations did not support the findings. Now, by rewriting the regulations so that they specify the standard and reflect our inspection method, we expect that everyone will be able to comply. (Note: Although, of course, an x-ray film processor is not directly involved in the exposure of patients, operators and the public to x-radiation, and therefore, might seem outside our authority under chapter 70.98 RCW, a processor is intimately related to the x-ray machine and the x-ray machine is useless without an imaging system and the means to develop that image.[]) The only case where a processor is not used in radiography is in digital imaging; WAC 246-225-99920 Determination of competency, one item was revised and three items were added to this list to make it more meaningful and complete; WAC 246-225-99930 Healing arts screening, two items were added here to make the requirements more useful in establishing the credibility and quality of a screening program; and WAC 246-228-030 Analytical x-ray, facility requirements, subsection (4), we have added the requirement that the facility must document in writing that an employee/analytical x-ray machine operator has been instructed in radiation safety. Otherwise there is no means of determining compliance, and the facility has no way of proving that they have complied. Other changes are of housekeeping nature.

Purpose: To regulate the use of x-ray machines by hospitals, physicians, chiropractors, dentists, podiatrists, veterinarians, and industry. These rules are designed to reduce public exposure to radiation.

Statutory Authority for Adoption: RCW 70.98.050 and 70.98.080.

Summary: New definitions have been added, cross references to WAC within the text have been changed since Title 402 WAC was recodified to Title 246 WAC, and substantive changes have been made to improve the department's ability to reduce unnecessary exposure to x-radiation from medical, dental and analytical x-rays machines.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Michael Odlaug, Room 220, 217 Pine Street, Seattle, 98101, SC 576-5408.

Name of Proponent: Department of Health, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: These regulations deal with the performance standards of x-ray machines and associated procedures and equipment. The rules have been updated to keep pace

with the changes in the health care technology. Changes have been made in x-ray machine output and accuracy requirements as well as in film processing standards to improve the level of exposure reduction that is possible today. The effects, however, will be minimal since most practices and machines already meet the proposed standards. The other purposes for the rule changes are housekeeping, definition changes and cross reference changes from a recodification that took place in early 1991.

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.

No allowance for small business impact can be made because almost all the registrants are small businesses, and the nature of the rules are such that all registrants must comply (the rules have to do with x-ray machine performance standards and other radiation safety issues).

These chapters of the WAC deal with the regulation of x-ray users and the safety requirements that they must follow to reduce exposure to patients, the public and the x-ray machine operators themselves. Chapter 246-224 WAC deals with registration of x-ray facilities; chapter 246-225 WAC contains the technical requirements for the use of x-rays in the healing arts; chapter 246-228 WAC covers analytical machines; and chapter 246-229 WAC covers particle accelerators. Changes have been made in the following categories: Housekeeping, clarity, language and typographical, all the above chapters; substantive content with additions and deletions, chapters 246-224 and 246-225 WAC; and section heading and text references from old WAC numbers (402) to new (246), all the above chapters.

The substantive areas of the proposed changes in the regulations are in the areas of operator training, exemption of mammography from screening requirements, proper use of grids, making items that were formerly "good practices" now mandatory (but which in fact are commonly practices as "state of the art"), improvement of the plan review provisions, expansion of the linearity requirements, tightening up the x-ray machine output reproducibility standards, enlargement of the film processing standards, outlawing dental machines of low kilovoltage, disallowing the taking of radiographs solely for the purpose of satisfying third party reimbursement requirements, and condensation and streamlining of the therapy regulations.

The following table shows the distribution of registrants that we regulate: 2400 dentists; 900 medical private practice; 710 chiropractors; 450 veterinarians; 130 podiatrists; 110 hospitals; 80 industrial and research type facilities; and 30 other (airport baggage, coroner, schools, etc.).

The Regulatory Fairness Act is designed to minimize proportionately the higher economic impact of state regulation on small businesses. With the exception of a few large facilities such as Boeing, Group Health, Swedish Hospital, Washington State University and the University of Washington, the vast majority of facilities that



we register and inspect are "small businesses," i.e., veterinarians, dentists, chiropractors, and physicians. These are identified as SIC codes 74, 801, 802, 803, 804, and 806.

The technical regulations apply to all registrants regardless of facility size. Shielding must be provided to operators of the machines, the performance of the machine must meet safety standards, the film processing must be adequate to ensure high quality diagnostic images and minimal patient dose, etc. The changes proposed do not force a disproportionate burden of costs upon small businesses. Therefore, a small business impact statement with mitigation is neither necessary nor feasible. Mitigating the impact of either the existing rules or the proposed changes is not possible when accomplishing the stated objectives of the statute (chapter 70.98 RCW).

Currently, the above listed registrants pay fees for owning and using x-ray machines (although for this filing of regulation changes, fees are not involved and are discussed here only as background information). The fees are based on how frequently we inspect the particular facility type, which in turn is based on the public health impact of the x-ray use in question. For example, we inspect veterinarians and industry only once every 4-5 years versus 2-3 years for medical facilities where not only do we have exposure of the operator but exposure of the patient. Dental and podiatric are only once every 4-5 years also, but that is because the amount of radiation (in intensity and beam size) and the area of the body irradiated are different and therefore we give one more attention to medical than dental.

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, June 25, 1991, at 2:00 p.m.

Submit Written Comments to: Leslie Baldwin, 1300 S.E. Quince Street, Mailstop EY-16, Olympia, WA 98504, by June 24, 1991.

Date of Intended Adoption: July 2, 1991.

May 16, 1991  
Pam Campbell Mead  
for Kristine M. Gebbie  
Secretary

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-224-001 PURPOSE AND SCOPE. (1) This chapter provides for the registration of radiation machine facilities.

(2) For purposes of chapter ((402-16)) 246-224 WAC of these regulations, "facility" means the location at which one or more radiation machines are installed, manufactured, tested, and/or located within one building, vehicle, or ((under one roof and are under the same administrative control)) in one physical complex.

(3) In addition to the requirements of this chapter, all registrants are subject to the applicable provisions of other parts of these regulations.

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-224-020 APPLICATION FOR REGISTRATION OF RADIATION MACHINE FACILITIES. Each person having a radiation machine facility shall apply for registration of such facility with the department within fifteen calendar days after the initial operations of a radiation machine facility. Application for registration shall be completed on forms furnished by the department or on similar

forms and containing all the information required by the department form and accompanying instructions. Each application shall be accompanied by fees in accordance with WAC 246-254-053.

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-224-030 ISSUANCE OF CERTIFICATE OF REGISTRATION. Upon a determination that an application meets WAC ((402-16-230)) 246-224-020 of the registration regulations, and requirements of WAC ((440-44-050)) 246-254-053, "Radiation machine facility registration fees," the department shall issue a notice of registration.

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-224-040 EXPIRATION OF CERTIFICATE OF REGISTRATION. Except as provided by WAC ((402-16-238)) 246-224-050(2) each certificate of registration shall expire at the end of the day on the date stated therein.

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-224-050 RENEWAL OF CERTIFICATE OF REGISTRATION. (1) Application for renewal of registration shall be filed in accordance with WAC ((402-16-230)) 246-224-020 and 246-254-053 at least thirty days prior to the expiration date.

(2) In any case in which a registrant not less than thirty days prior to the expiration of his existing certificate of registration has filed an application in proper form for renewal, such existing certificate of registration shall not expire until the application status has been determined by the department.

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-224-060 SEPARATE LOCATIONS. ((A single registration form may be used to include several facilities provided such facilities are under the ownership or administrative control of the registrant and are within one single complex.)) Geographically separate facilities must be registered separately and pay full fees as described under WAC 246-254-053, even if these geographically separate facilities are under one administrative control. Where, as a routine part of the normal conduct of business, registrable items are moved between or among such locations, the registrant will so indicate at the time of registration. Each registrant shall name one or more designated persons, preferably one for each location where the registrant is not normally present, who may be contacted by the department with respect to the requirements for registration.

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-224-070 REPORT OF CHANGES. The registrant shall notify the department in writing when making any change which would render the information contained in the application for registration and/or certificate of registration no longer accurate. Notifications shall be sent to ((Radiation)) X-Ray Control Section, ((MS-B-17-9; 1409 Smith Tower, Seattle, WA 98104)) Department of Health, Mailstop LE-13, Olympia, WA 98504. Notification shall be sent no later than thirty days after such change in the registration information.

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-224-080 APPROVAL NOT IMPLIED. ((No)) A person shall neither refer, in any advertisement, to the fact that a facility is registered with the department pursuant to the provisions of WAC ((402-16-230 and so as to)) 246-224-020, nor imply that any activity under such registration has been approved by the department.

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-224-090 REPAIR PERSON, ASSEMBLER, OR INSTALLER OBLIGATION. (1) Any person who sells, leases, transfers, lends, disposes, assembles, or installs radiation machines in this state shall notify the department within fifteen calendar days of:

(a) The name and address of persons who have received these machines;

(b) The manufacturer, model, and serial number of the master control of each radiation machine transferred; and

(c) The date of transfer of each radiation machine.

(2) No person shall make or install radiation machines, accessories used in connection with such machines or any components of such machines unless:

(a) Such machines, accessories, or components meet the requirements of these regulations.

(b) The registrant or transferee using such machines, accessories, or components has met the requirements of WAC (~~(402-28-032)~~) 246-225-030, when applicable, prior to the date of transfer.

(c) Shielding and/or construction requirements, as determined pursuant to WAC (~~(402-28-032)~~) 246-225-030 when applicable, have been completed prior to the date of transfer of such machines, accessories, or components.

(3) When requested by the registrant to make repair on an x-ray system that has malfunctioned in such a manner to have caused, or possibly caused an unintentional radiation exposure to patients, operator or member of the public, the assembler, transferor or installer, is required to notify the department of such work within twenty-four hours, or before repair is effected, whichever comes first. See WAC (~~(402-28-020)~~) 246-225-010 for definition of accidental radiation exposure and electronic product defect.

(4) Certified x-ray systems (21 CFR (~~(+000)~~), subchapter J) shall be assembled in such a manner that manufacturer's specifications and intended performance designs are met.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-224-100 OUT-OF-STATE RADIATION MACHINES. (1) Whenever any radiation machine is to be brought into the state, for any temporary use, the person proposing to bring such machine into the state shall give written notice to the department at least three working days before such machine is to be used in the state. The notice shall include the type of radiation machine; the nature, duration, and scope of use; and the exact location(s) where the radiation machine is to be used. If for a specific case the three working-day period would impose an undue hardship, the person may, upon application to the department, obtain permission to proceed sooner.

(2) In addition the out-of-state person shall:

(a) Comply with all applicable regulations of the department.

(b) Supply the department such other information as the department may reasonably request.

~~((c) Not operate within the state on a temporary basis in excess of one hundred eighty calendar days per year.)~~ (3) X-ray machines not intended for patient diagnosis and treatment may operate within the state without registration and fee payment if such operation is less than or equal to sixty days per calendar year. If operation in excess of ((one hundred eighty)) sixty calendar days is desired, standard registration and fee procedures are required (see WAC (~~(402-16-230)~~) 246-224-020 and 246-254-053).

(4) Standard registration and fee payment are required for all medical and dental x-ray machine operation within the state regardless of number of days of such operation.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-225-010 DEFINITIONS. As used in this chapter, the following definitions apply:

(1) "Accessible surface" means the external surface of the enclosure or housing provided by the manufacturer.

(2) "Accidental radiation exposure incident" means an exposure to a patient, an operator, or a member of the public that was unintentional.

(3) "Added filter" means the filter added to the inherent filtration.

(4) "Aluminum equivalent" means the thickness of aluminum (type 1100 alloy) affording the same attenuation, under specified conditions, as the material in question. (The nominal chemical composition of type 1100 aluminum alloy is 99.00 percent minimum aluminum, 0.12 percent copper.)

(5) "Assembler" means any person engaged in the business of assembling, replacing, or installing one or more components into an x-ray system or subsystem. An assembler may be the practitioner, his/her employee, an outside contractor, or an employee of an outside firm.

(6) "Attenuation block" means a block or stack, having dimensions 20 cm by 20 cm by 3.8 cm, of type 1100 aluminum alloy or other aluminum alloys having equivalent attenuation.

(7) "Automatic exposure control" means a device which automatically controls one or more technique factors in order to obtain at a preselected location(s) a required quantity of radiation (see also "phototimer").

(8) "Barrier" (see "protective barrier").

(9) "Beam axis" means a line from the source through the centers of the x-ray fields.

(10) "Beam-limiting device" means a device which provides a means to restrict the dimensions of the x-ray field.

(11) "Beam monitoring system" means a system designed to detect and measure the radiation present in the useful beam.

(12) "C-arm x-ray system" means an x-ray system in which the image receptor and x-ray tube housing assembly are connected by a common mechanical support system in order to maintain a desired spatial relationship. This system is designed to allow a change in the projection of the beam through the patient without a change in the position of the patient.

(13) "Cephalometric device" means a device intended for the radiographic visualization and measurement of the dimensions of the human head.

~~((+3))~~ (14) "Certified components" means components of x-ray systems which have been certified by the manufacturer as meeting the requirements of the federal performance standard for x-ray equipment.

~~((+4))~~ (15) "Certified system" means any x-ray system which has one or more certified component(s).

~~((+5))~~ (16) "Changeable filters" means any filter, exclusive of inherent filtration, which can be removed from the useful beam through any electronic, mechanical or physical process.

~~((+6))~~ (17) "Coefficient of variation (C)" means the ratio of the standard deviation to the mean value of a population of observations. It is estimated using the following equation:

$$C = \frac{s}{\bar{X}} = \frac{1}{\bar{X}} \left[ \frac{\sum_{i=1}^n (X_i - \bar{X})^2}{n-1} \right]^{1/2}$$

where

s = Estimated standard deviation of the population.

$\bar{X}$  = Mean value of observations in sample.

$X(i)$  =  $i^{\text{th}}$  observation sampled.

n = Number of observations in sample.

~~((+7))~~ (18) "Contact therapy system" means an x-ray system wherein the x-ray tube port is put in contact with or within 5 centimeters of, the surface being treated.

~~((+8))~~ (19) "Control panel" means that part of the x-ray control upon which are mounted the switches, knobs, pushbuttons, and other hardware necessary for manually setting the technique factors.

~~((+9))~~ (20) "Cooling curve" means the graphical relationship between heat units stored and cooling time.

~~((20))~~ (21) "Date of transfer." See installation date.

~~((21))~~ (22) "Dead-man switch" means a switch so constructed that a circuit closing contact can be maintained only by continuous pressure on the switch by the operator.

~~((22))~~ (23) "Department" means the department of ~~((social and))~~ health ~~((services))~~ which has been designated as the state radiation control agency.

~~((23))~~ (24) "Detector" (see "radiation detector").

~~((24))~~ (25) "Diagnostic source assembly" means the tube housing assembly with a beam-limiting device attached.

~~((25))~~ (26) "Diagnostic x-ray system" means an x-ray system designed for irradiation of any part of the human or animal body for the purpose of recording or visualization for diagnostic purposes.

~~((26))~~ (27) "Direct scattered radiation" means that scattered radiation which has been deviated in direction only by materials irradiated by the useful beam (see also "scattered radiation").

((27)) (28) "Electronic product defect" means an error in design, manufacture, or performance of an x-ray system such that unintentional radiation exposure to a patient, an operator, or a member of the public has occurred.

((28)) (29) "Entrance exposure rate" means the ((roentgens)) exposure measured free-in-air per unit time where the useful beam enters the patient.

((29)) (30) "Equipment" (see "x-ray equipment").

((30)) (31) "Exposure" means the quotient of  $dQ$  divided by  $dm$  where  $dQ$  is the absolute value of the total charge of the ions of one sign produced in air when all the electrons (negatrons and positrons) liberated by photons in a volume element of air having mass  $dm$  are completely stopped in air. (The special unit of exposure is the roentgen.)

Note: \*When the word, exposure, is used in this part to mean one or more irradiations of a person for a healing arts purpose, or in a more general sense, it will not be underlined [italized].

((31)) (32) "Field emission equipment" means equipment which uses an x-ray tube in which electron emission from the cathode is due solely to the action of an electric field.

((32)) (33) "Filter" means material placed in the useful beam to absorb preferentially selected radiations.

((33)) (34) "Fluoroscopic imaging assembly" means a component which comprises a reception system in which x-ray photons produce a fluoroscopic image. It includes equipment housings, electrical interlocks if any, the primary protective barrier, and structural material providing linkage between the image receptor and the diagnostic source assembly.

((34)) (35) "Focal spot" means the area on the anode of the x-ray tube bombarded by the electrons accelerated from the cathode, and from which the useful beam originates.

(36) "Full beam detector" means a radiation detector of such size that the total cross section of the maximum size useful beam is intercepted.

((35)) (37) "General purpose radiographic x-ray system" means any radiographic x-ray system which, by design, is not limited to radiographic examination of specific anatomical regions.

((36)) (38) "Gonad shield" means a protective barrier for the testes or ovaries.

((37)) (39) "Half-value layer (HVL)" means the thickness of specified material which attenuates the beam of radiation to an extent such that the exposure rate is reduced to one-half of its original value. In this definition the contribution of all scattered radiation, other than any which might be present initially in the beam concerned, is deemed to be excluded.

((38)) (40) "Healing arts screening" means the testing of an asymptomatic population using x-ray machines for the detection or evaluation of health indications when such tests are not specifically and individually ordered by a licensed practitioner of the healing arts legally authorized to prescribe such x-ray tests for the purpose of diagnosis or treatment.

((39)) (41) "Heat unit" means a unit of energy equal to the product of the peak kilovoltage, milliamperes, and seconds, i.e.,  $kVp \times mA \times second$ .

((40)) (42) "Image intensifier" means a device consisting of an image intensifier tube installed in its housing which instantaneously converts an x-ray pattern into a light image of higher energy density.

((41)) (43) "Image receptor" means any device, such as a fluorescent screen or radiographic film, which transforms incident x-ray photons either into a visible image or into another form which can be made into a visible image by further transformations.

((42)) (44) "Image receptor support" means that part of a mammographic system designed to support the image receptor in a plane perpendicular to the x-ray beam during ((a mammographic examination)) mammography.

((43)) (45) "Inherent filtration" means the filtration of the useful beam provided by the permanently installed components of the tube housing assembly.

((44)) (46) "Installation date" means the earliest date that a machine, accessory, or component is able to be used by a registrant or transferee but no later than the date of the first human exposure made using the machine, accessory, or component that has been installed.

((45)) (47) "Interlock" means a device arranged or connected such that the occurrence of an event or condition is required before a second event or condition can occur or continue to occur.

((46)) (48) "Irradiation" means the exposure of matter to ionizing radiation.

((47)) (49) "Kilovolts peak (kVp)" (see "peak tube potential").

((48)) (50) "kV" means kilovolts.

((49)) (51) "kWs" means kilowatt second which is equal to the product of peak kilovolts, amperes, and seconds or  $10^{-3} \times kV(\cdot) \times mA(\cdot) \times sec$ .

((50)) (52) "Lead equivalent" means the thickness of lead affording the same attenuation, under specified conditions, as the material in question.

((51)) (53) "Leakage radiation" means radiation emanating from the diagnostic or therapeutic source assembly except for:

(a) The useful beam and

(b) Radiation produced when the exposure switch or timer is not activated.

((52)) (54) "Leakage technique factors" means the technique factors associated with the tube housing assembly which are used in measuring leakage radiation. They are defined as follows:

(a) For capacitor energy storage equipment, the maximum rated peak tube potential and the maximum rated number of exposures in an hour for operation at the maximum rated peak tube potential with the quantity of charge per exposure being 10 milliampere seconds, or the minimum obtainable from the unit, whichever is larger.

(b) For field emission equipment rated for pulsed operation, the maximum rated peak tube potential and the maximum rated number of x-ray pulses in an hour for operation at the maximum rated peak tube potential.

(c) For all other equipment, the maximum rated peak tube potential and the maximum rated continuous tube current for the maximum rated peak tube potential.

((53)) (55) "Light field" means that area of the intersection of the light beam from the beam-limiting device and one of the set of planes parallel to and including the plane of the image receptor, whose perimeter is the locus of points at which the illumination is one-fourth of the maximum in the intersection.

((54)) (56) "Line-voltage regulation" means the difference between the no-load and the load line potentials expressed as a percent of the load line potential; that is,

$$\text{Percent line-voltage regulation} = 100 (V_n - V_l) / V_l$$

where:

$$V_n = \text{No-load line potential}$$

$$V_l = \text{Load line potential}$$

((55)) (57) "mA" means tube current in milliamperes.

((56)) (58) "mAs" means milliamperere second or the product of the tube current in milliamperes and the time of exposure in seconds.

((57)) (59) "Maximum line current" means the root mean squared current in the supply line of an x-ray machine operating at its maximum rating.

((58)) (60) "Mobile equipment" (see "x-ray equipment").

((59)) (61) "Modified installation" means a room, building, office, or facility in which structural parameters which affect radiation safety are being changed; these parameters include such things as reconstruction or moving of walls, replacement of the x-ray machine with one of higher kVp or mA, a change in the direction of the beam, replacement of the control panel so that operator protection is adversely affected, a change in occupancy of adjacent areas, workload changes, etc.

((60)) (62) "New installation" means a room, building, office, or facility newly built, or in which previously there has been no radiation machine.

((61)) (63) "Peak tube potential" means the maximum value of the potential difference across the x-ray tube during an exposure.

((62)) (64) "Phantom" means a volume of material similar to tissue with respect to attenuation and scattering of x-ray photons. This requires that the atomic number (Z) and the density of the material be similar to those of tissue.

(65) "Phototimer" - means a device which controls radiation exposure to the image receptor by detecting the total amount of radiation reaching the device. The radiation monitoring device(s) is part of an electronic circuit which controls the time the tube is activated (see also "automatic exposure control").

((63)) (66) "Portable equipment" (see "x-ray equipment").

((64)) (67) "Position indicating device (PID)" means a device, on dental x-ray equipment which indicate the beam position and establishes a definite source-surface (skin) distance. The device may or may not incorporate or serve as a beam-limiting device.

~~((65))~~ (68) "Positive beam limitation" means the automatic or semi-automatic adjustment of an x-ray beam to the selected image receptor size, whereby exposures cannot be made without such adjustment.

(69) "Primary protective barrier" (see "protective barrier").

~~((66))~~ (70) "Protected area" means a shielded area in which attenuation of x-radiation is sufficient to meet the exposure limits of WAC (~~(402-24-020)~~) 246-221-010 and the principles of WAC (~~(402-10-010)~~) 246-220-007 and "ALARA" for individuals in that area.

~~((67))~~ (71) "Protective apron" means an apron made of radiation absorbing materials, used to reduce radiation exposure.

~~((68))~~ (72) "Protective barrier" means a barrier of radiation absorbing material(s) used to reduce radiation exposure.

(a) "Primary protective barrier" means the material, excluding filters, placed in the useful beam, ~~((for protection purposes, to reduce the))~~ to protect anyone other than the patient from radiation exposure.

(b) "Secondary protective barrier" means a barrier sufficient to attenuate the stray radiation to the required degree.

~~((69))~~ (73) "Protective glove" means a glove made of radiation absorbing materials used to reduce radiation exposure.

~~((70))~~ (74) "Quality assurance" is a program designed to produce high quality radiographs at minimal cost and minimal patient exposure.

(75) "Quality control" is the routine measurement of the performance of the diagnostic x-ray imaging system, from x-ray beam output to the viewing of radiographs, and the continual adjustment of that performance to an optimal and consistent level.

(76) "Radiation detector" means a device which in the presence of radiation provides by either direct or indirect means, a signal or other information suitable for use in measuring one or more quantities of incident radiation.

~~((71))~~ (77) "Radiation safety" means efforts directed at occupational exposure reduction, patient exposure reduction, image quality improvement, diagnostic imaging system quality assurance, radiation measurements, dose evaluations, compliance with state and federal regulations, and related issues.

(78) "Radiation therapy simulation system" means a fluoroscopic or radiographic x-ray system intended for localizing the volume to be exposed during radiation therapy and confirming the position and size of the therapeutic irradiation field.

~~((72))~~ (79) "Radiograph" means an image receptor on which the image is created directly or indirectly by an x-ray pattern and results in a permanent record.

~~((73))~~ (80) "Radiographic imaging system" means any system whereby a permanent or ~~((semi-permanent))~~ temporary image is recorded on an image receptor by the action of ionizing radiation.

~~((74))~~ (81) "Rating" means the operating limits of an x-ray system or subsystem as specified by the component manufacturer.

~~((75))~~ (82) "Recording" means producing a permanent form of an image resulting from x-ray photons (e.g., film, video tape).

~~((76))~~ (83) "Response time" means the time required for an instrument system to reach 90 percent of its final reading when the radiation-sensitive volume of the instrument system is exposed to a step change in radiation flux from zero sufficient to provide a steady state midscale reading.

~~((77))~~ (84) "Scattered radiation" means radiation that, during passage through matter, has been deviated in direction (see also "direct scattered radiation").

~~((78))~~ (85) "Secondary protective barrier" (see "protective barrier").

~~((79))~~ (86) "Shutter" means a device attached to the tube housing assembly which can totally intercept the entire cross sectional area of the useful beam and which has a lead equivalency at least that of the tube housing assembly.

~~((80))~~ (87) "SID" (see "source-image receptor distance").

~~((81))~~ (88) "Source" means the focal spot of the x-ray tube.

~~((82))~~ (89) "Source-image receptor distance (SID)" means the distance from the source to the center of the input surface of the image receptor.

~~((83))~~ (90) "Source-to-skin-distance (SSD)" means the distance between the source and the skin entrance plane of the patient.

(91) "Special purpose x-ray equipment" means that which is designed for radiographic examination of one specific area of the body.

~~((84))~~ (92) "Spot check" means an abbreviated calibration procedure which is performed to assure that a previous calibration continues to be valid.

~~((85))~~ (93) "Spot film device" means a device intended to transport and/or position a radiographic image receptor between the x-ray source and fluoroscopic image receptor, including a device intended to hold a cassette over the input end of an image intensifier for the purpose of making a radiograph.

~~((86))~~ (94) "Spot film" means a radiograph which is made during a fluoroscopic examination to record permanent conditions which exist during that fluoroscopic procedure.

~~((87))~~ (95) "Stationary equipment" (see "x-ray equipment").

~~((88))~~ (96) "Stray radiation" means the sum of leakage and scattered radiation.

~~((89))~~ (97) "Technique factors" means the conditions of operation. They are specified as follows:

(a) For capacitor energy storage equipment, peak tube potential in kV and quantity of charge in mAs.

(b) For field emission equipment rated for pulsed operation, peak tube potential in kV and number of x-ray pulses.

(c) For all other equipment, peak tube potential in kV and:

(i) Either tube current in mA and exposure time in seconds,

(ii) Or the product of tube current and exposure time in mAs.

~~((90))~~ (98) "Transmission detector" means a radiation detector through which the useful beam or part of the useful beam passes.

~~((91))~~ (99) "Treatment volume" means the region, in the patient, to which a specified dose is to be delivered.

~~((92))~~ (100) "Tube" means an x-ray tube, unless otherwise specified.

~~((93))~~ (101) "Tube housing assembly" means the tube housing with tube installed. It includes high-voltage and/or filament transformers and other appropriate elements when they are contained within the tube housing.

~~((94))~~ (102) "Tube rating chart" means the set of curves which specify the rated limits of operation of the tube in terms of the technique factors.

~~((95))~~ (103) "Useful beam" means the radiation which passes through the tube housing port and the aperture of the beam-limiting device when the exposure switch or timer is activated.

~~((96))~~ (104) "Variable-aperture beam-limiting device" means a beam-limiting device which has capacity for stepless adjustment of the x-ray field size.

~~((97))~~ (105) "Visible area" means that portion of the input surface of the image receptor over which incident x-ray photons produce a visible image.

~~((98))~~ (106) "Wedge filter" means an added filter with changing radio-opacities used to achieve more uniform optical densities on the image receptor when a body part of varying absorption characteristics is radiographed.

~~((99))~~ (107) "X-ray control" means a device which controls input power to the x-ray high-voltage generator and/or the x-ray tube. It includes equipment which controls the technique factors of an x-ray exposure.

~~((100))~~ (108) "X-ray equipment" means an x-ray system, subsystem, or component thereof. Types of x-ray equipment are as follows:

(a) 'Mobile' means x-ray equipment mounted on a permanent base with wheels and/or casters for moving while completely assembled.

(b) 'Portable' means x-ray equipment designed to be hand-carried.

(c) 'Stationary' means x-ray equipment which is installed in a fixed location.

~~((101))~~ (109) "X-ray field" means that area of the intersection of the useful beam and any one of the set of planes parallel to and including the plane of the image receptor, whose perimeter is the locus of points at which the exposure rate is one-fourth of the maximum in the intersection.

~~((102))~~ (110) "X-ray high-voltage generator" means a device which transforms electrical energy from the potential supplied by the x-ray control to the tube operating potential. The device may also include means for transforming alternating current to direct current, filament transformers for the x-ray tube(s), high-voltage switches, electrical protective devices, and other appropriate elements.

~~((103))~~ (111) "X-ray system" means an assemblage of components for the controlled production of x-rays. It includes minimally an x-ray high-voltage generator, an x-ray control, a tube housing assembly, a beam-limiting device, and the necessary supporting structures. Additional components which function with the system are considered integral parts of the system.

~~((104))~~ (112) "X-ray subsystem" means any combination of two or more components of an x-ray system for which there are requirements specified in this part.

~~((105))~~ (113) "X-ray tube" means any electron tube which is designed to be used primarily for the production of x-rays.

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-225-020 GENERAL REQUIREMENTS—ADMINISTRATIVE CONTROLS. (1) No person shall make, sell, lease, transfer, lend, or install x-ray equipment or the accessories used in connection with such equipment unless such accessories and equipment, when properly placed in operation and properly used, ~~((with))~~ shall meet the requirements of ~~((these regulations))~~ this chapter.

(2) The registrant in control of the x-ray machines shall be responsible for directing the operation of the x-ray machines ~~((which are in his/her control))~~. The registrant or registrant's agent shall assure ~~((that))~~ the following provisions are met in the operation of the x-ray ~~((machine(s)))~~ machine or machines:

(a) ~~((An))~~ The registrant shall not operate an x-ray machine for diagnostic or therapeutic purposes when the x-ray machine ~~((which))~~:

(i) Does not meet the provisions of ~~((these regulations;))~~ this chapter; or ~~((which))~~

(ii) Is malfunctioning ~~((in a manner that))~~ and threatens the health or safety of the patient, operator, or general public ~~((shall not be operated for diagnostic or therapeutic purposes))~~.

(b) Individuals ~~((who will be))~~ operating the x-ray equipment shall be adequately instructed in safe operating procedures and shall be able to demonstrate competence, upon request from the department, in the correct use of the equipment. Required areas of ~~((competency))~~ competence are listed in Appendix II. The department may determine compliance with subsection (2)(b) of this section by observation, interview, or testing;

(c) ~~((In the vicinity of))~~ At each x-ray system's control panel, a chart shall be provided ~~((;))~~ which specifies for ~~((most))~~ the examinations ~~((which are))~~ performed by that system ~~((a listing of))~~ the following information ~~((; including but not limited to the following; for each projection within that examination))~~:

(i) Patient's anatomical size versus technique factors ~~((to be))~~ utilized;

(ii) Source to image receptor distance ~~((to be))~~ used;

(iii) Type and placement of ~~((gonad))~~ patient shielding ~~((to be))~~ used, for example, gonad, thyroid, lap apron; ~~((and))~~

(iv) If applicable, settings for automatic exposure devices; and

(v) Type and size of film or screen-film combination to be used.

(d) When required by the department, a registrant shall create and provide to operators of the x-ray system, radiation safety procedures which address patient and occupationally-exposed personnel safety. These procedures shall ~~((instruct, or))~~ define ~~((any))~~ restrictions of the operating technique required for safe operation of the particular x-ray system ~~((;))~~;

(e) Except for patients who cannot be moved out of the room and the patient being examined, only the staff and ancillary personnel required for the medical procedure or training shall be present in the room during the radiographic exposure. Other than the patient being examined:

(i) All individuals shall be positioned such that no part of the body including the extremities not protected by 0.5 mm lead equivalent will be struck by the useful beam ~~((;))~~;

(ii) The x-ray operator, other staff and ancillary personnel shall be protected from the direct scatter radiation by protective aprons or whole body protective barriers of not less than 0.25 mm lead equivalent ~~((;))~~;

(iii) Patients who cannot be removed from the room shall be:

(A) Protected from the direct scatter radiation by whole body protective barriers of not less than 0.25 mm lead equivalent; or ~~((shall be so))~~

(B) Positioned ~~((that))~~ so the nearest portion of the body is at least 2 meters from both the tube head and the nearest edge of the image receptor.

(iv) The department may require additional protective devices when a portion of the body of ~~((any))~~ staff or ancillary personnel is potentially subjected to stray radiation which ~~((could))~~ may result in that individual receiving one quarter of the maximum permissible dose ~~((as))~~ defined ~~((im))~~ under WAC ~~((402-24-020 of these regulations; additional protective devices may be required by the department))~~ 246-221-010.

(f) Gonad shielding of not less than 0.5 mm lead equivalent shall be used for patients ~~((who are))~~ of reproductive age during radiographic procedures in which the gonads are in the direct (useful) beam, except

for cases ~~((in which this would))~~ when gonad shielding may interfere with the diagnostic procedure ~~((;))~~;

(g) Persons shall not be exposed to the useful beam except for healing arts purposes ~~((; each exposure of which has been authorized by))~~. Only a licensed practitioner of the healing arts ~~((; This provision specifically))~~ shall authorize an exposure to the useful beam. This requirement prohibits deliberate exposure for the following purposes:

(i) Exposure of an individual for training, demonstration, or other purposes unless there are also healing arts requirements and proper prescription ~~((has been))~~ is provided ~~((;))~~;

(ii) Except for mammography performed by registered facilities on self-referred patients, the exposure of an individual for the purpose of healing arts screening without prior written approval of the state health officer; and

(iii) Exposure of an individual for the sole purpose of satisfying a third party's prerequisite for reimbursement under any health care plan.

(h) When a patient or film must be provided with auxiliary support during a radiation exposure:

(i) Mechanical holding devices shall be used when the technique permits. The safety rules, when required under subdivision (d) of this subsection, shall list individual projections where holding devices cannot be utilized;

(ii) Written safety procedures, ~~((as))~~ when required ~~((by))~~ under subdivision (d) of this subsection, shall indicate the requirements for selecting a holder and the procedure the holder shall follow;

(iii) The human holder shall be protected as required ~~((by))~~ under subdivision (e)(i) of this subsection ~~((;))~~. The holder ~~((who is))~~ occupationally exposed to radiation shall be provided with a personnel monitoring device, worn at the collar outside the lead apron, and records of exposures shall be maintained;

(iv) No person shall be used routinely to hold film or patients;

(v) ~~((In those cases where))~~ When the patient must hold the film ~~((any)),~~ the portion of the body other than the area of clinical interest struck by the useful beam shall be protected by not less than 0.5 mm lead equivalent material;

(vi) ~~((Such))~~ Holding the film or the patient shall be permitted only in very unusual and rare situations; and

(vii) ~~((For the))~~ When a holder ~~((who))~~ is occupationally exposed to radiation, a record shall be made of the examination and shall include:

(A) Patient identification ~~((; the))~~;

(B) Name of the human holder ~~((;))~~;

(C) Date of the examination ~~((;))~~;

(D) Number of exposures; and

(E) Technique factors utilized for the ~~((exposure(s) whenever the primary beam has knowingly intersected any portion of the holder's body))~~ exposures.

(i) Personnel dosimetry. All persons ~~((who are))~~ associated with the operation of an x-ray system are subject to both the occupational exposure limits and the requirements for the determination of the doses ~~((which are))~~ stated ~~((im))~~ under WAC ~~((402-24-024))~~ 246-221-020. In addition ~~((;))~~, when protective clothing or devices are worn on portions of the body and a dosimeter is required, at least one such dosimeter shall be utilized as follows:

(i) When an apron is worn, the monitoring device shall be worn at the collar outside of the apron ~~((;))~~; and

(ii) The dose to the whole body based on the maximum dose attributed to the most critical organ shall be recorded on the reports required ~~((by))~~ under WAC ~~((402-24-170 of these regulations))~~ 246-221-230. If more than one device is used or a record is made of the data, each dose shall be identified with the area where the device was worn on the body.

~~((;))~~ (iii) Personnel monitoring of an operator ~~((is))~~ shall be required where:

(A) Exposure switch cords are utilized that allow the operator to stand in an unprotected area during exposures ~~((;))~~; and

(B) Worst-case measurements by the department show ~~((that))~~ twenty-five percent of the exposure limits as specified ~~((im))~~ under WAC ~~((402-24-020))~~ 246-221-010 may be exceeded.

~~((;))~~ (iv) All persons involved in the operation of a fluoroscope and working within the fluoroscopy room during its operation ~~((must))~~ shall wear a personnel dosimeter ~~((in accordance with))~~ required under WAC ~~((402-24-070))~~ 246-221-090 and subsection (2)(i)(i) of this ~~((subsection))~~ section. If extremities are in or near the primary beam, extremity dosimeters are also required ~~((;))~~;

~~((;))~~ (j) Healing arts screening utilizing radiation. Any person proposing to conduct a healing arts screening program, with the

exception of a mammography program, shall not initiate such a program without prior approval of the state health officer. When requesting such approval, that person shall submit the information outlined ~~((m))~~ under Appendix III of this part. If ~~((any))~~ information submitted becomes invalid or outdated, the state health officer shall be notified immediately;

(k) When using scatter suppressing grids, the grids shall be:

(i) Clearly labelled with the focal distance for which they are designed to be used; and

(ii) Of the proper focal distance for the source-to-image distances used.

(l) Procedures and auxiliary equipment designed to minimize patient and personnel exposure commensurate with the needed diagnostic information shall be utilized.

(i) Film cassettes without intensifying screens shall not be used for any routine diagnostic radiological imaging.

(ii) Portable or mobile x-ray equipment shall be used only for examinations where it is impractical to transfer the patient(s) to a stationary x-ray installation.

(m) Patient log. Each facility shall keep a patient log and indicate the following information as a minimum:

(i) Identification of the patient, including name, age, and sex;

(ii) Date of x-ray examination;

(iii) Examination or treatment given, technique factors used, and number of exposures. Where fluoroscopy is involved, the total fluoroscopic on-time shall also be recorded;

(iv) Any deviation from the standard procedure or technique (including repeat exposures) as denoted in the technique chart required under subdivision (c) of this subsection;

(v) When applicable, the x-ray system used; and

(vi) Name or cross index of individuals who performed the exam.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-225-030 GENERAL REQUIREMENTS—PLAN REVIEW. (1) ~~((Prior to))~~ Before construction, the floor plans and equipment arrangement of ~~((all))~~ medical installations (new or modifications of existing installations) utilizing x-rays for diagnostic or therapeutic purposes shall be submitted to:

(a) A qualified expert for determination of shielding requirements using National Council on Radiation Protection and Measurements Report No. 49, or equivalent; and ~~((submitted to))~~

(b) The department for subsequent review.

Review shall not imply approval.

(2) The review of such plans shall not preclude the requirement of additional modifications should a subsequent analysis of operating conditions indicate the possibility of an individual receiving a dose in excess of the limits ~~((prescribed in))~~ required under WAC ~~((402-24-020, 402-24-035, and 402-24-040))~~ 246-221-010, 246-221-050, and 246-221-060.

(3) Diagnostic veterinary, podiatric, and dental ~~((intraoral and panoramic))~~ facilities ~~((may))~~ shall be ~~((exempted))~~ exempt from submitting shielding calculations ~~((if a))~~ and floor ~~((plan showing those items indicated in subsection (4) of this section is submitted to the department. The department may require additional information if necessary) plans.~~

(4) In order for the department to provide an evaluation, technical advice, and official review of the shielding requirements for a medical radiation installation, a floor plan drawn to scale and the following data ~~((is))~~ are required:

(a) The normal location of the x-ray tube, along with an indication of anode-cathode orientation to the cassette holders;

(b) The limits of the tube travel;

(c) The directions in which the tube ~~((will be))~~ is pointed;

(d) ~~((The location of any))~~ Window(s) locations;

(e) The location of the control booth or operator's position;

(f) ~~((The location of))~~ The exposure switch location;

(g) The position of the viewing window, if any;

(h) The composition and thickness of the walls;

(i) If more than one story, the height floor-to-floor;

(j) If more than one story, the composition and thickness of materials in the ceiling or floor;

(k) The make and model of the x-ray machine;

(l) The maximum kVp and mA;

(m) The types of examinations or treatments ~~((e.g.))~~ for example, chest, cephalometric, general x-ray, or therapy);

(n) The identification and occupancy of areas adjacent to the x-ray room;

(o) The anticipated x-ray workload ~~((, which may be))~~ expressed in number of patients and exposures per week including:

(i) Technique factors ~~((to be))~~ used, or milliamperere-seconds or milliamperere-minutes per week~~((:));~~ and

(ii) Estimates of the percentage of ~~((exposures that are))~~ the workload expected to occur for a particular beam direction ~~((e.g., twenty percent of exposures will be chest radiographs)).~~

(5) For new and modified installations only, the following are minimum design requirements for medical x-ray machine operator~~((s\*))~~ booths~~((=new installations only)). ((f))~~ These requirements do not apply to dental ~~((intraoral)),~~ podiatry, and veterinary installations~~((: but)).~~ See subsection~~((s (6) and))~~ (7) of this section for dental panoramic and cephalometric~~((:)).~~

(a) The operator shall be allotted ~~((not less than))~~ 7.5 square feet or more of unobstructed floor space in the x-ray booths.

(i) The 7.5 square feet of minimum space ~~((as indicated above must))~~ specified under subsection (5)(a) of this section shall be a geometric configuration where no dimension is less than two feet.

(ii) The allotted space shall ~~((be allotted excluding any))~~ exclude an encumbrance by the console, such as an overhang, cables, or other similar encroachment.

(iii) An extension of a straight line drawn between any point on the edge of the booth shielding and ~~((a point one foot horizontally beyond))~~ the nearest vertical edge of a chest cassette holder or ~~((any))~~ corner of the examination table shall not impinge on the unobstructed space.

(iv) The booth walls shall be ~~((at least))~~ seven feet high or more and shall be permanently fixed to the floor or other structure as may be necessary.

(v) When a door or moveable panel is used as the integral part of the booth structure, it must have a permissive device which will prevent an exposure when the door or panel is not closed.

(b) Switch placement~~((:)).~~ The operator's switch for the radiographic machine shall be fixed within the booth ~~((and)).~~ The switch shall:

(i) ~~((Shall))~~ Be at least 102 centimeters ~~((40))~~ forty inches inside the protected area; and

(ii) ~~((Shall))~~ Allow the operator to use the available viewing windows.

(c) Viewing system requirements~~((:)).~~

(i) Each booth shall have at least one viewing device which ~~((with))~~ shall:

(A) Be ~~((so))~~ placed ~~((that))~~ so the operator can view the patient during ~~((any))~~ exposure; and

(B) ~~((The device shall))~~ Be ~~((so))~~ placed ~~((that))~~ so the operator can have full view of ~~((any occupant of the room and any entry))~~ the entries into the room.

(ii) When the viewing system is a window, the following requirements also apply:

(A) ~~((It))~~ The window shall have a visible area of ~~((at least))~~ one square foot~~((:))~~ or more; and

(B) The glass shall have ~~((at least))~~ the same lead equivalence or more as that required in the booth's wall ~~((in which it))~~ where the glass is ~~((to be))~~ mounted.

(iii) When the viewing system is by mirrors, the mirrors shall be ~~((so))~~ located ~~((as))~~ to accomplish the general requirements ~~((as in))~~ under subdivision (i) of this subsection.

(iv) When the viewing system is by electronic means ~~((e.g.))~~ for example, TV~~((, etc.))~~:

(A) The camera shall be ~~((so))~~ located ~~((as))~~ to accomplish the general requirements ~~((in))~~ under subdivision (i) of this subsection; and

(B) There shall be an alternate viewing system as a backup for electronic failure.

~~((d))~~ New or modified facilities shall maintain a copy of the floor plan and shielding calculations required under subsection (1) of this section.

(6) Dimensions of primary beam shielding (chest, cephalometer~~((; etc.))~~) shall exceed the largest possible beam size by ~~((at least))~~ 30.5 centimeters (one foot) or more in every direction. Cephalometric primary beam shielding shall be deemed adequate if, for a maximum workload of twenty films a week, two-pound lead is installed (for ~~((occupiable))~~ occupied areas).

(7) A viewing device shall be ~~((installed))~~ present in dental panoramic and cephalometric x-ray installations; so ~~((that))~~ the requirements of subsection (5)(c) of this section are met.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-225-040 GENERAL REQUIREMENTS FOR ~~(ALL)~~ DIAGNOSTIC X-RAY SYSTEMS. In addition to other requirements of this chapter, ~~(all)~~ diagnostic x-ray systems shall meet the following requirements:

(1) Warning label. The control panel containing the main power switch shall bear the warning statement, legible and accessible to view: "WARNING: This x-ray unit may be dangerous to patient and operator unless safe exposure factors and operating instructions are observed."

(2) Battery charge indicator. On battery-powered generators, visual means shall be provided on the control panel to indicate ~~(whether)~~ the battery is in a state of charge adequate for proper operation.

(3) Leakage radiation from the diagnostic source assembly. The leakage radiation from the diagnostic source assembly, measured at a distance of 1 meter in any direction from the source, shall not exceed 100 milliroentgens in ~~(+)~~ one hour when the x-ray tube is operated at its leakage technique factors. Compliance shall be determined by measurements averaged over an area of one hundred square centimeters with no linear dimension greater than twenty centimeters.

(4) Radiation from components other than the diagnostic source assembly. The radiation emitted by a component other than the diagnostic source assembly shall not exceed 2 milliroentgens in ~~(+)~~ one hour at 5 centimeters from ~~(any)~~ an accessible surface of the component when it is operated in an assembled x-ray system under ~~(any)~~ conditions for which it was designed. Compliance shall be determined by measurements averaged over an area of 100 square centimeters with no linear dimension greater than 20 centimeters.

(5) Beam quality.  
 (a) The half-value layer (HVL) of the useful beam for a given x-ray tube potential shall not be less than the values shown in this section, Table I. If it is necessary to determine such half-value layer at an x-ray tube potential which is not listed in Table I, linear interpolation or extrapolation ~~(may)~~ shall be made.

WAC ~~((402-28-035))~~ 246-225-040 TABLE I

Design operating range (kilovolts peak)	Measured potential (kilovolts peak)	Half-value layer (millimeters of aluminum equivalent)	Half-value layer (millimeter of aluminum equivalent for dental units)
Below <del>((50))</del> <u>51</u> -	30	0.3	<del>((+5))</del> <u>N/A</u>
	40	0.4	<del>((+5))</del> <u>N/A</u>
	<del>((49))</del> <u>50</u>	0.5	1.5
<del>((50))</del> <u>51</u> to 70 -	<del>((50))</del> <u>51</u>	1.2	1.5
	60	1.3	1.5
	70	1.5	1.5
	80	2.3	2.3
	90	2.5	2.5
Above 70 -	100	2.7	2.7
	110	3.0	3.0
	120	3.2	3.2
	130	3.5	3.5
	140	3.8	3.8
	150	4.1	4.1

(b) ~~((Beryllium window tubes have a minimum of 0.5 mm aluminum equivalent filtration permanently mounted in the useful beam.))~~

~~((c))~~ For capacitor energy storage equipment, compliance shall be determined with neither the minimum nor the maximum quantity of charge per exposure.

~~((d))~~ (c) The required minimal ~~((aluminum equivalent filtration))~~ half-value layer shall include the filtration contributed by ~~((all))~~ materials ~~((which are always present))~~ permanently in position between the focal spot of the tube and the patient. ~~((e.g.))~~ for example, a ~~((tabletop))~~ table top when the tube is mounted "under the table" and inherent filtration of the tube

~~((e))~~ (d) Filtration control. For x-ray systems ~~((which have))~~ with variable kVp and variable filtration for the useful beam, a device shall link the kVp selector with the ~~((filter(s)))~~ filter(s) and shall prevent an exposure unless the minimum amount of filtration required by subdivision (a) of this subsection is in the useful beam for the ~~((given))~~ selected kVp ~~((which has been selected)).~~

(6) Multiple tubes. Where two or more radiographic tubes are controlled by one exposure switch, the tube or tubes ~~((which have been))~~ selected shall be clearly indicated prior to initiation of the exposure. Such indication shall be both on the x-ray control panel and near or on the selected tube housing assembly ~~((which has been selected)).~~

(7) Mechanical support of tube head. The tube housing assembly supports shall be adjusted such that the tube housing assembly ~~((with))~~ remains stable during an exposure unless the tube housing movement during exposure is a designed function of the x-ray system.

(8) Technique indicators.  
 (a) The technique factors ~~((to be))~~ used during an exposure shall be indicated before the exposure begins, except when automatic exposure controls are used, in which case the technique factors ~~((which are))~~ set prior to the exposure shall be indicated.

(b) On equipment having fixed technique factors, the requirement, ~~((m))~~ under subdivision (a) of this subsection may be met by permanent markings. Indication of technique factors shall be visible from the operator's position except in the case of spot films made by the fluoroscopist.

(9) Certified units. All diagnostic x-ray systems certified to comply with 21 CFR 1020 shall meet the requirements of that certification.

(10) Linearity~~(:)~~. The difference between the ratio of exposure to mAs at one mA or mAs setting and the ratio at another mA or mAs setting shall not exceed 0.10 times the sum of the ratios. This is written as:

$$X_1 - X_2 \leq 0.10 (X_1 + X_2)$$

Where  $X_1$  and  $X_2$  are the ratios~~(:)~~ (mR/mAs) for each mA or mAs station.

The test ~~((with))~~ shall be performed at any ~~((two adjacent))~~ selections of mA ~~((stations with the same indicated focal spot size. For continuous mA selection, the test will be performed at two indicated mA stations differing by not more than a factor of two))~~ or mAs without regard to focal spot size, provided neither focal spot size is less than 0.45 millimeter.

(11) kVp accuracy~~(:)~~. The difference between the indicated and actual kVp of an x-ray machine shall not be greater than ~~((+0%))~~ ten percent of the indicated kVp, or, alternatively, if available, the accuracy specifications of the control panel manufacturer must be met.

~~((+2))~~ Requirements of subsections (10) and (11) of this section apply only to all certified machines and to those uncertified machines where transfer, sale, or reassembly for use after January 1, 1984, is involved. See WAC 402-28-031(+).)

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-225-050 FLUOROSCOPIC X-RAY SYSTEMS. ~~((All))~~ Fluoroscopic x-ray systems shall meet the following requirements:

(1) Limitation of useful beam.

(a) The fluoroscopic tube shall not produce x-rays unless the primary barrier is in position to intercept the entire useful beam at all times.

(b) The entire cross section of the useful beam shall be intercepted by the primary protective barrier of the fluoroscopic image assembly at any source-to-image distance (SID).

(c) Nonimage-intensified fluoroscopic equipment shall not be used.

(d) For image-intensified fluoroscopic equipment without a spot film device, neither the length nor the width of the fluoroscopic x-ray field in the plane of the image receptor shall exceed that of the visible area of the image receptor by more than ~~((3))~~ three percent of the SID. The sum of the excess length and the excess width shall be no greater than ~~((4))~~ four percent of the SID. Measurements shall be made at the minimum SID available but at no less than ~~((8))~~ eight inches table top to image receptor distance.

(e) For uncertified image-intensified fluoroscopic equipment with a spot film device, the fluoroscopic x-ray beam with the shutters wide open (during either fluoroscopy itself or spot films) shall be no larger than the dimensions of the largest spot film size for which the device is designed. Measurements shall be made at the minimum SID available, but at no less than ~~((8))~~ eight inches table top to the film plane distance.

(f) For certified (21 CFR 1020) image-intensified fluoroscopic equipment with a spot film device, neither the length nor the width of the fluoroscopic x-ray field in the plane of the image receptor shall exceed that of the visible area of the image receptor by more than ~~((3))~~ three percent of the SID. The sum of the excess width shall be no



greater than ~~((4))~~ four percent of the SID. Measurements shall be made at the minimum SID available, but at no less than ~~((8))~~ eight inches table top to film plane distance.

(g) ~~((For all image intensified))~~ Fluoroscopic equipment beam limitation:

(i) Means shall be provided to ~~((permit further limitation of the x-ray field))~~ reduce the beam size at the plane of the image receptor to 125 square centimeters or less; and

(ii) The minimum field size at the greatest SID shall be equal to or less than 5 centimeters by 5 centimeters(;

~~((iii) Compliance with (d) and (e) of this subsection shall be determined with the beam axis indicated to be perpendicular to the plane of the image receptor. For rectangular x-ray fields used with circular image reception, the error in alignment shall be determined along the length and width dimensions of the x-ray field which pass through the center of the visible area of the image receptor)).~~

(2) Activation of the fluoroscopic tube. X-ray production in the fluoroscopic mode shall be controlled by a deadman switch.

(3) Entrance exposure rate allowable limits.

(a) For equipment with or without automatic brightness control, the exposure rate measured at the point where the center of the useful beam enters the patient ~~((should be as low as practicable and))~~ shall not exceed ten roentgens per minute, except during film recording of fluoroscopic images or when ~~((provided with))~~ an optional high level control (HLC) is activated. ~~((When so provided, an audible signal shall indicate use of the high level control, special means of activating, via a deadman switch, shall be necessary for activation of high level control:))~~

(b) For equipment ~~((which is))~~ provided with (optional high level control) HLC, the equipment shall not be operable at ~~((any))~~ a combination of tube potential and current which will result in an exposure rate in excess of 5 roentgens per minute at the point where the center of the useful beam enters the patient, unless the ((high level control)) HLC is activated.

(i) Special means of activation of high level controls, such as additional pressure applied continuously by the operator, shall be required to avoid accidental use.

(ii) A continuous signal audible to the fluoroscopist shall indicate ~~((that))~~ the high level control is ((being)) employed.

(c) Measuring compliance of entrance exposure rate limits. Compliance with ~~((this))~~ subsection (3) of this section shall be determined as follows:

(i) Movable grids and compression devices shall be removed from the useful beam during the measurement(;;)

(ii) If the source is below the table, exposure rate shall be measured 1 centimeter above the ~~((tabletop))~~ table top or cradle(;;)

(iii) If the source is above the table, the exposure rate shall be measured at 30 centimeters above the ~~((tabletop))~~ table top with the end of the beam-limiting device or spacer positioned as closely as possible to the point of measurement(;;)

(iv) In a C-arm type of fluoroscope, the exposure rate shall be measured 30 centimeters from the input surface of the fluoroscopic imaging assembly, with the source positioned at any available SID, provided the end of the beam-limiting device or spacer is no closer than 30 centimeters from the input surface of fluoroscopic imaging assembly; and

(v) In a lateral-type fluoroscope, the exposure rate shall be measured at a point 15 centimeters from the center line of the x-ray source with the end of the beam-limiting device or spacer positioned as closely as possible to the point of measurement. If the table top is movable, the table top shall be positioned as closely as possible to the lateral x-ray source, with the end of the beam-limiting device or spacer no closer than 15 centimeters to the center line of the x-ray table.

(d) Periodic measurement of entrance exposure rate limits.

(i) Periodic measurements of the exposure rate shall be made. An adequate period for such measurements shall be annually or after ~~((any))~~ maintenance of the system ((which might affect)) affecting the exposure rate.

(ii) Results of ~~((these))~~ exposure rate measurements shall be available where ~~((any))~~ the fluoroscopist ((may have)) has ready access to ((them)) the measurements while using that fluoroscope. Results of the measurements shall include:

(A) The maximum possible R/minute, as well as the physical factors used to determine ~~((at))~~ data(;;);

(B) The name of the person performing the measurements(;;);

(C) The last two dates the measurements were performed(;;); and

(D) The type of device used in making the measurements.

(iii) Conditions of measurement(;;):

(A) The kVp shall be adjusted to that which will produce the maximum entrance exposure rate;

(B) The high level control, if present, shall not be activated;

(C) The x-ray ~~((system(s)))~~ systems that incorporate((s)) automatic exposure rate control (automatic brightness control((etc.))) shall have sufficient material ~~((etc.))~~, for example, lead or lead equivalence((;)), placed in the useful beam to produce the maximum output of the x-ray system; and

(D) X-ray ~~((system(s) that do))~~ systems not ((incorporate)) incorporating automatic exposure rate control shall utilize the maximum milliamperage of the x-ray system. Materials ~~((etc.))~~, for example, an attenuation block((;)), may be placed in the useful beam to protect the imaging system, as long as the material does not affect the measurement of the exposure rate.

(4) Barrier transmitted radiation rate limits.

(a) The exposure rate due to transmission through the primary protective barrier with the attenuation block in the useful beam, combined with radiation from the image intensifier, if provided, shall not exceed 2 milliroentgens per hour for each roentgen per minute of entrance exposure rate. The barrier transmission measurement shall be made at 10 centimeters from ((any)) an accessible surface of the fluoroscopic imaging assembly beyond the plane of the image receptor ((for each roentgen per minute of entrance exposure rate)).

(b) Measuring compliance of barrier transmission.

(i) The exposure rate due to transmission through the primary protective barrier combined with radiation from the image intensifier shall be determined by measurements averaged over an area of 100 square centimeters with no linear dimension greater than 20 centimeters.

(ii) If the source is below the ~~((tabletop))~~ table top, the measurement shall be made with the input surface of the fluoroscopic imaging assembly positioned 30 centimeters above the ~~((tabletop))~~ table top.

(iii) If the source is above the ~~((tabletop))~~ table top and the SID is variable, the measurement shall be made with the end of the beam-limiting device or spacer as close to the ~~((tabletop))~~ table top as it can be placed, provided ~~((that it))~~ the beam-limiting device or spacer shall not be closer than 30 centimeters.

(iv) Movable grids and compression devices shall be removed from the useful beam during the measurement.

~~((The attenuation block shall be positioned in the useful beam 10 centimeters from the point of measurement of entrance exposure rate and between this point and the input surface of the fluoroscopic imaging assembly:))~~

(5) Indication of potential and current. During fluoroscopy and cinefluorography, x-ray tube potential and current shall be continuously indicated.

(6) Source-skin distance (SSD). The source to skin distance shall not be less than:

(a) 38 centimeters on stationary fluoroscopes ~~((manufactured after the effective date of this regulation));~~

(b) ~~((35.5 centimeters on stationary fluoroscopes which are in operation prior to the effective date of these regulations;~~

~~((30 centimeters on ((at)) mobile fluoroscopes(;;); and~~

~~((td))~~ (c) 20 centimeters for image intensified fluoroscopes used for specific surgical application. The user((s operating manual)) must provide precautionary measures ((to be adhered to during)) for the use of ((device)) the fluoroscope due to its short SSD.

(7) Fluoroscopic timer.

(a) Means shall be provided to preset the cumulative on-time of the fluoroscopic tube. The maximum cumulative time of the timing device shall not exceed ~~((5))~~ five minutes without resetting.

(b) A signal audible to the fluoroscopist shall indicate the completion of ~~((any))~~ a preset cumulative on-time. Such signal shall continue to sound while x-rays are produced until the timing device is reset. Alternatively, the timing device may terminate exposures at the end of the preset time.

(8) ~~((Mobile fluoroscopes. In addition to the other requirements of this section:~~

~~((a) In the absence of a table top, a cone or spacer frame shall limit the target-to-skin distance to not less than twelve inches.~~

~~((b) A machine shall not be operated when the collimating cone or diaphragm is not in place.~~

~~((9))~~ Control of scattered radiation.

(a) Fluoroscopic table designs when combined with normal operating procedures shall be such that no unprotected part of ~~((any))~~ staff or ancillary person's body shall be exposed to unattenuated scattered



radiation which originates from under the table. The attenuation required shall be not less than 0.25 mm lead equivalent.

(b) Equipment configuration when combined with procedures shall be such that no portion of ((any)) staff or ancillary person's body, except the extremities, shall be exposed to the unattenuated scattered radiation emanating from above the table top unless:

(i) The radiation has passed through not less than 0.25 mm lead equivalent material ~~((e.g.))~~, for example, drapes, Bucky-slot cover-sliding or folding panel, or self-supporting curtains((s)), in addition to ((any)) lead equivalency provided by the protective apron referred to ((in)) under WAC ~~((402-28-031))~~ 246-225-020 (2)(c)(r); and

(ii) Exceptions to subdivision (b) of this subsection may be made in some special procedures where a sterile field will not permit the use of the normal protective barriers. Where the use of prefitted sterilized covers for the barriers is practical, the department shall not permit such exception.

~~((10))~~ (9) Radiation therapy simulation systems. Radiation therapy simulation systems shall be exempt from ~~((a))~~ the requirements of subsections ~~((1))~~ (3), (4), and (7) of this section: PROVIDED, That:

(a) Such systems are designed and used in such a manner that no individual other than the patient is in the x-ray room ~~((during periods of time))~~ when the system is producing x-rays; and

(b) ~~((Such))~~ The systems ~~((as do))~~ not ~~((meet))~~ meeting the requirements of subsection (7) of this section~~((and))~~ are provided with a means of indicating the cumulative time during which an individual patient has been exposed to x-rays. ~~((Procedures shall require that))~~ The timer shall be reset between examinations in such cases.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-225-060 RADIOGRAPHIC SYSTEMS OTHER THAN FLUOROSCOPIC, DENTAL INTRAORAL, OR ~~((VETERINARIAN))~~ VETERINARY SYSTEMS—BEAM LIMITATION. The useful beam shall be limited to the area of clinical interest and show evidence of collimation. This shall be deemed to have been met if a positive beam limiting device has been properly used or if evidence of collimation is shown on at least three sides or three corners of the film, (for example, projections ~~((on))~~ from the shutters of the collimator, cone cutting at the corners or a border at the film's edge).

(1) General purpose stationary and mobile x-ray systems.

(a) There shall be provided a means for stepless adjustment of the size of the x-ray field such that ~~((each))~~ at least two dimensions of the x-ray field ~~((is))~~ are independently variable. The minimum field size at a SID of 100 centimeters shall be equal to or less than ~~((5))~~ ten by ~~((5))~~ ten centimeters.

(b) Adequate means shall be provided for visually defining the perimeter of the x-ray field. The total misalignment of the edges of the visually defined field with the respective edges of the x-ray field along either the length or width of the visually defined field shall not exceed 2 percent of the distance from the source to the center of the visually defined field when the surface upon which it appears is perpendicular to the central axis of the x-ray beam.

(2) In addition to the requirements of WAC ~~((402-28-051))~~ 246-225-060(1) above all stationary x-ray systems shall meet the following requirements:

(a) Means shall be provided to indicate when the axis of the x-ray beam is perpendicular to the plane of the image receptor and to align the center of the x-ray field with respect to the center of the image receptor to within 2 percent (5 percent for equipment manufactured prior to August 1974) of the SID. Dental lateral jaw examinations shall be excluded from this requirement;

(b) The beam-limiting device shall numerically indicate the field size in the plane of the image receptor to which it is adjusted;

(c) Indication of field size dimensions and SID's shall be specified in inches and/or centimeters;

(d) Indication of field size dimensions shall be such that aperture adjustments result in x-ray field dimensions in the plane of the image receptor to within 2 percent of the SID when the beam axis is perpendicular to the plane of the image receptor.

(3) Radiographic equipment designed for only one image receptor size at a fixed SID shall be provided with means to limit the field at the plane of the image receptor to dimensions no greater than those of the image receptor, and to align the center of the x-ray field with the center of the image receptor to within 2 percent of the SID.

(4) Special purpose x-ray systems.

(a) These systems shall be provided with means to limit the x-ray field in the plane of the image receptor so that such field does not exceed each dimension of the image receptor by more than 2 percent of the SID when the axis of the x-ray beam is perpendicular to the plane of the image receptor.

(b) These systems shall be provided with means to align the center of the x-ray field with the center of the image receptor to within 2 percent (5 percent for equipment manufactured prior to August 1974) of the SID.

(c) The above WAC ~~((402-28-051))~~ 246-225-060 (4)(a) and ~~((402-28-051))~~ 246-225-060 (4)(b) may be met with a system that meets the requirements for a general purpose x-ray system as specified in WAC ~~((402-28-051))~~ 246-225-060(1) or, when alignment means are also provided, may be met with either:

(i) An assortment of removable, fixed-aperture, beam-limiting devices sufficient to meet the requirement for each combination of image receptor size and SID for which the unit is designed (each such device shall have clear and permanent markings to indicate the image receptor size and SID for which it is designed); or

(ii) A beam-limiting device having multiple fixed apertures sufficient to meet the requirement for each combination of image receptor size and SID for which the unit is designed. Permanent, clearly legible markings shall indicate the image receptor size and SID for which each aperture is designed and shall indicate which aperture is in position for use.

~~((5))~~ Systems designed for or provided with special attachments for mammography. Radiographic systems designed for mammography only and general purpose radiographic systems, when special attachments for mammography are in service, shall be provided with means to limit the useful beam such that the x-ray field at the plane of the image receptor does not extend beyond any edge of the image receptor at any designed SID except the edge of the image receptor designed to be adjacent to the chest wall where the x-ray field may not extend beyond such edge by more than 2 percent of the SID. The requirement can be met with a system which performs as prescribed in WAC 402-28-051 (4)(c). When the beam-limiting device and image receptor support device are designed to be used to immobilize the breast during a mammographic procedure and the SID may vary, the SID indication specified in WAC 402-28-051 (4)(c)(i) and (ii) shall be the maximum SID for which the beam-limiting device or aperture is designed. In addition, each image receptor support intended for installation on a system designed only for mammography shall have clear and permanent markings to indicate the maximum image receptor size for which it is designed.)

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-225-070 RADIOGRAPHIC SYSTEMS OTHER THAN FLUOROSCOPIC, DENTAL INTRAORAL, OR VETERINARY SYSTEMS—RADIATION EXPOSURE CONTROL DEVICES. (1) Timers. Means shall be provided to terminate the exposure at a preset time interval, preset product of current and time, a preset number of pulses, or a preset radiation exposure to the image receptor. In addition, it shall be impossible to make an exposure when the timer is set to a zero or off position if either position is provided.

(2) X-ray control (exposure switch):

(a) A control which shall be the equivalent of a dead-man switch, shall be incorporated into each x-ray system such that an exposure can be terminated at any time except for:

(i) Exposure of one-half second or less, or

(ii) During serial radiography when means shall be provided to permit completion of any single exposure of the series in process.

(b) Each x-ray control shall be located in such a way as to meet the following requirements:

(i) Stationary x-ray systems shall be required to have the x-ray exposure switch permanently mounted in a protected area so that the operator has no choice but to remain in that protected area during the entire exposure;

(ii) Mobile and portable x-ray systems shall have:

(A) An exposure cord which can extend for a minimum of 12 feet from the patient; or

(B) A protective barrier of 0.25 millimeter lead equivalent between the patient and the operator.

(c) Each x-ray control shall provide visual evidence to the operator that x-rays are being produced and an audible signal that the exposure has terminated.

(3) Automatic exposure controls (phototimers). When an automatic exposure control is provided:

(a) Indication shall be made on the control panel when this mode of operation is selected;

(b) When the x-ray tube potential is equal to or greater than 50 kVp, the minimum exposure time for field emission equipment rated for pulsed operation shall be equal to or less than the interval equivalent to two pulses;

(c) The minimum exposure time for all equipment other than that specified in WAC ((402-28-052)) 246-225-070 (3)(b) shall be equal to or less than 1/60 second or a time interval required to deliver 5 mAs, whichever is greater.

(4) Timer reproducibility. ((When four timer tests are performed, at identical timer settings the average time period (T) shall be greater than or equal to five times the maximum period  $T_{(max)}$  less the minimum period  $T_{(min)}$ . T shall be equal to or less than 0.5 seconds:

~~$T > 5 \{T_{(max)} - T_{(min)}\}$  With a timer setting of 0.5 seconds or less, the difference between the maximum exposure time ( $T_{max}$ ) and the minimum exposure time ( $T_{min}$ ) shall be less than or equal to 10% of the average exposure time (T), when four timer tests are performed:~~

$$(T_{max} - T_{min}) \leq 0.1T$$

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-225-090 RADIOGRAPHIC SYSTEMS OTHER THAN FLUOROSCOPIC AND DENTAL INTRAORAL-EXPOSURE REPRODUCIBILITY. The exposure produced shall be reproducible to within the following ((criteria)) criterion: When all technique factors are held constant, the coefficient of variation shall not exceed ((0+0)) 0.05.

(1) For manual exposure control mode, this shall be deemed to have been met if when four exposures at identical technique factors are made, the ((value of the average exposure E (with bar over it) is greater than five times the maximum exposure,  $E_{(max)}$ , minus the minimum exposure,  $E_{(min)}$ ).

~~$E > 5 \{E_{(max)} - E_{(min)}\}$  difference between the maximum exposure value ( $E_{max}$ ) and the minimum exposure value ( $E_{min}$ ) shall be less than or equal to 10% of the average exposure (E):~~

$$(E_{max} - E_{min}) \leq 0.10E$$

(2) For phototimed exposure control mode, this shall be deemed to have been met if when four exposures at identical technique factors are made, the ((value of the average exposure E (with bar over it) is greater than five times the maximum exposure,  $E_{(max)}$ , minus the minimum exposure,  $E_{(min)}$ .) difference between the maximum exposure value ( $E_{max}$ ) and the minimum exposure value ( $E_{min}$ ) shall be less than or equal to 10% of the average exposure (E):

$$(E_{max} - E_{min}) \leq 0.1E$$

The four exposures are to be made under the following conditions in phototimed mode:

- (a) The kV is held constant.
- (b) The mA, if selectable, is held constant.
- (c) The selected density, if selectable, is held constant.
- (d) Selection of phototimer radiation detectors (single or multiple detectors selected), if available, is varied for each of the four exposures ((, if selectable)).
- (e) The same attenuator is placed in the x-ray field between the selected phototimer radiation detectors (photocells) and the radiation detector used to determine the four exposure values.
- (f) The selected ((phototime)) phototimer radiation detectors (photocells) are within the x-ray field during each exposure measurement and are covered completely by the attenuator.

(3) Systems employing deliberately mismatched phototimed cells are permitted, providing written specifications for the mismatch are available for inspection.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-225-110 INTRAORAL DENTAL RADIOGRAPHIC SYSTEMS. In addition to the provisions of WAC ((402-28-031, 402-28-032, and 402-28-035)) 246-225-020, 246-225-030, and

246-225-040 the requirements of this section apply to x-ray equipment and associated facilities used for dental radiography. Criteria for extraoral dental radiographic systems are covered in WAC ((402-28-051, 402-28-052, and 402-28-053)) 246-225-060, 246-225-070, and 246-225-080.

(1) Source-to-skin distance (SSD). X-ray systems designed for use with an intraoral image receptor shall be provided with means to limit source-to-skin distance to not less than:

- (a) 18 centimeters if operable above 50 kilovolts peak, or
- (b) 10 centimeters if ((not)) operable ((above)) only at 50 kilovolts peak.

(2) Field limitation.

(a) Radiographic systems designed for use with an intraoral image receptor shall be provided with means to limit the x-ray beam such that:

- (i) If the minimum source-to-skin distance (SSD) is 18 centimeters or more, the x-ray field, at the minimum SSD, shall be containable in a circle having a diameter of no more than 7 centimeters; and
- (ii) If the minimum SSD is less than 18 centimeters, the x-ray field, at the minimum SSD, shall be containable in a circle having a diameter of no more than 6 centimeters.

(b) An open ended position indicating device shall be used. The shielding shall be equivalent to that required for the diagnostic source assembly (WAC ((402-28-035)) 246-225-040(3)).

(3) Timers. Means shall be provided to terminate the exposure at a preset time interval, preset product of current and time, a preset number of pulses, or a preset radiation exposure to the image receptor. In addition,

(a) Termination of exposure shall cause automatic resetting of the timer to its initial setting or to zero.

(b) It shall not be possible to make an exposure when the timer is set to a zero or off position if either position is provided.

(4) X-ray control exposure switch:

(a) A control, which shall be the equivalent of a dead-man switch, shall be incorporated into each x-ray system.

(b) Each x-ray control shall be located in such a way as to meet the following criterion:

(i) For stationary x-ray systems it shall be required that the control switch be permanently mounted in a protected area (e.g., corridor outside the room) so that the operator has no choice but to remain in that protected area during the entire exposure. ((This requirement pertains only to new or modified installations assembled after May 1, 1980.))

(ii) Permanently mounted in a protected area shall be interpreted as meaning that the exposure switch is fixed in position no less than 36 inches from access to the direct scatter radiation field.

(c) The x-ray control shall provide a visual or audible indication of x-ray production ((observable at or from)) or termination at the operator's protected position ((or a signal audible to the operator shall indicate that the exposure has terminated, or both)).

(5) Exposure reproducibility. The ((exposure produced shall be reproducible to within the following criteria:

~~When all technique factors are held constant, the) co-efficient of variation shall not exceed ((0+0)) 0.05 when all technique factors are held constant. This requirement shall be deemed to have been met if, when four exposures are made at identical technique factors ((are made that the value of the average exposure (E (with bar over it)) is greater than or equal to five times the maximum exposure ( $E_{(max)}$ ) minus the minimum exposure  $E_{(min)}$ ).~~

~~$E > 5 \{E_{(max)} - E_{(min)}\}$ , the difference between the maximum exposure ( $E_{max}$ ) and the minimum exposure ( $E_{min}$ ) shall be less than or equal to 10% of the average exposure (E):~~

$$(E_{max} - E_{min}) < 0.1E$$

(6) No diagnostic dental x-ray machine with a fixed, nominal kVp of less than 50 shall be permitted.

(7) Operating controls.

(a) Patient and film holding devices shall be used when the techniques permit.

(b) Neither the tube housing nor the position indicating device shall be hand held during an exposure. The tube housing shall remain stable during exposure.

(c) The x-ray system shall be arranged and operated in such a manner that the useful beam at the patient's skin does not exceed the dimensions specified in WAC ((402-28-080)) 246-225-110 (2)(a).

(d) Dental fluoroscopy without image intensification shall be prohibited.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)**WAC 246-225-120 THERAPEUTIC X-RAY INSTALLATIONS LESS THAN 1 MEV.** (1) Equipment requirements.

(a) Leakage radiation. When the tube is operated at its leakage technique factors, the leakage radiation shall not exceed the value specified at the distance specified for the classification of that x-ray system:

(i) Contact therapy systems. Leakage radiation shall not exceed 100 milliroentgens per hour at five centimeters from the surface of the tube housing assembly;

(ii) ~~((0-150))~~ Zero to one hundred fifty kVp systems. Systems ~~((which are manufactured or installed prior to the effective date of this section))~~ shall have a leakage radiation which does not exceed one roentgen in one hour at one meter from the source;

(iii) ~~((0-150 kVp systems. Systems which are manufactured on or after the effective date of this section shall have a leakage radiation which does not exceed 100 milliroentgens in one hour at one meter from the source;~~

~~((iv) 151))~~ One hundred fifty-one to ((999)) nine hundred ninety-nine kVp systems. The leakage radiation shall not exceed one roentgen in one hour at one meter from the source except systems that operate in excess of 500 kVp may have a leakage radiation at one meter from the source equivalent to the exposure within one hour of the useful beam at one meter from the source multiplied by a factor of 0.001.

(b) Permanent beam limiting devices. Permanent fixed diaphragms or cones used for limiting the useful beam shall provide the same or higher degree of protection as that required by the tube housing assembly.

(c) Removable and adjustable beam limiting devices.

(i) Removable beam limiting devices shall, for the portion of the useful beam to be blocked by these devices, transmit not more than one percent of the original x-ray beam at the maximum kilovoltage and maximum treatment filter;

(ii) Adjustable beam limiting devices installed after the effective date of this section shall meet the requirements of (c)(i) of this subsection;

(iii) Adjustable beam limiting devices installed before the effective date of this section shall, for the portion of the x-ray beam to be blocked by these devices, transmit not more than five percent of the original x-ray beam at the maximum kilovoltage and maximum treatment filter.

(d) Filter and wedge systems. ~~((The))~~ Filter systems shall ((be so designed that)) meet the following requirements:

(i) Filters cannot be accidentally displaced from the useful beam at any possible tube orientation;

(ii) Each filter is marked as to its material of construction and its thickness or wedge angle for wedge filters;

(iii) It shall be possible for the operator to determine the presence or absence of each filter ~~((and the orientation of each wedge filter))~~ in the useful beam when the operator is at the control panel, either by display at the control panel or by direct observation; and

(iv) ~~((The radiation at five centimeters from))~~ The filter insertion slot opening ((does not exceed 30 roentgens per hour)) shall be covered with an attenuator equivalent to four-pound lead under ((any)) operating conditions.

(e) Tube immobilization. The tube housing assembly shall be capable of being immobilized during stationary treatments.

(f) Focal spot marking. The tube housing assembly shall be so marked that it is possible to determine the location of the focal spot to within five millimeters, and such marking shall be readily accessible for use during calibration procedures.

(g) Timer.

(i) A timer shall be provided which has a display at the treatment control panel. The timer shall be graduated in minutes and fractions of minutes. The timer shall have a preset time selector and ~~((an))~~ a means of determining elapsed time ((indicator));

(ii) The timer shall be a cumulative timer which activates with radiation and retains its reading after irradiation is interrupted or terminated ~~((After irradiation is terminated and before irradiation can be reinitiated, it shall be necessary to cycle the preset time selector through zero time));~~

(iii) The timer shall terminate irradiation when a preselected time has elapsed;

(iv) The timer shall permit accurate presetting and determination of exposure times as short as 1 second;

(v) The ~~((time))~~ timer shall ~~((not permit an exposure if))~~ terminate irradiation when set ((at)) to zero;

(vi) The timer shall not activate until the shutter is opened, when patient irradiation is controlled by a shutter mechanism.

(h) Control panel functions. The control panel, in addition to the displays required in other provisions of this chapter, shall have:

(i) ~~((An indication of whether electrical power is available at the control panel and if activation of the x-ray tube is possible;~~

~~((iii))~~ An indication of whether x-rays are being produced;

~~((iii))~~ ~~((ii))~~ Means for indicating kV and x-ray tube current;

~~((iv))~~ ~~((iii))~~ The means for terminating an exposure at any time;

~~((v))~~ ~~((iv))~~ A locking device which will prevent unauthorized use of the x-ray system; and

~~((v))~~ ~~((v))~~ For x-ray equipment manufactured after the effective date of this section, a positive display of specific filter(s) in the beam.

(i) ~~((Multiple tubes. When a control panel may energize more than one x-ray tube:~~

~~((i))~~ It shall be possible to activate only one x-ray tube at any time;

~~((ii))~~ There shall be an indication at the control panel identifying which x-ray tube is energized; and

~~((iii))~~ There shall be an indication at the tube housing assembly when that tube is energized;

~~((j))~~ Source-to-patient distance. There shall be means of determining the source-to-patient distance to within ~~((one centimeter))~~ five millimeters.

~~((k))~~ ~~((j))~~ Shutters. Unless it is possible to bring the x-ray output to the prescribed exposure parameters within five seconds, the entire useful beam shall be automatically attenuated by a shutter having a lead equivalency not less than that of the tube housing assembly. In addition:

(i) After the unit is at operating parameters, the shutter shall be controlled electrically by the operator from the control panel;

(ii) An indication of shutter position shall appear at the control panel.

~~((h))~~ ~~((k))~~ Low filtration x-ray tubes. Each x-ray system equipped with a beryllium or other low-filtration window shall be clearly labeled as such upon the tube housing assembly and at the control panel;

(l) Alignment. When the therapy x-ray system is equipped with a light field indicating the x-ray field, the misalignment of one field edge to the other shall not exceed one percent of any source-to-treatment distance.

(2) Facility design requirements for systems capable of operating above 50 kVp.

In addition to shielding adequate to meet requirements of chapters ~~((402-22 and 402-24))~~ 246-235 and 246-221 WAC and the shielding plan review provisions of WAC ~~((402-28-032))~~ 246-225-030, the treatment room shall meet the following design requirements:

(a) Warning lights. Treatment rooms to which access is possible ~~((through))~~ through more than one entrance shall be provided with warning lights, in a readily observable position near the outside of all access doors, which will indicate when the ~~((the))~~ useful beam is "on." ~~((Also, it is required that))~~ Or, as an alternative, entrances other than the main one shall be equipped with interior locks, activated for the period of exposure, and ((that)) the main entrance shall be under control of the operator.

(b) Voice communication. Provision shall be made for two-way aural communication between the patient and the operator at the control panel; however, where excessive noise levels make aural communication impractical, other methods of communication shall be used.

(c) Viewing systems. Windows, mirrors, closed-circuit television, or an equivalent system shall be provided to permit continuous observation of the patient during irradiation and shall be so located that the operator can observe the patient from the control panel. When the primary viewing system is by electronic means (e.g., television), an alternate viewing system shall be available for use in the event of electronic failure or treatment must be discontinued until repair is made. If treatment is to be discontinued, this policy shall be included in the written safety procedures. A copy of the safety procedures shall be provided to the operator.

(d) Additional requirements. Treatment rooms which contain an x-ray system capable of operating above 150 kVp shall meet the following additional requirements:

(i) All necessary shielding, except for any beam interceptor, shall be provided by fixed barriers;

(ii) The control panel shall be outside the treatment room;

(iii) All doors of the treatment room shall be electronically connected to the control panel such that x-ray production cannot occur unless all doors are closed;

(iv) When the doors referred to in (d)(iii) of this subsection are opened while the x-ray tube is activated:

(A) X-ray production shall terminate within one second; or

(B) The radiation at a distance of one meter from the source shall be reduced to less than 100 milliroentgens per hour within one second.

(v) After the radiation output of the x-ray tube has been affected by the opening of any door referred to in (d)(iii) of this subsection, it shall be possible to restore the x-ray system to full operation only upon:

(A) Closing the door; and subsequently

(B) Reinitiating the exposure at the control panel.

(e) Calibrations.

(i) The calibration of an x-ray system shall be performed at intervals not to exceed one year and after any change or replacement of components which could cause a change in the radiation output.

(ii) The calibration of the radiation output of the x-ray system shall be performed by ~~((or under the direction of))~~ a qualified expert who is physically present at the facility during such calibration.

(iii) Calibration of the radiation output of an x-ray system shall be performed with a calibrated instrument. The calibration of such instrument shall be ~~((directly))~~ traceable ~~((on))~~ to a national standard. The instrument shall have been calibrated within the preceding two years.

(iv) The calibrations made pursuant to (e)(i) of this subsection shall be such that the dose at a reference point in soft tissue can be calculated to within  $\pm$  five percent.

(v) The calibration of the x-ray system shall include, but not be limited to, the following determinations:

(A) ~~((Verification that the x-ray system is operating in compliance with the design specifications;~~

~~((B)))~~ The exposure rates for each combination of field size, technique factors, filter, and treatment distance used;

~~((C)))~~ ~~((B))~~ The degree of ~~((congruence))~~ alignment between the radiation field and the field indicated by the localizing device if such device is present; and

~~((D)))~~ ~~((C))~~ An evaluation of the uniformity of the radiation field symmetry for the field sizes used and any dependence upon tube housing assembly orientation.

(vi) Records of calibration performed pursuant to (e) of this subsection shall be maintained by the registrant for two years after completion of the calibration.

(vii) A copy of the most recent x-ray system calibration shall be available for use by the operator at the control panel.

(f) Operating procedures.

(i) When a patient must be held in position for radiation therapy, mechanical supporting or restraining devices shall be used;

(ii) The tube housing assembly shall not be held by an individual during exposures;

(iii) No individual other than the patient shall be in the treatment room unless such individual is protected by a barrier sufficient to meet the requirements of chapter ~~((402-24))~~ 246-221 WAC. No individual other than the patient shall be in the treatment room during exposures when the kVp exceeds 150;

(iv) The x-ray system shall not be used in the administration of radiation therapy unless the requirements of (e) of this subsection have been met.

#### AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-225-130 X-RAY AND ELECTRON THERAPY SYSTEMS WITH ENERGIES OF ONE MEV AND ABOVE. Chapter ~~((402-44))~~ 246-229 WAC except WAC ~~((402-44-110))~~ 246-229-100 (3) and (4) shall apply to medical facilities using therapy systems with energies 1 MeV and above.

(1) Definitions. In addition to the definitions provided in WAC ~~((402-28-020))~~ 246-225-010, the following definitions shall be applicable to this section.

(a) "Applicator" means a structure which indicates the extent of the treatment field at a given distance from the ~~((virtual))~~ nominal source and which may or may not incorporate ~~((the))~~ an additional beam-limiting device.

(b) "Beam scattering ~~((filter))~~ foil" means a ~~((filter used in order to))~~ device which scatters and flattens a beam of electrons.

(c) "Central axis of the beam" means a line passing through the ~~((virtual))~~ origin of the source and the center of the plane figure formed by the edge of the ~~((final beam limiting device))~~ secondary collimating jaws when in a symmetric mode.

(d) "Dose monitoring system" means a system of devices for the detection and display of quantities of radiation.

(e) "Dose monitor unit" means a unit from which the absorbed dose can be calculated.

(f) "Existing equipment" means therapy systems subject to this section which were manufactured on or before the effective date of these regulations.

(g) "Field flattening ~~((filter))~~ device" means ~~((a filter))~~ an absorber used to homogenize the dose rate over the area of a useful beam of x-rays.

(h) "Field size" means the dimensions of an area in a plane perpendicular to the specified direction of the beam of incident radiation at a ~~((specified))~~ maximum dose depth ~~((in a phantom and defined by specified isodose lines))~~. Determine dimensions by fifty percent decrement lines.

(i) "Gantry" means that part of the system supporting and allowing possible movements of the radiation head.

(j) "Interruption of irradiation" means the stopping of irradiation with the possibility of continuing irradiation without resetting of the operating conditions at the control panel.

(k) "Isocenter" means a fixed point in space located at the intersection of the rotation axes of the principal movements of the therapy system.

(l) "Moving beam therapy" means radiation therapy with relative displacement of the useful beam and the patient during irradiation.

(m) "New equipment" means systems subject to this section which were manufactured after effective date of these regulations.

(n) "Nominal source" means a point from which radiation originates.

(o) "Normal treatment distance" means the distance between the virtual source and a reference point on the central axis of the beam. The reference is located at a position ~~((where the patient will be placed during radiation therapy))~~ on the central axis at a specified distance from the nominal source.

~~((p))~~ ~~((p))~~ "Patient" means an individual subjected to examination and treatment.

~~((q))~~ ~~((q))~~ "Phantom" means a volume of material behaving in a manner similar to tissue with respect to the attenuation and scattering of radiation.

~~((r))~~ ~~((r))~~ "Primary dose monitoring system" means a system which will monitor the quantity of radiation produced during irradiation and which will terminate irradiation when a preselected number of dose monitor units have been acquired.

~~((s))~~ ~~((s))~~ "Radiation treatment prescription" means the absorbed dose which is intended to be delivered to the treatment volume.

~~((t))~~ ~~((t))~~ "Radiation head" means the structure from which the useful beam emerges.

~~((u))~~ ~~((u))~~ "Redundant dose monitoring combination" means a combination of two dose monitoring systems in which both systems are arranged to terminate irradiation in accordance with a preselected number of dose monitor units.

~~((v))~~ ~~((v))~~ "Secondary dose monitoring system" means a system which will terminate irradiation in the event of failure of the primary system.

~~((w))~~ ~~((w))~~ "Shadow tray" means a device attached to the radiation head to support auxiliary beam limiting material.

~~((x))~~ ~~((x))~~ "Stationary beam therapy" means radiation therapy without relative displacement of the useful beam and the patient during irradiation.

~~((y))~~ ~~((y))~~ "Target" means that part of a radiation source which intercepts a beam of accelerated particles with subsequent emission of other radiation.

~~((z))~~ ~~((z))~~ "Termination of irradiation" means the stopping of irradiation in a fashion which will not permit continuance of irradiation without the resetting of operating conditions at the control panel.

~~((aa))~~ ~~((aa))~~ "Treatment field" means the cross-sectional area of the patient's ~~((skin))~~ tissue which is to be irradiated.

~~((ab))~~ ~~((ab))~~ "Treatment volume" means that portion of the patient's body which is to be irradiated.

~~((bb))~~ "Virtual source" means a point from which radiation appears to originate.)

(2) Requirements for equipment.

(a) Leakage radiation to the patient area.

(i) New equipment ~~((should))~~ shall meet the following requirements:

(A) For all operating conditions, the dose equivalent in rem due to leakage radiation, including x-ray~~(s)~~ and electrons, ~~((and))~~ but excluding neutrons, at any point in a circular plane of two meters radius centered on and perpendicular to the central axis of the beam at the normal treatment distance and outside the maximum useful beam, ~~((should))~~ shall not exceed 0.1 percent of the maximum dose equivalent in rem of the unattenuated useful beam measured at the point of intersection of the central axis of the beam and the plane surface. Measurements shall be averaged over an area up to but not exceeding one hundred square centimeters at the positions specified~~(s)~~; and

(B) For each system the registrant shall determine, or obtain from the manufacturer, the leakage radiation existing at the positions specified in (a)(i)(A) of this subsection for specified operating conditions. Records for leakage radiation shall be maintained at the installation for inspection by the department.

(ii) Existing equipment (that installed prior to the effective date of the regulations) ~~((should))~~ shall meet the following requirements:

(A) The leakage radiation, excluding neutrons, at any point in the area specified by (a)(i)(A) of this subsection, where such area intercepts the central axis of the beam one meter from the ~~((virtual))~~ nominal source, ~~((should))~~ shall not exceed 0.1 percent of the maximum dose equivalent in rems of the unattenuated useful beam measured at the point of intersection of the central axis of the beam and the surface of the reference circular plane. Measurements ~~((should))~~ shall be averaged over an area up to but not exceeding one hundred square centimeters at the positions specified.

(B) For each system, the registrant ~~((should))~~ shall determine, or obtain from the manufacturer, the leakage radiation existing at the positions specified in (a)(ii)(A) of this subsection for specified operating conditions. Records for radiation leakage shall be maintained at the installation for inspection by the department.

(b) Leakage radiation outside the patient area.

(i) The dose equivalent in rem due to leakage radiation, except in the area specified in (a) of this subsection, when measured at any point one meter from the path of the charged particle, before the charged particle strikes the target or window, ~~((should))~~ shall not exceed 0.1 percent for x-ray leakage (nor 0.5 percent for neutron leakage) of the maximum dose equivalent in rems of the unattenuated useful beam measured at the point of intersection of the central axis of the beam and the circular plane specified in (a) of this subsection.

(ii) The registrant ~~((should))~~ shall determine, or obtain from the manufacturer, the actual leakage radiation existing at the positions specified in (a) of this subsection for specified operating conditions. Measurements ~~((should))~~ shall be averaged over an area up to but not exceeding one hundred square centimeters at the positions specified.

(c) Beam-limiting devices. ~~((Adjustable or interchangeable))~~ Secondary beam-limiting devices shall be provided and such devices shall transmit no more than two percent of the useful beam for the portion of the useful beam ~~((which is to be))~~ attenuated by the beam-limiting device. The neutron component of the useful beam shall not be included in this requirement. ~~((Measurements shall be averaged over an area up to but not exceeding one hundred square centimeters at the normal treatment distance.))~~

(d) ~~((Filters))~~ Beam-modifying devices.

(i) ~~((If))~~ When the absorbed dose rate information required by ~~((the))~~ subsection (2)(g) of this ~~((subsection))~~ section is dependent on operation with a ~~((field))~~ beam-flattening or beam-scattering ~~((filter))~~ device in place, ~~((such filter))~~ the device shall be removable from the machine only by the use of tools.

(ii) In systems ~~((which utilize a system of wedge filters,))~~ using interchangeable ~~((field))~~ beam-flattening ~~((filters,))~~ devices or ~~((interchangeable))~~ beam-scattering ~~((filters))~~ foils:

(A) Irradiation shall not be possible until a selection of ~~((a filter has been))~~ beam-modifying device is made and verified at the treatment control panel;

(B) An interlock system shall be provided to prevent irradiation ~~((if))~~ when the ~~((filter))~~ beam-modifying device selected is not in the correct position; and

(C) ~~((An indication of the wedge filter orientation with respect to the treatment field shall be provided))~~ A display at the control panel~~(; by direct observation or by electronic means, when wedge filters are used;~~

~~((D))~~ A display~~)~~ shall ~~((be provided at the treatment control panel showing the filter(s) in use,))~~ indicate what beam-modifying device is selected.

(e) Wedges.

(i) Presence of wedges in the beam shall be indicated at the control panel, by direct observation or by electronic means.

~~((E))~~ (ii) Each ~~((filter which is))~~ wedge removable from the system shall be clearly identified as to that ~~((filter's))~~ wedge's material of construction, thickness, and ~~((the))~~ wedge angle ~~((for wedge filters; and)).~~

~~((F))~~ (iii) An interlock shall be provided to prevent irradiation ~~((if any filter))~~ when a wedge selection ~~((operation))~~ carried out in the treatment room does not agree with the ~~((filter))~~ wedge selection ~~((operation carried out))~~ indicated at the ~~((treatment))~~ control panel.

~~((G))~~ (f) Beam quality. The registrant shall ~~((determine, or))~~ obtain from the therapy x-ray system manufacturer, ~~((data sufficient to assure that))~~ and have available, the following ~~((beam quality requirements are met))~~ information:

(i) At various beam energies, the x-ray absorbed dose ~~((resulting from x-rays in a useful electron beam at a point on the central axis of the beam ten centimeters greater than the practical range of the electrons shall not exceed the values stated in Table III. Linear interpolation shall be used for values not stated:~~

TABLE III

Maximum Energy of Beam in Electron McV	X-ray Absorbed Dose as a Fraction of Maximum Absorbed Dose
1	0.03
15	0.05
35	0.10
50	0.20

~~((ii))~~ Compliance with ~~((c))~~(i) of this subsection shall be determined using:

~~((A))~~ A measurement within a phantom with the incident surface of the phantom at the normal treatment distance and normal to the central axis of the beam;

~~((B))~~ The largest field size available which does not exceed fifteen centimeters by fifteen centimeters; and

~~((C))~~ A phantom whose cross-sectional dimensions exceed the measurement radiation field by at least five centimeters and whose depth is sufficient to perform the required measurement.

~~((iii))~~ The absorbed dose at a surface located at the normal treatment distance, at the point of intersection of that surface with the central axis of the useful beam during x-ray irradiation, shall not exceed the limits stated in Table IV. Linear interpolation shall be used for values not stated:

TABLE IV

Maximum Photon Energy in McV	Absorbed Dose at the Surface as a Fraction of the Maximum Absorbed Dose
1	0.80
2	0.70
5	0.60
15	0.50
35	0.40
50	0.20

~~((iv))~~ Compliance with ~~((c))~~(iii) of this subsection shall be determined by:

~~((A))~~ Measurements made within a phantom using an instrument which will allow extrapolation to the surface absorbed dose;

~~((B))~~ Use of a phantom whose size and placement meet the requirements of ~~((c))~~(iii) of this subsection;

~~((C))~~ Removal of all beam modifying devices which can be removed without the use of tools, except for beam scattering or beam flattening filters; and

~~((D))~~ The largest field size available which does not exceed fifteen centimeters by fifteen centimeters;

~~((v))~~ The registrant shall determine, or obtain from the manufacturer, expressed as a fraction of maximum absorbed dose;

(ii) At various beam energies, the absorbed dose at the surface of the skin as a fraction of the maximum absorbed dose; and

(iii) The maximum percentage absorbed dose due to stray neutrons in the useful beam ~~((for))~~ at specified operating conditions.

~~((f))~~ (g) Beam monitors. ~~((A))~~ Therapy systems shall be provided with radiation detectors in the radiation head.

(i) New equipment shall be provided with ~~((at least))~~ two or more radiation detectors. The detectors shall be incorporated into two monitoring systems arranged either as a primary/primary combination or as a primary/secondary combination.

(ii) Existing equipment shall be provided with ~~((at least))~~ one or more radiation detectors. ~~((This))~~ The detector shall be incorporated into a primary system.

(iii) The detectors and system ~~((into which))~~ where the detector is incorporated shall meet the following requirements:

(A) Each primary system shall have a detector which is a transmission full-beam detector ~~((and which is))~~ placed on the patient side of ~~((any fixed added filters other than a wedge filter:))~~ beam-modifying devices;

(B) The detectors shall be removable only with tools and shall be interlocked to prevent incorrect positioning~~((:));~~

(C) Each detector shall be capable of independently monitoring and controlling the useful beam~~((:));~~

(D) Each detector shall form part of a dose-monitoring system from whose readings in dose monitor units the absorbed dose<sub>2</sub> at a reference point in the treatment volume can be calculated~~((:));~~

(E) For new equipment, the design of the dose-monitoring systems of ~~((th))~~ subsection (2)(i) of this ~~((subsection))~~ section shall assure ~~((that))~~ the malfunctioning of one system shall not affect the correct functioning of the second system. In addition~~((:));~~

~~((t))~~ The failure of any element common to both systems shall terminate the useful beam.

~~((h))~~ The failure of any element common to both systems which could affect the correct operation of), the failure of an element common to both systems shall terminate irradiation.

(F) Each dose monitoring system shall have a legible display at the treatment control panel. Each display shall:

(I) Maintain a reading until intentionally reset to zero;

(II) Have only one scale and no scale multiplying factors in new equipment; and

(III) Utilize a design ~~((such that))~~ so increasing dose is displayed by increasing numbers and shall be ~~((so))~~ designed ((that)) so, in the event of an overdosage of radiation, the absorbed dose may be accurately determined under ~~((th))~~ normal conditions of use or foreseeable failures.

(G) In the event of power failure, the dose-monitoring information required in ~~((th))~~ subsection (2)(i) of this ~~((subsection))~~ section displayed at the control panel at the time of failure shall be retrievable in ~~((at least))~~ one or more systems.

~~((g))~~ (h) Beam symmetry.

(i) ~~((For new equipment, each))~~ A therapy machine installed after the effective date of these regulations shall have the capability of comparing the dose rates in each of the four quadrants of the central eighty percent of the useful beam.

(ii) Beam symmetry information shall be displayed at the treatment control panel~~((:; and such display shall be capable of indicating a))~~ making possible the following differential ((of more than)) between quadrants:

(A) Five percent ((between any two of the quadrant dose rates:)) for straight-through accelerators; and

(B) Three percent for bending-magnet accelerators.

(iii) Beam asymmetry in excess of ~~((twenty))~~ a ten percent quadrant differential shall ((automatically terminate the useful beam:

~~((ii))~~ Beam symmetry requirements of (g)(i) of this subsection shall be met if the user can demonstrate to the satisfaction of the department that adequate fail-safe protection against the beam asymmetry is incorporated into the inherent design of the accelerator:

~~((iii))~~ On existing equipment where the department has determined that beam symmetry is inadequate the use of an automatic beam asymmetry warning system may be required)) cause treatment to terminate, or shall prevent irradiation.

~~((th))~~ (i) Selection and display of dose monitor units.

(i) Irradiation shall not be possible until a selection of a number of dose monitor units ~~((has been))~~ is made at the treatment control panel.

(ii) After useful beam termination, it shall be necessary manually to reset the preselected dose monitor units before treatment ~~((can be))~~ is reinitiated.

(iii) The preselected number of dose monitor units shall be displayed at the treatment control panel until reset manually for the next irradiation.

~~((t))~~ (j) Termination of irradiation by the dose monitoring system.

(i) Each of the required monitoring systems shall be capable of independently terminating an irradiation. Provision shall be made to test the correct operation of each system.

(ii) Each primary system shall terminate irradiation when the preselected number of dose monitor units ~~((has been))~~ is detected by the system.

(iii) Each secondary system shall terminate irradiation when ~~((+20 percent))~~ a maximum of the preselected number of dose monitor units ~~((has been))~~ plus forty is detected by the system.

(iv) For new equipment, indicators on the control panel shall show which monitoring system ~~((has))~~ terminated the beam.

~~((t))~~ (k) Interruption switches. It shall be possible to interrupt irradiation and equipment movements at any time from the operator's position at the treatment control panel. Following any interruption, it shall be possible to restart irradiation by operator action without any reselection of operating conditions. If any change is made of a preselected value during an interruption, the equipment shall go to termination condition.

~~((th))~~ (l) Termination switches. It shall be possible to terminate irradiation and equipment movements, or go from an interruption condition to termination conditions, at any time from the operator's position at the treatment control panel.

~~((th))~~ (m) Timer.

(i) A timer shall be provided which has a display at the treatment control panel. The timer shall be graduated in minutes and decimals of minutes. The timer shall have a preset time selector and an elapsed time indicator.

(ii) The timer shall be a cumulative timer which switches on and off with the radiation and retains its reading after irradiation is interrupted or terminated. It shall be necessary to zero and subsequently reset the elapsed time indicator and the preset time selector after irradiation is terminated before irradiation shall again be possible.

(iii) The timer shall terminate irradiation when a preselected time has elapsed if the dose monitoring systems fail to ~~((do so))~~ terminate irradiation.

~~((m))~~ (n) Selection of radiation type. Equipment capable of both x-ray therapy and electron therapy shall meet the following requirements:

(i) Irradiation shall not be possible until a selection of radiation type ~~((has been))~~ is made at the treatment control panel~~((:));~~

(ii) An interlock system shall be provided to insure that the equipment can emit only the selected radiation type ~~((which has been selected:));~~

(iii) An interlock system shall be provided to prevent irradiation if ~~((any))~~ selected operations carried out in the treatment room do not agree with the selected operations carried out in the treatment control panel~~((:));~~

(iv) With the exception of a specified number of dose monitor units for the purpose of portal film exposures, an interlock system shall be provided to prevent irradiation with x-rays when electron applicators are ((fitted)) in place and to prevent irradiation with electrons when accessories for x-ray therapy are ((fitted:)) in place; and

(v) The radiation type selected shall be displayed at the treatment control panel before and during irradiation.

~~((th))~~ (o) Selection of energy. Equipment capable of generating radiation beams of different energies shall meet the following requirements:

(i) Irradiation shall not be possible until a selection of energy ~~((has been))~~ is made at the treatment control panel~~((:));~~

(ii) An interlock system shall be provided to insure ~~((that))~~ the equipment can emit only the energy of selected radiation ~~((which has been selected:));~~

(iii) An interlock system shall be provided to prevent irradiation if ~~((any))~~ selected operations carried out in the treatment room do not agree with the selected operations carried out at the treatment control panel~~((:)); and~~

(iv) The energy selected shall be displayed at the treatment control panel before and during irradiation.

~~((th))~~ (p) Selection of stationary beam therapy or moving beam therapy. Equipment capable of both stationary beam therapy and moving beam therapy shall meet the following requirements:



(i) Irradiation shall not be possible until a selection of stationary beam therapy or moving beam therapy (~~(has been)~~) is made at the treatment control panel(-);

(ii) An interlock system shall be provided to insure ~~(that)~~ the equipment can operate only in the selected mode (~~(which has been selected-)~~);

(iii) An interlock system shall be provided to prevent irradiation ~~(if)~~ when any selected operations carried out in the treatment room do not agree with the selected operations carried out at the treatment control panel(-);

(iv) An interlock system shall be provided to terminate irradiation ~~(if)~~ when the movement stops during moving beam therapy(-);

(v) Moving beam therapy shall be ~~(so)~~ controlled ~~(that)~~ so the required relationship between the number of dose monitor units and movement is obtained(-); and

(vi) The mode of operation shall be displayed at the treatment control panel.

~~(q)~~ (g) Absorbed dose rate. For new equipment, a system shall be provided from whose readings the absorbed dose rate at a reference point in the treatment volume can be calculated.<sup>3</sup> In addition:

(i) The quotient of the number of dose monitor units by time shall be displayed at the treatment control panel(-); and

(ii) If the equipment can deliver, under any conditions, an absorbed dose rate at the normal treatment distance more than twice the maximum value specified by the manufacturer's anticipated dose rate for any machine parameters utilized, a device shall be provided which terminates irradiation when the absorbed dose rate exceeds a value twice the specified maximum. The value at which the irradiation ~~(will be)~~ is terminated shall be in a registrant-maintained record ~~(maintained by the registrant)~~.

~~(r)~~ (r) Location of focal spot and beam orientation. The registrant shall determine, or obtain from the manufacturer, the location with reference to an accessible point on the radiation head of:

(i) The x-ray target or the virtual source of x-rays;

(ii) The electron window or the scattering foil;

(iii) All possible orientations of the useful beam.

~~(s)~~ (s) System interlock checks. Capabilities shall be provided ~~(so that all)~~ to check radiation safety interlocks ~~(can be checked)~~. When preselection of ~~(any of the)~~ operating conditions requires action in the treatment room and at the treatment control panel, selection at one location shall not give a display at the other location until the requisite selected operations in both locations ~~(have been)~~ are completed.

~~(t)~~ (t) Shadow trays shall be designed such that the skin entrance-dose due to electrons produced within the shadow tray are minimized.

(u) Facility and shielding requirements. In addition to chapter ~~(402-24)~~ 246-221 WAC, the following design requirements shall apply:

(i) Except for entrance doors or beam interceptors, ~~(all the)~~ required barriers shall be fixed barriers(-);

(ii) The treatment control panel shall be located outside the treatment room(-);

(iii) Windows, mirrors, closed-circuit television, or other equivalent viewing systems shall be provided to permit continuous observation of the patient during irradiation and shall be ~~(so)~~ located ~~(that)~~ so the operator may observe the patient from the treatment control panel. When the viewing system is by electronic means ~~(e.g.)~~, for example, by television(-), an alternate viewing system shall be provided for use in the event of ~~(failure of)~~ the primary system(-) failure, or, alternatively, treatments shall be discontinued until the viewing system is again functional;

(iv) Provision shall be made for two-way aural communication between the patient and the operator at the treatment control panel. However, where excessive noise levels make aural communications impractical, other methods of communication shall be used(-);

(v) Treatment rooms to which access is possible through ~~(more than one)~~ two entrances or more shall be provided with warning lights~~(- which will)~~ and shall indicate when the useful beam is "on" in a readily observable position near the outside of all access doors(-); and

(vi) Interlocks shall be provided ~~(such that all)~~ so entrance doors shall be closed before treatment ~~(can be)~~ is initiated or continued. ~~(if)~~ When the radiation beam is interrupted by any door opening, it shall be possible to restore the machine to operation only by closing the door and reinitiating exposure by manual action at the control panel.

(u) Surveys, calibrations, spot checks and operating procedures.

(i) Survey.

(A) ~~(All)~~ New facilities, and existing facilities not previously surveyed, shall have a survey made by, or under the direction of, a qualified expert. Such surveys shall also be done after ~~(any)~~ a change in the facility or equipment ~~(which might cause)~~ causing a significant increase in radiation hazard.

(B) The registrant shall obtain a written report of the survey from the qualified expert and the registrant shall transmit a copy of the report ~~(shall be transmitted by the registrant)~~ to the department.

(C) The report shall indicate ~~(all)~~ instances where the installation, in the opinion of the qualified expert, is in violation of applicable regulations and shall cite the section violated.

(ii) Calibrations.

(A) The calibration of systems subject to this section shall be performed before the system is first used for irradiation of patient and thereafter at time intervals which do not exceed ~~(six)~~ twelve months and after any change which ~~(might)~~ significantly alters the calibration, spatial distribution, or other characteristics of the therapy beam.

(B) The calibration shall be performed ~~(under the direct supervision of)~~ by a qualified expert.

(C) Calibration of the dose equivalent of the therapy beam shall be performed with a measurement instrument of which the calibration ~~(of which)~~ is ~~(directly)~~ traceable to national standards of exposure or absorbed dose and which shall have been calibrated within the preceding two years.

(D) Calibrations made ~~(pursuant to)~~ under subsection (2)(u)(ii) of this ~~(subsection)~~ section shall ~~(be such that)~~ require the dose at a reference point in soft tissue ~~(can)~~ be calculated within ~~(+)~~ ± 5 percent.

(E) The calibration of the therapy beam shall include, but not be limited to, the following determinations:

(I) Verification that the equipment is operating in compliance with the design specifications concerning the light localizer, the side light and back-pointer alignment with the isocenter, when applicable, variation in the axis of rotation for the table, gantry and jaw system, and beam flatness and symmetry at specified depths(-);

(II) The ~~(exposure rate or dose rate in air and at various depths of water)~~ output factors in terms of dose per monitor unit or dose per minute at a specific depth in a phantom for the range of field sizes used, for each effective energy, and for each treatment distance used for radiation therapy(-);

(III) The congruence between the radiation field and the field indicated by the localizing device(-); and

(IV) The uniformity of the radiation field and its dependency upon the direction of the useful beam.

(F) Records of the calibration performed ~~(pursuant to)~~ under subsection (2)(u)(ii) of this ~~(subsection)~~ section shall be maintained by the registrant for two years after completion of the calibration.

(G) A copy of the latest calibration performed ~~(pursuant to)~~ under subsection (2)(u)(ii) of this ~~(subsection)~~ section shall be available for ~~(use by the)~~ operator ~~(at the treatment control panel)~~ use.

(iii) Spot checks. Spot checks shall be performed on the system subject to this section. Such spot checks shall meet the following requirements:

(A) ~~(The)~~ A qualified expert shall develop, in writing, spot check procedures ~~(shall be in writing and shall have been developed by a qualified expert-)~~;

(B) The measurements taken during spot checks shall demonstrate the degree of consistency of the operating characteristics ~~(which can affect)~~ affecting the radiation output of the system or the radiation delivered to a patient during a therapy procedure(-);

(C) The spot check procedures shall specify the frequency ~~(at which)~~ of tests or measurements ~~(are to be)~~ performed(-);

(D) For systems ~~(in which)~~ where beam quality can vary significantly, spot checks shall include quality checks(-);

(E) Where a system has built-in devices which provide a self-check of any parameter during irradiation, the spot check procedures shall require ~~(that)~~ the parameter be independently verified at specific time intervals(-);

(F) ~~(The reason for spot checks which are)~~ Erratic spot checks or inconsistent ~~(with)~~ spot checks of calibration data shall be promptly investigated and corrected before the system is used for patient irradiation(-);

(G) ~~(Whenever)~~ When a spot check indicates a significant change in the operating characteristics of a system, as specified in the qualified expert's spot check procedures, the system shall be recalibrated as required ~~(in)~~ under subsection (2)(u)(ii) of this ~~(subsection)~~ section;

(H) Records of spot check measurements performed (~~(pursuant to)~~ under subsection (2)(u)(iii) of this ((subsection)) section shall be maintained by the registrant for a period of one year or for twice as long as the spot check cycle, whichever is greater(;;);

(I) Operating procedures.

(I) No individual other than the patient shall be in the treatment room during treatment of a patient.

(II) If a patient must be held in position during treatment, mechanical supporting or restraining devices shall be used.

(III) The system shall not be used in the administration of radiation therapy unless subsection (2)(u)(i), (ii), and (iii) of this ((subsection have been)) section are met.

<sup>3</sup>The radiation detectors specified (~~(in (f))~~ under subsection (2)(g) of this ((subsection)) section may form part of this system.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-225-150 X-RAY FILM DEVELOPING REQUIREMENTS. Compliance with this section is required of ((aH)) healing arts registrants and is designed to ensure ((that)) the patient and operator exposure is minimized, and to produce optimum image quality and diagnostic information.

(1) Manual processing of films:

(a) The following relationship between temperature of the developer and development time must be used (standard chemistry only):

THERMOMETER READINGS (DEGREES)		MINIMUM DEVELOPING TIMES (MINUTES)
C	F	
27	- 80	2
	79	2
	78	2 1/2
	77	2 1/2
24	- 76	3
	75	3
	74	3 1/2
	73	3 1/2
22	- 72	4
	71	4
	70	4 1/2
	69	4 1/2
20	- 68	5
	67	5 1/2
	66	5 1/2
	65	6
18	- 64	6 1/2
	63	7
	62	8
	61	8 1/2
16	- 60	9 1/2

(b) Processing of film. All films shall be processed (~~(in such a fashion as)~~ to achieve adequate sensitometric performance. This criterion shall be adjudged ((to have been)) met if:

(i) Film manufacturer's published recommendations for time and temperature are followed(;;); or

(ii) Each film is developed in accordance with the time-temperature chart(~~(- (See))~~ as required under subdivision (a) of this subsection.(;))

(c) Devices shall be available (~~(which will))~~ giving:

(i) ((Give)) The actual temperature of the developer; and

(ii) ((Give)) An audible or visible signal indicating the termination of a preset time (in minutes).

(d) Chemical-film processing control.

(i) Chemicals shall be mixed in accordance with the chemical manufacturer's recommendations.

(ii) Developer replenisher shall be periodically added to the developer tank based on the recommendations of the chemical or film manufacturer. Solution may be removed from the tank to permit the addition of an adequate volume of replenisher.

(iii) All processing chemicals shall be completely replaced at least every two months.

(2) ((Automatic film processing. Films shall be processed in such a manner that the degree of film development is the same as would be achieved by proper adherence to subsection (1) of this section (manual processing)) Automatic film processors shall be set up and maintained

so radiographic density and contrast are optimal. This criterion shall be adjudged met if:

(a) Film manufacturer's published specifications for time and temperature are followed. In the absence of such specifications, the film shall be developed using the following chart:

MINIMAL REQUIRED DEVELOPER TEMPERATURE		PROCESSOR DEVELOPER IMMERSION TIME*
°C	°F	Seconds
35	95	20
34.5	94	21
34	93	22
33.5	92	23
33	91	24
32	90	25
31.5	89	26
31	88	27
30.5	87	28
30	86	29
29.5	85	30

\*Immersion time only, no cross-over time included.

The specified developer temperature and immersion time shall be posted in the dark room or on the automatic processor; and

(b) Replenishment of the developer chemistry is optimal:

(i) The processor shall deliver an adequate rate of developer replenishment; and

(ii) For facilities with a low x-ray workload, standby replenishment, flood replenishment, or periodically sending blank films through the processor may be necessary.

(c) Sensitometric tests of processor performance demonstrate the processor is achieving radiographic density and contrast equal to other processor models operating at equivalent developer immersion time and developer temperatures and using comparable chemistry.

(3) Darkrooms. Darkrooms shall be constructed so ((that)) film being processed, handled, or stored will be exposed only to light ((which has)) passed through a safelight filter. The filter shall be of the type specified by the film manufacturer. Bulb wattage in the safelight shall be no greater than fifteen watts. The safelight shall be mounted at least four feet above work areas.

(4) The department shall make ((such)) x-ray film development and darkroom tests as ((may be)) necessary to determine compliance with this section.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-225-99910 APPENDIX I--GOOD PRACTICES. The following are included in this handbook of regulations as suggested good practices and are not intended to be a regulation. The topics presented in these good practices may, however, become incorporated into the Washington Administrative Code at a future date.

~~((H)) Imaging systems. Procedures and auxiliary equipment designed to minimize patient and personnel exposure commensurate with the needed diagnostic information should be utilized. This is interpreted to include but not limited to:~~

~~(a) The fastest speed films and screens should be utilized consistent with the diagnostic objective of the examination.~~

~~(b) The radiation exposure to the patient should be the minimum exposure required to produce images of good diagnostic quality.~~

~~(2) Patient log. Each facility should keep a patient log which will indicate the following information as a minimum:~~

~~(a) Identification of the patient, including name, facility identification number or social security number, age, and sex.~~

~~(b) Date of x-ray examination.~~

~~(c) Examination or treatment given, technique factors used, and number of exposures.~~

~~(d) Any deviation from the standard procedure or technique (including all repeat exposures) as denoted in the technique chart required in WAC 402-28-031 (2)(c).~~

~~(e) When applicable, the x-ray system used.~~

~~(f) Name or cross index of individuals who performed the exam.~~

~~(3) Human holder log. A record should be made of the examination and shall include the name of the human holder, date of the examination, number of exposures and technique factors utilized for the exposure(s).~~



~~(4)~~ (1) Exchange of information. Because patient exposure to diagnostic x-rays is the most predominant source of exposure to artificially produced ionizing radiation, radiographs should be exchanged among the practitioners of the various healing arts. Such exchange can only benefit patients by reducing the unnecessary repeated exposures of patients who are referred to, or change to, other practitioners.

~~(5)~~ (2) Patient exposure guidelines. The following patient exposure values should be achievable with high speed image receptor systems, proper filtration, a reasonable radiographic density preference, proper choice of kVp, and proper film development. State radiation safety surveyors can provide registrants with results of measurements of patient exposure values upon request.

Dental Bitewing (D-Speed Film)\*

KVP Range Utilized	Upper Limit of Skin Entrance Exposure, mR
50 - 64	350
65 - 70	300
71 - 80	250
81 - 90	200

Medical (400 Speed Imaging System)\*

Exam*	Upper Limit of Skin Entrance Exposure, mR
Abdomen (AP)	<del>((600))</del> 300
Lumbar spine (AP)	<del>((600))</del> 350
Cervical spine (AP)	<del>((200))</del> 95
Full spine (AP)	150
Skull (LAT)	<del>((200))</del> 70
Chest (PA)	<del>((20))</del> 10 (Non-Grid), 15 (Grid)

\*On average-size adult patients

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-225-99920 APPENDIX II—DETERMINATION OF COMPETENCY. The following are areas in which the department (of social and health services) considers it important that an individual (develop) have expertise for the competent operation of x-ray equipment.

- (1) Familiarization with equipment.
  - (a) Identification of controls.
  - (b) Function of each control.
  - (c) ~~((Suggested settings for routine examinations:))~~ The use of a technique chart.
- (2) Radiation protection.
  - (a) Collimation.
  - (b) Filtration.
  - (c) Gonad shielding and other patient protection devices.
  - (d) Restriction of x-ray tube radiation to the image receptor.
  - (e) Personnel protection.
  - (f) Grids.
- (3) Film processing.
  - (a) Film speed as relates to patient exposure.
  - (b) Film processing parameters.
  - (c) Quality assurance and quality control.
- (4) Emergency procedures.
  - ~~((a))~~ Termination of exposure in event of automatic timing device failure.
  - (5) Proper use of personnel dosimetry, if required.
  - (6) Understanding units of radiation.

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-225-99930 APPENDIX III—INFORMATION TO BE SUBMITTED BY PERSONS PROPOSING TO CONDUCT HEALING ARTS SCREENING USING IONIZING RADIATION. Persons requesting that the department approve a healing arts screening program shall submit the following information and evaluation:

- (1) Name and address of the applicant and, where applicable, the names and addresses of agents within this state.
- (2) Diseases or conditions and frequency for which the x-ray examinations are to be used.

(3) Description in detail of the x-ray examinations proposed in the screening program.

(4) Description of the population to be examined in the screening program, i.e., age, sex, physical condition, and other appropriate information.

(5) An evaluation of any known alternate methods not involving ionizing radiation which could achieve the goals of the screening program and why these methods are not used in preference to the x-ray examinations.

(6) An evaluation by a qualified expert of the x-ray system(s) to be used in the screening program. The evaluation by the qualified expert shall show that such system(s) satisfy all requirements of these regulations. The evaluation shall include a measurement of patient exposures from the x-ray examinations to be performed.

(7) A description of the diagnostic film quality control program.

(8) A copy of the technique chart for the x-ray examination procedures to be used.

(9) The qualifications of each individual who will be operating the x-ray system(s).

(10) The qualifications of the individual who will be supervising the operators of the x-ray system(s). The extent of supervision and the method of work performance evaluation shall be specified.

(11) The name and address of the individual who will interpret the radiograph(s).

(12) A description of the procedure to be used in advising the individuals screened and their private practitioners of the healing arts of the results of the screening procedure and any further medical needs indicated.

(13) A description of the procedures for the retention or disposition of the radiographs and other records pertaining to the x-ray examinations.

(14) An indication of the frequency of screening and the duration of the entire screening program.

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-225-140 VETERINARY MEDICINE RADIOGRAPHIC INSTALLATIONS. (1) Equipment.

(a) The protective tube housing shall be of diagnostic type. See WAC ~~((402-28-035))~~ 246-225-040(4).

(b) Diaphragms, cones, or a stepless adjustable collimator shall be used for collimating the useful beam to the area of clinical interest and shall provide the same degree of protection as is required of the housing. Cones or diaphragms, if used, shall be marked with their field size and the distance at which they are to be used.

(c) The ~~((total filtration permanently in))~~ half-value layer (HVL) of the useful beam shall not be less than ~~((0.5 millimeters aluminum equivalent for machines operating up to 50 kVp, 1.5 millimeters aluminum equivalent for machines operating between 50-70 kVp, and 2.5 millimeters aluminum equivalent for machines operating above 70 kVp:))~~ as shown in the following table:

Measured Potential (kilovolts peak)	Half-value Layer (milli-meters of aluminum equivalent)
70 and below	1.5
71	2.1
80	2.3
90	2.5
100	2.7
110	3.0
120	3.2

(d) A device shall be provided to terminate the exposure after a preset time or exposure. It must not be possible for the device to allow an exposure when preset at "zero" or "off."

(e) A dead-man type of exposure switch shall be provided, together with an electrical cord of sufficient length, so that the operator can stand out of the useful beam and at least ~~((+8))~~ two meters from the animal during all x-ray exposures.

(f) Reproducibility requirements ~~((=See))~~ as described under WAC ~~((402-28-054))~~ 246-225-090.

(2) Structural shielding. All wall, ceiling, and floor areas shall be equivalent to or provided with applicable protective barriers as required in WAC ~~((402-28-032))~~ 246-225-030(1).

## (3) Operating procedures.

(a) In any application in which the operator is not located behind a protective barrier, clothing consisting of a protective apron having a lead-equivalent of not less than ~~((0.5))~~ 0.25 millimeters shall be worn by the operator and any other individuals in the room during exposures.

(b) No individual other than the operator shall be in the x-ray room while exposures are being made unless such individual's assistance is required.

(c) When an animal or film must be held in position during radiography, mechanical supporting or restraining devices should be used. If the animal must be held by an individual, that individual shall be protected with appropriate shielding devices, such as protective gloves and apron, and that individual shall be so positioned that no part of that individual's body will be struck by the useful beam. The requirements of WAC ~~((402-24-070))~~ 246-221-090, Personnel monitoring, and ~~((402-28-03+))~~ WAC 246-225-020 (2)(h)(iv) apply to such individuals.

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-228-030 FACILITY REQUIREMENTS. (1) Radiation levels. The local components of an analytical x-ray system shall be located and arranged and shall include sufficient shielding or access control such that no radiation levels exist in any area surrounding the local component group which could result in a dose to an individual present therein in excess of the dose equivalent limits given in WAC ~~((402-24-040))~~ 246-221-060 of these regulations. For systems utilizing x-ray tubes, these levels shall be met at any specified tube rating.

(2) Surveys. Radiation surveys, as required by WAC ~~((402-24-085))~~ 246-221-110 of all analytical x-ray systems, sufficient to show compliance with WAC ~~((402-40-040))~~ 246-228-030(1), shall be performed:

(a) Upon installation of the equipment, and at least once every twelve months thereafter;

(b) Following any change in the initial arrangement, number, or type of local components in the system;

(c) Following any maintenance requiring the disassembly or removal of a local component in the system;

(d) During the performance of maintenance and alignment procedures if the procedures require the presence of a primary x-ray beam when any local component in the system is disassembled or removed;

(e) Any time a visual inspection of the local components in the system reveals an abnormal condition; and

(f) Whenever personnel monitoring devices required in WAC ~~((402-40-060))~~ 246-228-050(2) show a significant increase over the previous monitoring period or the readings are approaching 1/10 of the hands and forearm limit specified in WAC ~~((402-24-020))~~ 246-221-010.

(g) Radiation survey measurements shall not be required if a registrant or licensee can demonstrate compliance to the satisfaction of the department with WAC ~~((402-40-040))~~ 246-228-030(1) in some other manner.

(3) Posting. Each area or room containing analytical x-ray equipment shall be conspicuously posted with a sign or signs bearing the radiation symbol and the words "CAUTION - X-RAY EQUIPMENT." or words having a similar intent.

(4) Documentation of instruction. Each facility shall maintain written documentation showing that compliance with WAC 246-228-050 has been met, and shall make such documentation available to the department upon request.

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-228-040 OPERATING REQUIREMENTS. (1) Procedures. Routine operating procedures shall be written and available to all analytical x-ray equipment workers. No person shall be permitted to operate analytical x-ray equipment in any manner other than that specified in the procedures unless such person has obtained written approval of the radiation safety officer.

(2) Bypassing. No person shall bypass a safety device unless such person has obtained the written approval of the radiation safety officer. Such approval shall be for a specified period of time. When a safety device has been bypassed, a readily discernible sign bearing the words "SAFETY DEVICE NOT WORKING," or words having a similar intent, shall be placed on the radiation source housing. The requirements set forth in WAC ~~((402-40-030))~~ 246-228-020(1) shall also be met.

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-228-050 PERSONNEL REQUIREMENTS. (1) Instruction. No person shall be permitted to operate or maintain analytical x-ray equipment unless such person has received instruction in and demonstrated competence as to:

(a) Identification of radiation hazards associated with the use of the equipment;

(b) Significance of the various radiation warning and safety devices incorporated into the equipment, or the reasons they have not been installed on certain pieces of equipment and the extra precautions required in such cases;

(c) Proper operating procedures for the equipment;

(d) Symptoms of an acute localized exposure; and

(e) Proper procedures for reporting an actual or suspected exposure.

(2) Personnel monitoring. Finger or wrist dosimetric devices shall be provided to and shall be used by:

(a) Analytical x-ray equipment workers using systems having an open-beam configuration and not equipped with a safety device; and

(b) Personnel maintaining analytical x-ray equipment if the maintenance procedures require the presence of a primary x-ray beam when any local component in the analytical x-ray system is disassembled or removed.

(c) Reported dose values shall not be used for the purpose of determining compliance with WAC ~~((402-24-020))~~ 246-221-010 of these regulations unless evaluated by a qualified expert.

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-229-001 PURPOSE AND SCOPE. (1) This chapter establishes procedures for the registration and the use of particle accelerators.

(2) In addition to the requirements of this chapter, all registrants are subject to the requirements of chapters ~~((402-10, 402-12, 402-16, 402-24, and 402-48))~~ 246-220, 246-224, 246-221, and 246-222 WAC. Registrants engaged in industrial radiographic operations are also subject to the requirements of chapter ~~((402-36))~~ 246-243 WAC and registrants engaged in the healing arts are also subject to the requirements of chapter ~~((402-28))~~ 246-225 WAC and/or chapter ~~((402-32))~~ 246-240 WAC of these regulations. Registrants engaged in the production of radioactive material are also subject to the requirements of chapters ~~((402-19 and 402-22))~~ 246-232 and 246-235 WAC.

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-229-010 REGISTRATION REQUIREMENTS. No person shall receive, possess, use, transfer, own, or acquire a particle accelerator except as authorized in a registration issued pursuant to these regulations or as otherwise provided for in these regulations. The general procedures for registration of particle accelerator facilities are included in chapter ~~((402-16))~~ 246-224 WAC of these regulations.

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-229-020 GENERAL REQUIREMENTS FOR THE ISSUANCE OF A REGISTRATION FOR PARTICLE ACCELERATORS. (Refer to chapter ~~((402-16))~~ 246-224 WAC.) In addition to the requirement of chapter ~~((402-16))~~ 246-224 WAC a registration application for use of a particle accelerator will be approved only if the department determines that:

(1) The applicant is qualified by reason of training and experience to use the accelerator in question for the purpose requested in accordance with this chapter in such a manner as to minimize danger to public health and safety or property;

(2) The applicant's proposed equipment, facilities, operating and emergency procedures are adequate to protect health and minimize danger to public health and safety or property;

(3) The issuance of the registration will not be inimical to the health and safety of the public, and the applicant satisfies any applicable special requirement in WAC ~~((402-44-040))~~ 246-229-030;

(4) The applicant has appointed a qualified radiation safety officer;

(5) The applicant and/or the staff has substantial experience in the use of particle accelerators and training sufficient for the intended uses;

(6) The applicant has established a radiation safety committee to approve, in advance, proposals for uses of particle accelerators, whenever deemed necessary by the department; and

(7) The applicant has an adequate training program for particle accelerator operators.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-229-030 HUMAN USE OF PARTICLE ACCELERATORS. In addition to the requirements set forth in chapter ~~((402-16))~~ 246-224 WAC a certificate of registration for use of a particle accelerator in the healing arts will be issued only if:

(1) Whenever deemed necessary by the department, the applicant has appointed a medical committee of at least three members to evaluate all proposals for research, diagnostic, and therapeutic use of a particle accelerator. Membership of the committee should include physicians expert in internal medicine, hematology, therapeutic radiology, and a person experienced in depth dose calculations and protection against radiation;

(2) The individuals designated on the application as the users have substantial training and experience in deep therapy techniques or in the use of particle accelerators to treat humans; and

(3) The individual designated on the application as the user must be a physician.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-229-050 LIMITATIONS. (1) No registrant shall permit any person to act as a particle accelerator operator until such person:

(a) Has been instructed in radiation safety and shall have demonstrated an understanding thereof;

(b) Has received copies of and instruction in this chapter and the applicable requirements of chapters ~~((402-24 and 402-48))~~ 246-221 and 246-222 WAC, pertinent registration conditions and the registrant's operating and emergency procedures, and shall have demonstrated understanding thereof;

(c) Has demonstrated competence to use the particle accelerator, related equipment, and survey instruments which will be employed in the individual's assignment; and

(2) The registrant shall maintain records which demonstrate compliance with the requirements of WAC ~~((402-44-060))~~ 246-229-050(1).

(3) Either the radiation safety committee or the radiation safety officer shall have the authority to terminate the operations at a particle accelerator facility if such action is deemed necessary to protect health and minimize danger to public health and safety or property.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-229-060 SHIELDING AND SAFETY DESIGN REQUIREMENTS. (1) A qualified expert, specifically accepted by the department, shall be consulted in the design of a particle accelerator installation and called upon to perform a radiation survey when the accelerator is first capable of producing radiation.

(2) Each particle accelerator installation shall be provided with such primary and/or secondary barriers as are necessary to assure compliance with WAC ~~((402-24-020 and WAC 402-24-040))~~ 246-221-010 and 246-221-060.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-229-080 WARNING DEVICES. (1) All locations designated as high radiation areas (except inside treatment rooms designed for human exposure) and entrances to all locations designated as high radiation areas shall be equipped with easily observable flashing or rotating warning lights that operate when, and only when, radiation is being produced.

(2) Except in facilities designed for human exposure, each high radiation area shall have an audible warning device which shall be activated for 15 seconds prior to the possible creation of such high radiation area. Such warning device shall be clearly discernible in all high radiation areas. The registrant shall instruct all personnel in the vicinity of the particle accelerator as to the meaning of this audible warning signal.

(3) Barriers, temporary or otherwise, and pathways leading to high radiation areas shall be identified in accordance with WAC ~~((402-24-090))~~ 246-221-120.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-229-090 OPERATING PROCEDURES. (1) Particle accelerators, when not in operation, shall be secured to prevent unauthorized use.

(2) Only a switch on the accelerator control console shall be routinely used to turn the accelerator beam off and on. The safety interlock system shall not be used to turn off the accelerator beam except in an emergency, or as required in WAC ~~((402-44-100))~~ 246-229-090(3).

(3) All safety and warning devices, including interlocks, shall be checked for proper operation at intervals not to exceed three months and after maintenance on such safety and warning devices. Results of such tests shall be maintained for inspection at the accelerator facility.

(4) Electrical circuit diagrams of the accelerator, and the associated interlock systems, shall be kept current and maintained for inspection by the department and available to the operator at each accelerator facility.

(5) If, for any reason, it is necessary to bypass a safety interlock or interlocks intentionally, such action shall be:

(a) Authorized by the radiation safety committee and/or radiation safety officer;

(b) Recorded in a permanent log and a notice posted at the accelerator control console; and

(c) Terminated as soon as possible.

(6) A copy of the current operating and the emergency procedures shall be maintained at the accelerator control panel.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-229-110 VENTILATION SYSTEMS. (1) Means shall be provided to ensure that personnel are not exposed to airborne radioactive materials in excess of those limits specified in WAC ~~((402-24-030))~~ 246-221-040, for restricted areas and WAC ~~((402-24-050))~~ 246-221-070, for unrestricted areas.

(2) A registrant as required by WAC ~~((402-24-050))~~ 246-221-070 shall not vent, release or otherwise discharge airborne radioactive material to an uncontrolled area which exceeds the limits specified in WAC ~~((402-80-050 or 402-24-220))~~ 246-247-040 or 246-221-290 Appendix A - Table II, except as authorized pursuant to WAC ~~((402-24-135 or 402-24-050))~~ 246-221-180 or 246-221-070(2). For purposes of this paragraph, concentrations may be averaged over a period not greater than one year. Every reasonable effort should be made to maintain releases of radioactive material to uncontrolled areas, as far below these limits as practicable.

**WSR 91-11-083**

**PROPOSED RULES**

**DEPARTMENT OF HEALTH**

[Filed May 21, 1991, 2:58 p.m.]

**Original Notice.**

Title of Rule: Chapters 246-249 and 246-250 WAC, Low level radioactive waste; and chapter 246-252 WAC Uranium mills, WAC 246-249-010, added definition of transuranic waste, WAC 246-249-010, amended definition of low-level radioactive waste to be consistent with definition of waste in WAC 246-250-010; WAC 246-249-040, changed to reflect federal regulation in 10 CFR 61.55; WAC 246-249-050, clarified void space requirements for activated metal; WAC 246-249-060, changed to reflect federal regulation in 10 CFR 61.57; WAC 246-249-080, was formally WAC 246-232-110; WAC 246-249-090, was formerly WAC 246-249-080, and to require absorbents and stabilization media to be

listed on the manifest; WAC 246-250-001, changed to reflect federal regulation 10 CFR 61.1; WAC 246-250-010, deleted transuranic waste from definition of waste; WAC 246-250-140, changed to correct typo; WAC 246-250-330, changed to reference correct chapter in WAC; WAC 246-250-600, changed to reflect federal regulation 10 CFR 61.80; WAC 246-252-010, definition change of subsection (1) Aquifer and subsection (8) Ground water; WAC 246-252-030, subsection (1)(a), removed word "assure," added "contribute to," subsection (1)(b), changed word "isolating" to "isolation," subsection (1)(c), added the word "permanent" before the word "isolation," subsection (2), removed the word "preferably" (line 6), subsection (3), changed the word "when" to "where" (line 3), subsection (5), removed the word "omit" (line 8), subsection (5)(c), inserted "including the closure plan" (line 5), subsection (5)(d), inserted the word "from" (line 5), subsection (7), Criterion 7 - "Milling Operation" changed to Criterion 8, added new Criterion 7 (from 10 CFR 40, Appendix A), subsection (8), Criterion 8 changed to Criterion 11, previous Criterion 7 is now Criterion 8, subsection (9) Criterion 9 changed to Criterion 13, Criterion 9 is all new (moved from WAC 246-235-020), subsection (10) Criterion 10 is all new (moved from WAC 246-235-020), subsection (11) Criterion 11 was previously Criterion 8, subsection (12) Criterion is new (taken from 10 CFR 40, Appendix A), and subsection (13) Criterion 13 was previously Criterion 9; and the following uranium mill-related regulations have been removed from chapter 246-235 WAC [see WSR 91-11-081] and inserted into chapter 246-252 WAC: WAC 246-235-020(6) Financial surety arrangements, now Criterion 9 in WAC 246-252-030, WAC 246-235-020(7) Long-term care, now Criterion 9 (last paragraph) in WAC 246-252-030, and WAC 246-235-020(8) Continued surveillance, now Criterion 10 in WAC 246-252-030.

**Purpose:** Text changes from Title 402 WAC to Title 246 WAC, definition changes, movement of sections from one chapter to another, and changes to make WAC consistent with 10 CFR (EPA and NRC).

**Statutory Authority for Adoption:** RCW 70.98.050 and 70.98.080.

**Summary:** These regulations govern the operation of low level radioactive waste sites and uranium mills.

**Reasons Supporting Proposal:** Potential for radiation exposure to the public is reduced and consistency with federal regulations is achieved.

**Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement:** Gary Robertson, Industrial Building 5, LE-13, 753-3459.

**Name of Proponent:** Department of Health, governmental.

**Rule is necessary because of federal law, 10 CFR (EPA and NRC).**

**Explanation of Rule, its Purpose, and Anticipated Effects:** The existing rules are made clearer and more easily understood by adding definitions, moving sections into the appropriate chapters, housekeeping changes and adding material to make the WAC consistent with federal regulations. Also, due to recodification of the WAC

from Title 402 WAC to Title 246 WAC, text changes of WAC cross references had to be made.

**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.

No statement is required because the changes are made to conform with federal regulations, to correct typographical errors, to make cross reference WAC numbers, and to add definitions.

The department has considered whether the following rules are subject to the Regulatory Fairness Act, and has determined that they are not, because the rule changes are being adopted solely to conform or comply with federal laws and regulations, to transfer regulations from one chapter to another, and to correct typographical errors.

**Hearing Location:** OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on June 25, 1991, at 1:30 p.m.

**Submit Written Comments to:** Leslie Baldwin, 1300 S.E. Quince Street, Mailstop EY-16, Olympia, WA 98504, by June 24, 1991.

**Date of Intended Adoption:** July 2, 1991.

May 16, 1991  
Pam Campbell Mead  
for Kristine M. Gebbie  
Secretary

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-249-001 **PURPOSE AND SCOPE.** This chapter provides rules governing generators and brokers of low-level radioactive waste seeking to dispose of such waste at any commercial disposal facility in the state of Washington. These rules are in addition to applicable requirements of the United States Nuclear Regulatory Commission (NRC), the United States Department of Transportation (DOT), and other requirements of Title ((402)) 246 WAC, the requirements of the department of ecology, Title 173 WAC, and conditions of the license issued to the disposal site operator(s).

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-249-020 **SITE USE PERMIT.** (1) Each generator and each broker of low-level radioactive waste shall possess a valid and unencumbered site use permit prior to the shipment of such waste to, or the disposal of such waste at any commercial disposal facility in the state of Washington and shall have complied with the permit requirements of the department of ecology.

(2) Suspension or revocation of permit.

(a) The failure of one or more packages in a shipment of waste to be in compliance with one or more of the requirements of the license issued to the commercial low-level radioactive waste disposal site operator, Title ((402)) 246 WAC, the United States Nuclear Regulatory Commission, the United States Department of Transportation, or conditions of the disposal site operator's radioactive materials license may cause the suspension of the site use permit of the responsible generator and/or broker.

(b) The site use permit of a generator and/or broker may be suspended or revoked if any other licensed commercial low-level radioactive waste disposal site in the United States has refused to accept waste from that generator or broker.

(c) A suspended site use permit may be reinstated provided the generator and/or broker submits a quality assurance procedure designed to correct previous problems and to achieve compliance with all applicable requirements.

(3) Brokered shipments.

(a) It is the broker's responsibility to assure that a generator of waste has a valid unencumbered site use permit prior to shipment of waste for disposal.

(b) A broker, as consignor, assumes coresponsibility with a generator for all aspects of that generator's waste until it can be documented to the department's satisfaction that the broker's sphere of responsibility was limited.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-249-070 VARIANCES. It is inevitable that a small portion of wastes cannot be treated to fully comply with the waste form requirements of this chapter consistent with the ALARA philosophy of chapter ~~((402-10))~~ 246-220 WAC. A waste disposal site operator may apply to the department for a variance provided:

- (1) The variance requested is not for a continuing process or waste stream;
- (2) An equivalent or greater degree of protection is provided by the proposed alternative; and
- (3) All reasonable methods of complying with the existing requirement have been considered.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-249-010 DEFINITIONS. As used in this chapter, the following definitions apply:

(1) "Low-level radioactive waste" ~~((means))~~ has the same meaning as in the Low-Level Radioactive Waste Policy Amendments Act of 1985, Public Law 99-240, that is, radioactive waste not classified as high-level radioactive waste, ~~((transuranic waste,))~~ spent nuclear fuel, or by-product material as defined in section 11c.(2) of the Atomic Energy Act.

(2) "Broker" means a person who performs one or more of the following functions for a low-level radioactive waste generator:

- (a) Arranges for transportation of the low-level radioactive waste;
- (b) Collects and/or consolidates shipments of such low-level radioactive waste;
- (c) Processes such low-level radioactive waste in some manner; provided it shall not mean a carrier whose sole function is to transport such low-level radioactive waste.

(3) "Shipper" or "consignor" means the last licensee to possess the low-level radioactive waste prior to transportation to the low-level radioactive waste disposal site, normally the generator when no broker is involved; otherwise, the broker.

(4) "Generator" means the last person who puts radioactive material to practical use, and who then declares it to be no longer of use or value.

(5) "Motor vehicle" means any vehicle, truck, tractor, semi-trailer, or trailer (or any permitted combination of these), driven by mechanical power and used upon the highways to carry property.

(6) "Motor common carrier" means a person holding itself out to the general public to provide motor vehicle transportation for compensation over regular or irregular routes, or both.

(7) "Motor contract carrier" means a person other than a common carrier providing motor vehicle transportation of property for compensation under continuing agreements with one or more persons.

(8) "Motor private carrier" means a person, other than a motor carrier, transporting property by motor vehicle when the person is the owner, lessee, or bailee of the property being transported; and the property is being transported for sale, lease, rent, or bailment, or to further a commercial enterprise.

(9) "Motor carrier" means a motor common carrier and a motor contract carrier.

(10) "Shipment" means the total low-level radioactive waste material transported in one motor vehicle.

(11) "Transuranic waste" means material contaminated with elements that have an atomic number greater than 92.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-249-030 WASTE SHIPMENT CERTIFICATION. (1) A low-level radioactive waste shipment certification, Form RHF-31, must accompany each shipment of radioactive waste to a licensed low-level radioactive waste burial site. All three sections of the form must be completed. The certification shall be submitted at the disposal

site to the department of ~~((social and))~~ health ~~((services))~~ or its designee, and must be judged to be properly executed prior to the acceptance of the waste by the site operator. If a broker is involved, the broker's and carrier's sections must bear original signatures. The generator's signature need not be an original signature. If a broker is acting as the processor and/or packager of the waste, the broker may act as the agent of the generator and may sign the certification statement for the generator, provided the name and site use permit number of the original generator are identified. If no broker is involved, the generator shall so signify by entry in the broker's section of the form that no broker was involved, e.g., "no broker," and the generator and carrier's section must bear original signatures.

(2) In the case of brokered shipments from more than a single generator, information on each generator's certification shall include data clearly identifying, without reference to other documentation, each package transferred from that generator to the broker. The data shall be compatible with package identifications on the shipment manifest (RSR) from the broker, and with identification markings on the packages.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-249-040 CLASSIFICATION OF RADIOACTIVE WASTE FOR NEAR-SURFACE DISPOSAL. (1) Considerations. Determination of the classification of waste involves two considerations. First, consideration must be given to the concentration of long-lived radionuclides (and their shorter-lived precursors) whose potential hazard will persist long after such precautions as institutional controls, improved waste form, and deeper disposal have ceased to be effective. These precautions delay the time when long-lived radionuclides could cause exposures. In addition, the magnitude of the potential dose is limited by the concentration and availability of the radionuclide at the time of exposure. Second, consideration must be given to the concentration of shorter-lived radionuclides for which requirements on institutional controls, waste form, and disposal methods are effective.

(2) Classes of waste.

(a) Class A waste is waste that is usually segregated from other waste classes at the disposal site. The physical form and characteristics of Class A waste must meet the minimum requirements set forth in WAC ~~((402-62-060))~~ 246-249-050(1). If Class A waste also meets the stability requirements set forth in WAC ~~((402-62-060))~~ 246-249-050(2), it is not necessary to segregate the waste for disposal.

(b) Class B waste is waste that must meet more rigorous requirements on waste form to ensure stability after disposal. The physical form and characteristics of Class B waste must meet both the minimum and stability requirements set forth in WAC ~~((402-62-060))~~ 246-249-050.

(c) Class C waste is waste that not only must meet more rigorous requirements on waste form to ensure stability but also requires additional measures at the disposal facility to protect against inadvertent intrusion. The physical form and characteristics of Class C waste must meet both the minimum and stability requirements set forth in WAC ~~((402-62-060))~~ 246-249-050.

(3) Classification determined by long-lived radionuclides. If the waste contains only radionuclides listed in Table 1, classification shall be determined as follows:

(a) If the concentration does not exceed 0.1 times the value in Table 1, the waste is Class A.

(b) If the concentration exceeds 0.1 times the value in Table 1, but does not exceed the value in Table 1, the waste is Class C.

(c) If the concentration exceeds the value in Table 1, the waste is not generally acceptable for near-surface disposal.

(d) For waste containing mixtures of radionuclides listed in Table 1, the total concentration shall be determined by the sum of fractions rule described in subsection (7) of this section.

Table 1

Radionuclide	Concentration Curies/Cubic Meter
C-14	8
C-14 in activated metal	80
Ni-59 in activated metal	220
Nb-94 in activated metal	0.2
Tc-99	3

Table 1

Radionuclide	Concentration Curies/Cubic Meter
I-129	0.08
Alpha emitting transuranic radionuclides with half-life greater than five years	100 <sup>1</sup>
Pu-241	3,500 <sup>1</sup>
Cm-242	20,000 <sup>1</sup>
Ra-226	100 <sup>1</sup>

<sup>1</sup> Units are nanocuries per gram, to convert to becquerels (Bq) per gram multiply by 37, to convert from curies to gigabecquerels (GBq) multiply by 37. Specific approval of the department is required for disposal of these radionuclides if their concentration is greater than ten percent of the Table 1 value.

(4) Classification determined by short-lived radionuclides. If the waste does not contain any of the radionuclides listed in Table 1, classification shall be determined based on the concentrations shown in Table 2. If ((a nuclide is not listed in Table 2, it does not need to be considered in determining the waste class)) the radioactive waste does not contain any radionuclides listed in either Table 1 or 2, it is Class A.

- (a) If the concentration does not exceed the value of Column 1, the waste is Class A.
- (b) If the concentration exceeds the value in Column 1, but does not exceed the value in Column 2, the waste is Class B.
- (c) If the concentration exceeds the value in Column 2, but does not exceed the value in Column 3, the waste is Class C.
- (d) If the concentration exceeds the value in Column 3, the waste is not generally acceptable for near-surface disposal.
- (e) For wastes containing mixtures of the radionuclides listed in Table 2, the total concentration shall be determined by the sum of fractions rule described in subsection (7) of this section.

Table 2

Radionuclide	Concentration, Curies/ Cubic Meter		
	Column 1	Column 2	Column 3
Total of all radionuclides with less ((then)) than 5-year half-life	700	(*)	(*)
H-3	40	(*)	(*)
Co-60	700	(*)	(*)
Ni-63	3.5	70	700
Ni-63 in activated metal	35	700	7,000
Sr-90	0.04	150	7,000
Cs-137	1	44	4,600

(\*) There are no limits established for these radionuclides in Class B or C wastes. Practical consideration such as the effects of external radiation and internal heat generation on transportation, handling, and disposal will limit the concentrations for these wastes. These wastes shall be Class B unless the concentrations of other radionuclides in Table 2 determine the waste to be Class C independent of these radionuclides. Specific approval of the department is required prior to packaging of Class B tritium waste.

(5) Classification determined by both long-lived and short-lived radionuclides. If the waste contains a mixture of radionuclides, some of which are listed in Table 1, and some of which are listed in Table 2, classification shall be determined as follows:

- (a) If the concentration of a radionuclide listed in Table 1 is less than 0.1 times the value listed in Table 1, the class shall be that determined by the concentration of radionuclides listed in Table 2.
- (b) If the concentration of a radionuclide listed in Table 1 exceeds 0.1 times the value listed in Table 1, the waste shall be Class C, provided the concentration of radionuclides listed in Table 2 does not exceed the value shown in Column 3 of Table 2.
- (6) Classification of waste with radionuclides other than those listed in Tables 1 and 2. If the waste does not contain any radionuclides listed in either Table 1 or 2, it is Class A.

(7) The sum of ((the)) fractions rule for mixtures of radionuclides. For determining classification for waste that contains a mixture of radionuclides, it is necessary to determine the sum of fractions by dividing each radionuclide's concentration by the appropriate limit and adding the resulting values. The appropriate limits must all be taken from the same column of the same table. The sum of the fractions for the column must be less than or equal to 1.0 if the waste class is to be determined by that column. Example: A waste contains Sr-90 in a concentration of 50 Ci/m<sup>3</sup> and Cs-137 in a concentration of 22 Ci/m<sup>3</sup>. Since the concentrations both exceed the values in Column 1, Table 2, they must be compared to Column 2 values. For Sr-90 fraction, 50/150 = 0.33; for Cs-137 fraction, 22/44 = 0.5; the sum of the fractions = 0.83. Since the sum is less than 1.0, the waste is Class B.

(8) Determination of concentration in wastes. The concentration of a radionuclide may be determined by indirect methods such as use of scaling factors which relate to the inferred concentration of one radionuclide to another that is measured, or radionuclide material accountability, if there is reasonable assurance that the indirect methods can be correlated with actual measurement. The concentration of a radionuclide may be averaged over the volume of the waste, or weight of the waste if the units are expressed as nanocuries per gram. ((Guidance on determining waste concentrations in "NRC Low-level Waste Licensing Branch Technical Position on Radioactive Waste Classification," May 1983:))

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-249-050 ACCEPTABLE RADIOACTIVE WASTE FORMS AND PACKAGING. (1) Packaging.

- (a) Wastes shall be packaged in conformance with the conditions of the license issued to the site operator to which the waste will be shipped. Where the conditions of the site license are more restrictive than the provisions of these regulations, the site license condition shall govern. As a minimum, radioactive waste must be packaged in such a manner that waste containers received at the facility do not show:
  - (i) Significant deformation;
  - (ii) Loss or dispersal of contents;
  - (iii) An increase in the external radiation levels recorded on the manifest, within instrument tolerances; or
  - (iv) Significant containment degradation due to rust or other chemical actions.
- (b) Wastes shall not be packaged for disposal in cardboard or fiberboard. Wood boxes are prohibited after February 28, 1987.
- (c) A process control program shall be used which validates the following:
  - (i) Liquid waste shall be packaged in sufficient approved absorbent material to absorb twice the volume of the liquid, solidified using an approved solidification agent, or stabilized using an approved stabilization agent.
  - (ii) Solid wastes containing liquid shall contain as little free-standing and noncorrosive liquid as is reasonably achievable, but in no case shall the liquid exceed one percent of the volume.
- (d) Waste shall not be readily capable of detonation or of explosive decomposition or reaction at normal pressures and temperatures, or of explosive reaction with water.
- (e) Waste shall not contain, or be capable of generating quantities of toxic gases, vapors, or fumes harmful to persons transporting, handling, or disposing of the waste. This does not apply to radioactive gaseous waste packaged in accordance with (g) of this subsection.
- (f) Pyrophoric materials contained in wastes shall be treated, prepared, and packaged to be nonflammable.
- (g) Waste in gaseous form must be packaged at a pressure that does not exceed 1.5 atmospheres at 20°C. Total activity shall not exceed 100 curies (3.7 x 10<sup>12</sup> Bqs) per container. Class A gaseous waste shall be contained within United States Department of Transportation specification cylinders. Specific approval of the department is required if the gaseous waste is Class B or C.
- (h) Wastes containing hazardous, biological, ((pathogenic)) pathogenic, or infectious material shall be treated to reduce the maximum extent practicable the potential hazard from the nonradiological materials. ((Void spaces within the waste and between the waste and its package shall be reduced to the extent practicable.)) Wastes subject to regulation under Resource Conservation and Recovery Act (RCRA) are not allowed at the disposal site.

(i) Radioactive consumer products, the use and disposal of which is exempt from licensing control, may be received without regard to concentration limits of WAC ((402-62-050)) 246-249-040 Table 2 provided the entire unit is received and is packaged with sufficient sorbent material so as to preclude breakage and rupture of its contents. This subsection allows the disposal of such consumer products as intact household or industrial smoke detector units containing Americium-241 foils and radium or radioactive materials incorporated into self-luminous devices and electron tubes.

(2) The following requirements are intended to provide stability of the waste. Stability is intended to ensure that the waste does not degrade and affect overall stability of the site through slumping, collapse, or other failure of the disposal unit and thereby lead to water infiltration. Stability is also a factor in limiting exposure to an inadvertent intruder, since it provides a recognizable and nondispersible waste form.

(a) Classes B, C, and A stable waste shall have structural stability. A structurally stable waste form will generally maintain its physical dimensions and its form, under the expected disposal conditions such as weight of overburden and compaction equipment, the presence of moisture, and microbial activity, and internal factors such as radiation effects and chemical changes. Structural stability can be provided by the waste form itself, processing the waste to a stable form, or placing the waste in a disposal container or structure that provides stability after disposal.

(b) Notwithstanding the provisions in subsection (1)(c) and (d) of this section, liquid waste, or waste containing liquid, shall be converted into a form that contains as little free-standing and noncorrosive liquid as is reasonably achievable, but in no case shall the liquid exceed one percent of the volume of the waste when the waste is in a disposal container designed to ensure stability, or 0.5 percent of the volume of the waste for waste processed to a stable form.

(c) Void spaces within ~~((all waste packages shall be avoided to the maximum extent practicable. In addition, stable wastes shall be managed so that designed void spaces within packages represent no more than fifteen percent of the package volume))~~ the radioactive waste and between the waste and its package shall be reduced to the extent practicable. Unless specifically approved by the department, void spaces in Class A stable, Class B, and Class C waste packages shall be less than 15 percent of the total volume of the disposal package, provided the disposal package is not a high integrity container nor contains activated metals that are too large to put into high integrity containers. For Class B and Class C waste packages containing activated metals, voids shall be reduced to the extent practicable, and shall be demonstrated to be structurally stable by any of the methods discussed in (a) of this subsection.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-249-060 LABELING. ~~((The classification marking required by WAC 402-62-050))~~ Each package of waste must be clearly labeled to identify whether it is Class A waste, Class B waste, or Class C waste in accordance with WAC 246-249-040. This marking is in addition to any transportation markings or labeling required by the United States Nuclear Regulatory Commission or the United States Department of Transportation and shall consist of lettering one-half inch high or greater in a durable contrasting color with the background surrounding the lettering. The classification marking shall be visible on the same side as the radioactive marking or label and in close proximity (within six inches). Waste packages marked "Radioactive," "Limited Quantity" or "Radioactive LSA" need only one classification marking whereas waste packages labeled White I, Yellow II, or Yellow III shall have classification markings in close proximity (within six inches) to each label.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-249-080 ~~((TRANSFER FOR DISPOSAL AND MANIFESTS))~~ LARGE VOLUMES OF NATURALLY OCCURRING MATERIAL. ~~((1))~~ Each shipment of waste to a licensed land disposal facility shall be accompanied by a shipment manifest that contains the name, address, and telephone number of the person generating the waste. The manifest shall also include the name, address, and telephone number of the person transporting the waste to the land

disposal facility. The manifest shall also indicate as completely as practicable: A physical description of the waste; the waste volume; radionuclide identity and quantity; the total radioactivity; and the principal chemical form. The solidification agent shall be specified. Wastes containing more than 0.1 percent chelating agents by weight shall be identified and the weight percentage of the chelating agent estimated. Wastes classified as Class A, Class B, or Class C in WAC 402-62-050 shall be clearly identified as such in the manifest. The total quantity of the radionuclides H-3, C-14, Tc-99 and I-129 must be shown.

(2) The manifest required in subsection (1) of this section may be shipping papers used to meet United States Department of Transportation or United States Environmental Protection Agency regulations or requirements of the receiver, provided all of the required information is included.

(3) Each manifest shall include a certification by the waste generator that the transported materials are properly classified, described, packaged, marked, and labeled and are in proper condition for transportation according to the applicable regulations of the United States Department of Transportation and the agency. An authorized representative of the waste generator shall sign and date the manifest.

(4) Any generator licensee who transfers waste to a land disposal facility or a licensed waste collector shall comply with the following requirements. Any licensee who transfers waste to a licensed waste processor who treats or repackages waste shall comply with the requirements of (d) through (h) of this subsection. A licensee shall:

(a) Prepare all wastes so the waste is classified according to WAC 402-62-050 and meets the waste characteristics requirements in WAC 402-62-060;

(b) Label each package of waste to identify whether it is a Class A waste, Class B waste or Class C waste, in accordance with WAC 402-62-050;

(c) Conduct a quality control program to assure compliance with WAC 402-62-050 and 402-62-060; the program must include management evaluation of audits;

(d) Prepare shipping manifests to meet the requirements of subsections (1) and (3) of this section;

(e) Forward a copy of the manifest to the intended recipient, at the time of shipment, or, deliver to a broker at the time the waste is collected, obtaining acknowledgement of receipt in the form of a signed copy of the manifest from the broker;

(f) Include one copy of the manifest with the shipment;

(g) Retain a copy of the manifest with documentation of acknowledgement of receipt as the record of transfer of licensed material as required by these regulations;

(h) For any shipments or any part of a shipment for which acknowledgement of receipt has not been received within the times set forth in this section, conduct an investigation in accordance with subsection (8) of this section.

(5) Any waste broker licensee who handles prepackaged waste shall:

(a) Acknowledge receipt of the waste from the generator within one week of receipt by returning a signed copy of the manifest.

(b) Prepare a new manifest to reflect consolidated shipments; the new manifest shall serve as a listing or index for the detailed generator manifests. Copies of the generator manifests shall be a part of the new manifest.

The waste broker may prepare a new manifest without attaching the generator manifests, provided the new manifest contains for each package the information specified in subsection (2) of this section. The broker licensee shall certify that nothing has been done to the waste which would invalidate the generator's certification.

(c) Forward a copy of the new manifest to the land disposal facility operator at the time of shipment;

(d) Include the new manifest with the shipment to the disposal site.

(e) Retain a copy of the manifest with documentation of acknowledgement of receipt as the record of transfer of licensed material as required by these regulations, and retain information from generator manifests as required by these regulations, and retain information from generator manifests until disposition is authorized by the agency; and

(f) For any shipments or any part of a shipment for which acknowledgement of receipt is not received within the times set forth in this section, conduct an investigation in accordance with subsection (8) of this section.

(6) Any licensed waste processor who treats or repackages wastes shall:

(a) Acknowledge receipt of the waste from the generator within one week of receipt by returning a signed copy of the manifest.



(b) Prepare a new manifest that meets the requirements of subsections (1), (2), and (3) of this section. Preparation of the new manifest reflects that the processor is responsible for the waste;

(c) Prepare all wastes so that the waste is classified according to WAC 402-62-050 and meets the waste characteristics requirement in WAC 402-62-060.

(d) Label each package of waste to identify whether it is Class A waste, Class B waste, or Class C waste, in accordance with WAC 402-62-050 and 402-62-070.

(e) A quality control program shall be conducted to assure compliance with WAC 402-62-050 and 402-62-060. The program shall include management evaluation of audits;

(f) Forward a copy of the new manifest to the disposal site operator or waste broker at the time of shipment, or deliver to a broker at the time the waste is collected, obtaining acknowledgement of receipt in the form of a signed copy of the manifest by the broker.

(g) Include the new manifest with the shipment;

(h) Retain copies of the original manifests and new manifests with documentation of acknowledgement of receipt as the record of transfer of licensed material required by these regulations.

(i) For any shipment or part of a shipment for which acknowledgement is not received within the times set forth in this section, conduct an investigation in accordance with subsection (8) of this section.

(7) The land disposal facility operator shall:

(a) Acknowledge receipt of the waste within one week of receipt by returning a signed copy of the manifest to the shipper. The shipper to be notified is the licensee who last possessed the waste and transferred the waste to the operator. The returned copy of the manifest shall indicate any discrepancies between materials listed on the manifest and materials received;

(b) Maintain copies of all completed manifests until the agency authorizes their disposition; and

(c) Notify the shipper (i.e., the generator or the broker) and the agency when any shipment or part of a shipment has not arrived within sixty days after the advanced manifest was received.

(8) Any shipment or part of a shipment for which acknowledgement is not received within the time set forth in this section must:

(a) Be investigated by the shipper if the shipper has not received notification of receipt within twenty days after transfer; and

(b) Be traced and reported. The investigation shall include tracing the shipment and filing a report with the agency. Each licensee who conducts a trace investigation shall file a written report with the agency within two weeks of completion of the investigation.) (1) In addition to requirements for a disposal site use permit contained in WAC 246-249-020, permittees and single generators of radioactive wastes shall obtain the specific approval of the department prior to offering wastes for disposal which: (a) Contain naturally occurring radioactive material, excluding source material, (b) contain an average total concentration less than, or equal to, 0.002 microcuries per gram, and (c) total in excess of 1,000 cubic feet per year.

(2) Applications for specific departmental approval shall describe:

(a) The chemical processes which produce or have produced the waste, (b) the volume of waste to be disposed per year, (c) an estimate of how long the permittee's disposal needs will continue, (d) actions which have been taken or are planned which could decrease the volume of the waste, and (e) alternative methods of disposal which have been considered by the permittee.

(3) A request for specific approval may be approved if the department finds the material to be: (a) Consistent with disposal site volume utilization, (b) in conformance with conditions of all licenses and permits issued to the disposal site operator, (c) more appropriately disposed at Hanford than by alternative means consistent with the concepts contained in P.L. 99-240 Low Level Radioactive Waste Policy Amendments Act of 1985, and (d) consistent with protection of the public health, safety and environment.

(4) Denial by the department of a request for specific approval shall not be interpreted as an approval to dispose of naturally occurring radioactive material without regard to its radioactivity.

#### NEW SECTION

WAC 246-249-090 TRANSFER FOR DISPOSAL AND MANIFESTS. (1) Each shipment of waste to a licensed land disposal facility shall be accompanied by a shipment manifest that contains the name, address, and telephone number of the person generating the waste. The manifest shall also include the name, address, and telephone number of the person transporting the waste to the land disposal facility. The manifest shall also indicate as completely as practicable:

A physical description of the waste; the waste volume; radionuclide identity and quantity; the total radioactivity; and the principal chemical form. The solidification, stabilization, or sorption agent shall be specified. Wastes containing more than 0.1 percent chelating agents by weight shall be identified and the weight percentage of the chelating agent estimated. Wastes classified as Class A, Class B, or Class C in WAC 246-249-040 shall be clearly identified as such in the manifest unless transferred to a waste processor who treats or repackages wastes. The total quantity of the radionuclides H-3, C-14, Tc-99 and I-129 must be shown.

(2) The manifest required in subsection (1) of this section may be shipping papers used to meet United States Department of Transportation or United States Environmental Protection Agency regulations or requirements of the receiver, provided all of the required information is included.

(3) Each manifest shall include a certification by the waste generator that the transported materials are properly classified, described, packaged, marked, and labeled and are in proper condition for transportation according to the applicable regulations of the United States Department of Transportation and the agency. An authorized representative of the waste generator shall sign and date the manifest.

(4) Any generator licensee who transfers waste to a land disposal facility or a licensed waste collector shall comply with the following requirements. Any licensee who transfers waste to a licensed waste processor who treats or repackages waste shall comply with the requirements of (d) through (h) of this subsection. A licensee shall:

(a) Prepare all wastes so the waste is classified according to WAC 246-249-040 and meets the waste characteristics requirements in WAC 246-249-050.

(b) Label each package of waste to identify whether it is a Class A waste, Class B waste or Class C waste, in accordance with WAC 246-249-040;

(c) Conduct a quality control program to assure compliance with WAC 246-249-040 and 246-249-050; the program must include management evaluation of audits;

(d) Prepare shipping manifests to meet the requirements of subsections (1) and (3) of this section;

(e) Forward a copy of the manifest to the intended recipient, at the time of shipment; or, deliver to a broker at the time the waste is collected, obtaining acknowledgement of receipt in the form of a signed copy of the manifest from the broker;

(f) Include one copy of the manifest with the shipment;

(g) Retain a copy of the manifest with documentation of acknowledgement of receipt as the record of transfer of licensed material as required by these regulations;

(h) For any shipments or any part of a shipment for which acknowledgement of receipt has not been received within the times set forth in this section, conduct an investigation in accordance with subsection (8) of this section.

(5) Any waste broker licensee who handles prepackaged waste shall:

(a) Acknowledge receipt of the waste from the generator within one week of receipt by returning a signed copy of the manifest.

(b) Prepare a new manifest to reflect consolidated shipments; the new manifest shall serve as a listing or index for the detailed generator manifests. Copies of the generator manifests shall be a part of the new manifest.

The waste broker may prepare a new manifest without attaching the generator manifests, provided the new manifest contains for each package the information specified in subsection (1) of this section. The broker licensee shall certify that nothing has been done to the waste which would invalidate the generator's certification.

(c) Forward a copy of the new manifest to the land disposal facility operator at the time of shipment;

(d) Include the new manifest with the shipment to the disposal site.

(e) Retain a copy of the manifest with documentation of acknowledgement of receipt as the record of transfer of licensed material as required by these regulations, and retain information from generator manifests as required by these regulations, and retain information from generator manifests until disposition is authorized by the agency; and

(f) For any shipments or any part of a shipment for which acknowledgement of receipt is not received within the times set forth in this section, conduct an investigation in accordance with subsection (8) of this section.

(6) Any licensed waste processor who treats or repackages wastes shall:

(a) Acknowledge receipt of the waste from the generator within one week of receipt by returning a signed copy of the manifest.



(b) Prepare a new manifest that meets the requirements of subsections (1), (2), and (3) of this section. Preparation of the new manifest reflects that the processor is responsible for the waste;

(c) Prepare all wastes so that the waste is classified according to WAC 246-249-040 and meets the waste characteristics requirement in WAC 246-249-050.

(d) Label each package of waste to identify whether it is Class A waste, Class B waste, or Class C waste, in accordance with WAC 246-249-040 and 246-249-060.

(e) A quality control program shall be conducted to assure compliance with WAC 246-249-040 and 246-249-050. The program shall include management evaluation of audits;

(f) Forward a copy of the new manifest to the disposal site operator or waste broker at the time of shipment, or deliver to a broker at the time the waste is collected, obtaining acknowledgement of receipt in the form of a signed copy of the manifest by the broker.

(g) Include the new manifest with the shipment;

(h) Retain copies of the original manifests and new manifests with documentation of acknowledgement of receipt as the record of transfer of licensed material required by these regulations.

(i) For any shipment or part of a shipment for which acknowledgement is not received within the times set forth in this section, conduct an investigation in accordance with subsection (8) of this section.

(7) The land disposal facility operator shall:

(a) Acknowledge receipt of the waste within one week of receipt by returning a signed copy of the manifest to the shipper. The shipper to be notified is the licensee who last possessed the waste and transferred the waste to the operator. The returned copy of the manifest shall indicate any discrepancies between materials listed on the manifest and materials received;

(b) Maintain copies of all completed manifests until the agency authorizes their disposition; and

(c) Notify the shipper (i.e., the generator or the broker) and the agency when any shipment or part of a shipment has not arrived within sixty days after the advanced manifest was received.

(8) Any shipment or part of a shipment for which acknowledgement is not received within the time set forth in this section must:

(a) Be investigated by the shipper if the shipper has not received notification of receipt within twenty days after transfer; and

(b) Be traced and reported. The investigation shall include tracing the shipment and filing a report with the agency. Each licensee who conducts a trace investigation shall file a written report with the agency within two weeks of completion of the investigation.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-250-001 PURPOSE AND SCOPE. (1) The regulations in this chapter establish procedures, criteria, and terms and conditions upon which the department issues licenses for land disposal of low-level radioactive wastes received from other persons. (Applicability of the requirements in this chapter to department licenses for waste disposal facilities in effect on the effective date of this regulation will be determined on a case-by-case basis and implemented through terms and conditions of the license or by orders issued by the department.) The requirements of this chapter are in addition to, and not in substitution for, other applicable requirements of these regulations or other state regulations.

(2) The regulations in this chapter do not apply to disposal of by-product material as defined in WAC ((~~402-12-050 (6)(b)~~) 246-220-010 (7)(b)) in quantities greater than 10,000 kilograms and containing more than five millicuries of radium 226, or disposal of waste ((~~as~~) provided in WAC ((~~402-24-050, 402-24-140, or 402-24-150~~)) 246-221-070, 246-221-190, or 246-221-200.

(3) This chapter establishes procedural requirements and performance objectives applicable to any method of land disposal. It establishes specific technical requirements for near-surface disposal of radioactive waste which involves disposal in the uppermost portion of the earth.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-250-010 DEFINITIONS. As used in this chapter, the following definitions apply:

(1) "Active maintenance" means any significant activity needed during the period of institutional control to maintain a reasonable assurance that the performance objectives of WAC ((~~402-61-180 and~~

~~402-61-190~~), 246-250-170 and 246-250-180 are met. Such active maintenance includes ongoing activities such as the pumping and treatment of water from a disposal unit or one-time measures such as replacement of a disposal unit cover. Active maintenance does not include custodial activities such as repair of fencing, repair or replacement of monitoring equipment, revegetation, minor additions to soil cover, minor repair of disposal unit covers, and general disposal site upkeep such as mowing grass.

(2) "Buffer zone" means a portion of the disposal site that is controlled by the licensee or by the United States Department of Energy and that lies under the disposal units and between the disposal units and the boundary of the site.

(3) "Chelating agent" means amine polycarboxylic acids, hydroxy-carboxylic acids, gluconic acid, and polycarboxylic acids.

(4) "Commencement of construction" means any clearing of land, excavation, or other substantial action that would adversely affect the environment of a land disposal facility. The term does not mean disposal site exploration, necessary roads for disposal site exploration, borings to determine foundation conditions, or other preconstruction monitoring or testing to establish background information related to the suitability of the disposal site or the protection of environmental values.

(5) "Custodial agency" means an agency of the government designated to act on behalf of the government owner of the disposal site.

(6) "Disposal" means the isolation of wastes from the biosphere inhabited by man and his food chains by emplacement in a land disposal facility.

(7) "Disposal site" means that portion of a land disposal facility which is used for disposal of waste. It consists of disposal units and a buffer zone.

(8) "Disposal unit" means a discrete portion of the disposal site into which waste is placed for disposal. For near-surface disposal, the unit is usually a trench.

(9) "Engineered barrier" means a man-made structure or device that is intended to improve the land disposal facility's ability to meet the performance objectives in this chapter.

(10) "Explosive material" means any chemical compound, mixture, or device which produces a substantial instantaneous release of gas and heat spontaneously or by contact with sparks or flame.

(11) "Hazardous waste" means those wastes designated as hazardous by United States Environmental Protection Agency regulations in 40 CFR Part 261.

(12) "Hydrogeologic unit" means any soil or rock unit or zone which by virtue of its porosity or permeability, or lack thereof, has a distinct influence on the storage or movement of groundwater.

(13) "Inadvertent intruder" means a person who might occupy the disposal site after closure and engage in normal activities, such as agriculture, dwelling construction, or other pursuits in which an individual might be unknowingly exposed to radiation from the waste.

(14) "Intruder barrier" means a sufficient depth of cover over the waste that inhibits contact with waste and helps to ensure that radiation exposures to an inadvertent intruder will meet the performance objectives set forth in this chapter, or engineered structures that provide equivalent protection to the inadvertent intruder.

(15) "Land disposal facility" means the land, buildings, and equipment which are intended to be used for the disposal of wastes into the subsurface of the land.

(16) "Monitoring" means observing and making measurements to provide data to evaluate the performance and characteristics of the disposal site.

(17) "Near-surface disposal facility" means a land disposal facility in which waste is disposed within approximately the upper thirty meters of the earth's surface.

(18) "Pyrophoric liquid" means any liquid that ignites spontaneously in dry or moist air at or below 130°F (54.4°C).

(19) "Pyrophoric solid" means any solid material, other than one classed as an explosive, which under normal conditions, is liable to cause fires through friction, retained heat from manufacturing or processing, or which can be ignited readily and, when ignited, burns so vigorously and persistently as to create a serious transportation, handling, or disposal hazard. Included are spontaneously combustible and water-reactive materials.

(20) "Site closure and stabilization" means those actions that are taken upon completion of operations that prepare the disposal site for custodial care and that assure that the disposal site will remain stable and will not need ongoing active maintenance.

(21) "Stability" means structural stability.

(22) "Surveillance" means monitoring and observation of the disposal site for purposes of visual detection of need for maintenance, custodial care, evidence of intrusion, and compliance with other license and regulatory requirements.

(23) "Waste" means those low-level radioactive wastes that are acceptable for disposal in a land disposal facility. For the purposes of this definition, low-level waste has the same meaning as in the Low-Level Radioactive Waste Policy Amendments Act of 1985, Public Law ((96-573)) 99-240, that is, radioactive waste not classified as high-level radioactive waste, ((~~transuranic waste,~~) spent nuclear fuel, or by-product material as defined in section 11 e.(2) of the Atomic Energy Act (uranium or thorium tailings and waste).

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-250-090 REQUIREMENTS FOR ISSUANCE OF A LICENSE. A license for the receipt, possession, and disposal of waste containing or contaminated with radioactive material will be issued by the department upon finding that:

(1) The issuance of the license will not constitute an unreasonable risk to the health and safety of the public;

(2) The applicant is qualified by reason of training and experience to carry out the disposal operations requested in a manner that protects health and minimizes danger to life or property;

(3) The applicant's proposed disposal site, disposal design, land disposal facility operations, including equipment, facilities, and procedures, disposal site closure, and postclosure institutional control are adequate to protect the public health and safety in that they provide reasonable assurance that the general population will be protected from releases of radioactivity as specified in the performance objective in WAC ((~~402-61-180~~)) 246-250-170.

(4) The applicant's proposed disposal site, disposal site design, land disposal facility operations((;)) (including equipment, facilities, and procedures), disposal site closure, and postclosure institutional control are adequate to protect the public health and safety in that they will provide reasonable assurance that individual inadvertent intruders are protected in accordance with the performance objective in WAC ((~~402-61-190~~)) 246-250-180.

(5) The applicant's proposed land disposal facility operations((;)) (including equipment, facilities, and procedures), are adequate to protect the public health and safety in that they will provide reasonable assurance that the standards for radiation protection set out in chapter ((~~402-24~~)) 246-221 WAC will be met;

(6) The applicant's proposed disposal site, disposal site design, land disposal facility operations, disposal site closure, and postclosure institutional control are adequate to protect the public health and safety in that they will provide reasonable assurance that long-term stability of the disposed waste and the disposal site will be achieved and will eliminate to the extent practicable the need for ongoing active maintenance of the disposal site following closure;

(7) The applicant's demonstration provides reasonable assurance that the applicable technical requirements of this chapter will be met;

(8) The applicant's proposal for institutional control provides reasonable assurance that such control will be provided for the length of time found necessary to ensure the findings in subsections (3) through (6) of this section and that the institutional control meets the requirements of WAC ((~~402-61-270~~)) 246-250-360.

(9) The financial or surety arrangements meet the requirements of this chapter.

(10) The provisions of the State Environmental Policy Act have been met.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-250-120 CONTENTS OF APPLICATION FOR SITE CLOSURE AND STABILIZATION. (1) Prior to final closure of the disposal site, or as otherwise directed by the department, the applicant shall submit an application to amend the license for closure. This closure application shall include a final revision and specific details of the disposal site closure plan included as part of the license application submitted under WAC ((~~402-61-060~~)) 246-250-050(7) that includes each of the following:

(a) Any additional geologic, hydrologic, or other data pertinent to the long-term containment of emplaced wastes obtained during the operational period.

(b) The results of tests, experiments, or any other analyses relating to backfill of excavated areas, closure and sealing, waste migration and interaction with emplacement media, or any other tests, experiments, or analysis pertinent to the long-term containment of emplaced waste within the disposal site.

(c) Any proposed revision of plans for:

(i) Decontamination and/or dismantlement of surface facilities;

(ii) Backfilling of excavated areas; or

(iii) Stabilization of the disposal site for postclosure care.

(d) Any significant new information regarding the environmental impact of closure activities and long-term performance of the disposal site.

(2) Upon review and consideration of an application to amend the license for closure submitted in accordance with subsection (1) of this section, the department shall issue an amendment authorizing closure if there is reasonable assurance that the long-term performance objectives of this chapter will be met.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-250-140 TRANSFER OF LICENSE. Following closure and the period of postclosure observation and maintenance, the licensee may apply for an amendment to transfer the license to the disposal site owner. The license shall be transferred when the department finds:

(1) That the closure of the disposal site has been made in conformance with the licensee's disposal site closure plan, as amended and approved as part of the license;

(2) That reasonable assurance has been provided by the licensee that the performance objectives of this chapter are met;

(3) That any funds and necessary records for care ((~~it~~)) will be transferred to the disposal site owner;

(4) That the postclosure monitoring program is operational for implementation by the disposal site owner; and

(5) That the federal or state agency which will assume responsibility for institutional control of the disposal site is prepared to assume responsibility and ensure that the institutional requirements found necessary under WAC ((~~402-61-100~~)) 246-250-090(8) will be met.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-250-330 LAND DISPOSAL FACILITY OPERATION AND DISPOSAL SITE CLOSURE. (1) Near-surface disposal facility operation and disposal site closure.

(a) Wastes designated as Class A pursuant to chapter ((~~402-24~~)) 246-249 WAC shall be segregated from other wastes by placing in disposal units which are sufficiently separated from disposal units for the other waste classes so that any interaction between Class A wastes and other wastes will not result in the failure to meet the performance objectives of this chapter. This segregation is not necessary for Class A wastes if they meet the stability requirements in chapter ((~~402-24~~)) 246-249 WAC.

(b) Wastes designated as Class C pursuant to chapter ((~~402-24~~)) 246-249 WAC shall be disposed of so that the top of the waste is a minimum of five meters below the top surface of the cover or must be disposed of with intruder barriers that are designed to protect against an inadvertent intrusion for at least five hundred years.

(c) Except as provided in (l) of this subsection, only waste classified as Class A, B, or C shall be acceptable for near-surface disposal. All waste shall be disposed of in accordance with the requirements of (d) through (k) of this subsection.

(d) Wastes shall be emplaced in a manner that maintains the package integrity during emplacement, minimizes the void spaces between packages, and permits the void spaces to be filled.

(e) Void spaces between waste packages shall be filled with earth or other material to reduce future subsidence within the fill.

(f) Waste shall be placed and covered in a manner that limits the radiation dose rate at the surface of the cover to levels that at a minimum will permit the licensee to comply with all provisions of chapter ((~~402-24~~)) 246-221 WAC at the time the license is transferred pursuant to WAC ((~~402-61-150~~)) 246-250-140.

(g) The boundaries and locations of each disposal unit shall be accurately located and mapped by means of a land survey. Near-surface disposal units shall be marked in such a way that the boundaries of each unit can be easily defined. Three permanent survey marker control points, referenced to United States Geological Survey (USGS) or

National Geodetic Survey (NGS) survey control stations, shall be established on the site to facilitate surveys. The USGS or NGS control stations shall provide horizontal and vertical controls as checked against USGS or NGS record files.

(h) A buffer zone of land shall be maintained between any buried waste and the disposal site boundary and beneath the disposed waste. The buffer zone shall be of adequate dimensions to carry out environmental monitoring activities specified in WAC (~~(402-61-250)~~) 246-250-340(4) and take mitigative measures if needed.

(i) Closure and stabilization measures as set forth in the approved site closure plan shall be carried out as each disposal unit is filled and covered.

(j) Active waste disposal operations shall not have an adverse effect on completed closure and stabilization measures.

(k) Only wastes containing or contaminated with radioactive material shall be disposed of at the disposal site.

(l) Proposals for disposal of waste that is not generally acceptable for near-surface disposal because the waste form and disposal methods must be different and, in general, more stringent than those specified for Class C waste, may be submitted to the department for approval.

(2) (Reserved.)

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-250-600 MAINTENANCE OF RECORDS, REPORTS, AND TRANSFERS. (1) Each licensee shall maintain any records and make any reports in connection with the licensed activities as may be required by the conditions of the license or by the rules, regulations, and orders of the department.

(2) Records which are required by these regulations or by license conditions shall be maintained for a period specified by the appropriate regulations or by license condition. If a retention period is not otherwise specified, these records must be maintained and transferred to the officials specified in subsection (4) of this section as a condition of license termination unless the department otherwise authorizes their disposition.

(3) Records which shall be maintained pursuant to this chapter may be the original or a reproduced copy or microfilm if this reproduced copy or microfilm is capable of producing copy that is clear and legible at the end of the required retention period.

(4) Notwithstanding subsections (1) through (3) of this section, copies of records of the location and the quantity of wastes contained in the disposal site must be transferred upon license termination to the chief executive of the nearest municipality, the chief executive of the county in which the facility is located, the county zoning board or land development and planning agency, the state governor, the United States Department of Energy, and other state, local, and federal governmental agencies as designated by the department at the time of license termination.

(5) Following receipt and acceptance of a shipment of waste, the licensee shall record the date of disposal of the waste, the specific location of waste in the disposal site, the condition of the waste packages as received, any discrepancies between materials listed on the manifest and those received, and any evidence of leaking or damaged packages or radiation or contamination levels in excess of limits specified in United States Department of Transportation and state of Washington regulations. The licensee shall briefly describe any repackaging operations of any of the waste packages included in the shipment, plus any other information required by the department as a license condition.

(6) Each licensee authorized to dispose of waste received from other persons shall file a copy of its financial report or a certified financial statement annually with the department in order to update the information base for determining financial qualifications.

(7)(a) Each licensee authorized to dispose of waste received from other persons, pursuant to this chapter, shall submit annual reports to the department. Reports shall be submitted by the end of the first calendar quarter of each year for the preceding year.

(b) The reports shall include:

(i) Specification of the quantity of each of the principal contaminants released to unrestricted areas in liquid and in airborne effluents during the preceding year;

(ii) The results of the environmental monitoring program;

(iii) A summary of licensee disposal unit survey and maintenance activities;

(iv) A summary, by waste class, of activities and quantities of radionuclides disposed of;

(v) Any instances in which observed site characteristics were significantly different from those described in the application for a license; and

(vi) Any other information the department may require.

(c) If the quantities of waste released during the reporting period, monitoring results, or maintenance performed are significantly different from those (~~(predicted)~~) expected, the report must cover this specifically.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-250-020 LICENSE REQUIRED. (1) No person may receive, possess, or dispose of waste received from other persons at a land disposal facility unless authorized by a license issued by the department pursuant to this chapter, and chapter (~~(402-22)~~) 246-235 WAC.

(2) Each person shall file an application with the department pursuant to chapter (~~(402-22)~~) 246-235 WAC and obtain a license as provided in this chapter before commencement of construction of a land disposal facility. Failure to comply with this requirement may be grounds for denial of a license.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-250-030 CONTENT OF APPLICATION. In addition to the requirements set forth in chapter (~~(402-22)~~) 246-235 WAC, an application to receive from others, possess, and dispose of wastes shall consist of general information, specific technical information, institutional information, and financial information as set forth in WAC (~~(402-61-050)~~) 246-250-040 through (~~(402-61-090)~~) 246-250-080.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-250-050 SPECIFIC TECHNICAL INFORMATION. The specific technical information shall include the following information needed for demonstration that the performance objectives and the applicable technical requirements of this chapter will be met. The specific technical information shall be in the form of an environmental report which the department can use to independently evaluate the project under the provisions of the State Environmental Policy Act (SEPA):

(1) A description of the natural and demographic disposal site characteristics as determined by disposal site selection and characterization activities. The description shall include geologic, geochemical, geotechnical, hydrologic, ecologic, archaeologic, meteorologic, climatologic, and biotic features of the disposal site and vicinity.

(2) A description of the design features of the land disposal facility and the disposal units. For near-surface disposal, the description shall include those design features related to infiltration of water; integrity of covers for disposal units; structural stability of backfill, wastes, and covers; contact of wastes with standing water; disposal site drainage; disposal site closure and stabilization; elimination to the extent practicable of long-term disposal site maintenance; inadvertent intrusion; occupational exposures; disposal site monitoring; and adequacy of the size of the buffer zone for monitoring and potential mitigative measures.

(3) A description of the principal design criteria and their relationship to the performance objectives.

(4) A description of the design basis natural events or phenomena and their relationship to the principal design criteria.

(5) A description of codes and standards which the applicant has applied to the design and which will apply to construction of the land disposal facilities.

(6) A description of the construction and operation of the land disposal facility. The description shall include as a minimum the methods of construction of disposal units; waste emplacement; the procedures for and areas of waste segregation; types of intruder barriers; onsite traffic and drainage systems; survey control program; methods and areas of waste storage; and methods to control surface water and groundwater access to the wastes. The description shall also include a description of the methods to be employed in the handling and disposal of wastes containing chelating agents or other nonradiological substances that might affect meeting the performance objectives of this chapter.

(7) A description of the disposal site closure plan, including those design features which are intended to facilitate disposal site closure and to eliminate the need for ongoing active maintenance.

(8) An identification of the known natural resources at the disposal site, whose exploitation could result in inadvertent intrusion into the wastes after removal of active institutional control.

(9) A description of the kind, amount, classification, and specifications of the radioactive material proposed to be received, possessed, and disposed of at the land disposal facility.

(10) A description of the quality control program for the determination of natural disposal site characteristics and for quality control during the design, construction, operation, and closure of the land disposal facility and the receipt, handling, and emplacement of waste. Audits and managerial controls must be included.

(11) A description of the radiation safety program for control and monitoring of radioactive effluents to ensure compliance with the performance objective in WAC ((402-61-180)) 246-250-170 and occupational radiation exposure to ensure compliance with the requirements of chapter ((402-24)) 246-221 WAC and to control contamination of personnel, vehicles, equipment, buildings, and the disposal site. Both routine operations and accidents shall be addressed. The program description must include procedures, instrumentation, facilities, and equipment.

(12) A description of the environmental monitoring program to provide data to evaluate potential health and environmental impacts and the plan for taking corrective measures if migration is indicated.

(13) A description of the administrative procedures that the applicant will apply to control activities at the land disposal facility.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-250-060 TECHNICAL ANALYSES. The specific technical information shall also include the following analyses needed to demonstrate that the performance objectives of this chapter will be met:

(1) Pathways analyzed in demonstrating protection of the general population from releases of radioactivity shall include air, soil, groundwater, surface water, plant uptake, and exhumation by burrowing animals. The analyses shall clearly identify and differentiate between the roles performed by the natural disposal site characteristics and design features in isolating and segregating the wastes. The analyses shall clearly demonstrate that there is reasonable assurance that the exposures to humans from the release of radioactivity will not exceed the limits set forth in WAC ((402-61-180)) 246-250-170.

(2) Analyses of the protection of individuals from inadvertent intrusion shall include demonstration that there is reasonable assurance the waste classification and segregation requirements will be met and that adequate barriers to inadvertent intrusion will be provided.

(3) Analyses of the protection of individuals during operations shall include assessments of expected exposures due to routine operations and likely accidents during handling, storage, and disposal of waste. The analyses shall provide reasonable assurance that exposures will be controlled to meet the requirements of chapter ((402-24)) 246-221 WAC.

(4) Analyses of the long-term stability of the disposal site and the need for ongoing active maintenance after closure shall be based upon analyses of active natural processes such as erosion, mass wasting, slope failure, settlement of wastes and backfill, infiltration through covers over disposal areas and adjacent soils, and surface drainage of the disposal site. The analyses shall provide reasonable assurance that there will not be a need for ongoing active maintenance of the disposal site following closure.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-250-070 INSTITUTIONAL INFORMATION. The institutional information submitted by the applicant shall include:

(1) A certification by the federal or state agency which owns the disposal site that the federal or state agency is prepared to accept transfer of the license when the provisions of WAC ((402-61-150)) 246-250-140 are met and will assume responsibility for institutional control after site closure and postclosure observation and maintenance.

(2) Where the proposed disposal site is on land not owned by the federal or state government, the applicant shall submit evidence that

arrangements have been made for assumption of ownership in fee by the federal or state agency before the department issues a license.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-250-110 APPLICATION FOR RENEWAL OR CLOSURE. (1) An application for renewal must be filed at least ninety days prior to license expiration.

(2) An application for closure under WAC ((402-61-130)) 246-250-120 must be filed at least one year prior to proposed closure.

(3) Applications for renewal of a license must be filed in accordance with WAC ((402-61-040)) 246-250-030 through ((402-61-090)) 246-250-080. Applications for closure must be filed in accordance with WAC ((402-61-130)) 246-250-120. Information contained in previous applications, statements, or reports filed with the department under the license may be incorporated by reference if the references are clear, specific, and remain pertinent.

(4) In any case in which a licensee has filed an application in proper form for renewal of a license, the license shall not expire until the department has taken final action on the application for renewal.

(5) In determining whether a license will be renewed, the department will apply the criteria set forth in WAC ((402-61-100)) 246-250-090.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-250-130 POSTCLOSURE OBSERVATION AND MAINTENANCE. The licensee shall observe, monitor, and carry out necessary maintenance and repairs at the disposal site until the site closure is complete and the license is transferred by the department in accordance with WAC ((402-61-150)) 246-250-140. Responsibility for the disposal site must be maintained by the licensee for five years. A shorter or longer time period for postclosure observation and maintenance may be established and approved as part of the site closure plan, based on site-specific conditions.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-250-150 TERMINATION OF LICENSE. (1) Following any period of institutional control needed to meet the requirements found necessary under WAC ((402-61-100)) 246-250-090, the licensee may apply for an amendment to terminate the license.

(2) This application will be reviewed in accordance with the provisions of chapter ((402-22)) 246-235 WAC.

(3) A license shall be terminated only when the department finds:  
(a) That the institutional control requirements found necessary under WAC ((402-61-100)) 246-250-090(8) have been met;  
(b) That any additional requirements resulting from new information developed during the institutional control period have been met; and  
(c) That permanent monuments or markers warning against intrusion have been installed.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-250-160 GENERAL REQUIREMENT. Land disposal facilities shall be sited, designed, operated, closed, and controlled after closure so that reasonable assurance exists that exposures to individuals are within the requirements established in the performance objectives in WAC ((402-61-180)) 246-250-170 through ((402-61-210)) 246-250-200.

**AMENDATORY SECTION** (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-250-190 PROTECTION OF INDIVIDUALS DURING OPERATIONS. After the effective date of these regulations, operations at the land disposal facility shall be conducted in compliance with the standards for radiation protection set out in chapter ((402-24)) 246-221 WAC, except for releases of radioactivity in effluents from the land disposal facility, which shall be governed by WAC ((402-61-180)) 246-250-170. Every reasonable effort should be made to maintain radiation exposures as low as is reasonably achievable.

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-250-350 ALTERNATIVE REQUIREMENTS FOR DESIGN AND OPERATIONS. The department may, upon request or on its own initiative, authorize provisions other than those set forth in WAC ((402-61-220)) 246-250-300 through ((402-61-250)) 246-250-340 for the segregation and disposal of waste and for the design and operation of a land disposal facility on a specific basis, if it finds reasonable assurance of compliance with the performance objectives of this chapter.

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-252-001 RECLAMATION AND DECOMMISSIONING. A specific plan for reclamation and disposal of tailings and for decommissioning the site of uranium or thorium milling operations shall be included as part of the proposed action assessed under SEPA regulations and guidelines as required by WAC ((402-22-070)) 246-235-080 (6)(a) for licensing of environmentally significant operations. For any uranium or thorium mill in operation on or before the effective date of this regulation for which a plan for reclamation and disposal of tailings and decommissioning of the site has not been submitted and assessed, such a plan must be submitted to the department and a final environmental impact statement or final declaration of nonsignificance must accompany or precede the license renewal.

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-252-010 DEFINITIONS. The following definitions apply to the specified terms as used in this chapter.

(1) "Aquifer" means a geologic formation, group of formations, or part of a formation capable of yielding a significant amount of groundwater to wells or springs. Any saturated zone created by uranium or thorium recovery operations would not be considered an aquifer unless the zone is, or potentially is (a) hydraulically interconnected to a natural aquifer, (b) capable of discharge to surface water, or (c) reasonably accessible because of migration beyond the vertical projection of the boundary of the land transferred to long-term government ownership and care in accordance with WAC 246-252-030(11).

(2) "Closure" means the activities following operations to decontaminate and decommission the buildings and site used to produce by-product materials and reclaim the tailings and/or waste disposal area.

(3) "Closure plan" means the department approved plan to accomplish closure.

(4) "Compliance period" begins when the department sets secondary groundwater protection standards and ends when the owner or operator's license is terminated and the site is transferred to the state or federal agency for long-term care.

(5) "Dike" means an embankment or ridge of either natural or man-made materials used to prevent the movement of liquids, sludges, solids, or other materials.

(6) "Disposal area" means the area containing by-product materials to which the requirements of Criterion 6 apply.

(7) "Existing portion" means that land surface area of an existing surface impoundment on which significant quantities of uranium or thorium by-product materials had been placed prior to September 30, 1983.

(8) "Groundwater" means water below the land surface in a zone of saturation. For the purposes of this chapter, groundwater is the water contained within an aquifer as defined above.

(9) "Leachate" means any liquid, including any suspended or dissolved components in the liquid, that has percolated through or drained from the by-product material.

(10) "Licensed site" means the area contained within the boundary of a location under the control of persons generating or storing by-product materials under a department license.

(11) "Liner" means a continuous layer of natural or man-made materials, beneath or on the sides of a surface impoundment which restricts the downward or lateral escape of by-product material, hazardous constituents, or leachate.

(12) "Point of compliance" is the site specific location in the uppermost aquifer where the groundwater protection standard must be met.

(13) "Surface impoundment" means a natural topographic depression, man-made excavation, or diked area, which is designed to hold

an accumulation of liquid wastes or wastes containing free liquids, and which is not an injection well.

(14) "Uppermost aquifer" means the geologic formation nearest the natural ground surface that is an aquifer, as well as lower aquifers that are hydraulically interconnected with this aquifer within the facility's property boundary.

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-252-030 CRITERIA RELATED TO DISPOSITION OF URANIUM MILL TAILINGS OR WASTES. As used in this section, the term "as low as reasonably achievable" has the same meaning as in WAC ((402-10-010)) 246-220-007. The term by-product material has the same meaning as WAC ((402-12-050)) 246-220-010 (6)(b).

As required by WAC ((402-22-150)) 246-235-110(6), each applicant for a license to possess and use source material in conjunction with uranium or thorium milling, or by-product material at sites formerly associated with such milling, is required to include in a license application proposed specifications relating to the milling operation and the disposition of tailings or waste resulting from such milling activities. This section establishes criteria relating to the siting, operation, decontamination, decommissioning, and reclamation of mills and tailings or waste systems and sites at which such mills and systems are located and site and by-product material ownership. Applications must clearly demonstrate how these criteria have been addressed. The specifications shall be developed considering the expected full capacity of tailings or waste systems and the lifetime of mill operations. Where later expansions of systems or operations may be likely, the amenability of the disposal system to accommodate increased capacities without degradation in long-term stability and other performance factors shall be evaluated.

Licenses or applicants may propose alternatives to the specific requirements in these criteria. The alternative proposals may take into account local or regional conditions, including geology, topography, hydrology, and meteorology. The department may find that the proposed alternatives meet the department's requirements if the alternatives will achieve a level of stabilization and containment of the sites concerned, and a level of protection for public health, safety, and the environment from radiological and nonradiological hazards associated with the sites, which is equivalent to, to the extent practicable, or more stringent than the level which would be achieved by the requirements of the standards promulgated by the United States Environmental Protection Agency in 40 CFR 192, Subparts D and E.

(1) Criterion 1 - In selecting among alternative tailings disposal sites or judging the adequacy of existing tailings sites, the following site features which would ((assure)) contribute to meeting the broad objective of ((isolating)) permanent isolation of the tailings and associated contaminants from man and the environment for one thousand years to the extent reasonably achievable, and in any case, for at least two hundred years without ongoing active maintenance shall be considered:

(a) Remoteness from populated areas;

(b) Hydrogeologic and other environmental conditions conducive to continued immobilization and isolation of contaminants from groundwater sources; and

(c) Potential for minimizing erosion, disturbance, and dispersion by natural forces over the long term.

The site selection process must be an optimization to the maximum extent reasonably achievable in terms of these features.

In the selection of disposal sites, primary emphasis shall be given to isolation of tailings or wastes, a matter having long-term impacts, as opposed to consideration only of short-term convenience or benefits, such as minimization of transportation or land acquisition costs. While isolation of tailings will be a function of both site characteristics and engineering design, overriding consideration shall be given to siting features given the long-term nature of the tailings hazards.

Tailings shall be disposed in a manner such that no active maintenance is required to preserve the condition of the site.

(2) Criterion 2 - To avoid proliferation of small waste disposal sites, by-product material from in-situ extraction operations, such as residues from solution evaporation or contaminated control processes, and wastes from small remote above ground extraction operations shall ((preferably)) be disposed at existing large mill tailings disposal sites; unless, considering the nature of the wastes, such as their volume and

specific activity and the costs and environmental impacts of transporting the wastes to a large disposal site, such offsite disposal is demonstrated to be impracticable or the advantage of onsite burial clearly outweighs the benefits of reducing the perpetual surveillance obligations.

(3) Criterion 3 – The "prime option" for disposal of tailings is placement below grade, either in mines or specially excavated pits (that is, ~~((when))~~ where the need for any specially constructed retention structure is eliminated).

The evaluation of alternative sites and disposal methods performed by mill operators in support of their proposed tailings disposal program (provided in applicants' environmental reports) shall reflect serious consideration of this disposal mode. In some instances, ~~((below=grade))~~ below grade disposal may not be the most environmentally sound approach, such as might be the case if a groundwater formation is relatively close to the surface or not very well isolated by overlying soils and rock. Also, geologic and topographic conditions might make full, ~~((below=grade))~~ below grade burial impracticable; for example, near-surface bedrock could create prominent excavation costs while more suitable alternate sites may be available. Where full ~~((below=grade))~~ below grade burial is not practicable, the size of the retention structures, and the size and steepness of slopes of associated exposed embankments, shall be minimized by excavation to the maximum extent reasonably achievable or appropriate, given the geologic and hydrogeologic conditions at a site. In these cases, it must be demonstrated that an above-grade disposal program will provide reasonably equivalent isolation of the tailings from natural erosional forces.

(4) Criterion 4 – The following site and design criteria shall be adhered to whether tailings or wastes are disposed of above or below grade:

(a) Upstream rainfall catchment areas must be minimized to decrease erosion potential and the size of the probable maximum flood which could erode or wash out sections of the tailings disposal area.

(b) Topographic features shall provide good wind protection.

(c) Embankment and cover slopes shall be relatively flat after final stabilization to minimize erosion potential and to provide conservative factors of safety assuring long-term stability. The broad objective should be to contour final slopes to grades which are as close as possible to those which would be provided if tailings were disposed of below grade; this could, for example, lead to slopes of about ten horizontal to one vertical (10h:1v) or less steep. In general, slopes should not be steeper than about 5h:1v. Where steeper slopes are proposed, reasons why a slope less steep than 5h:1v would be impracticable should be provided, and compensating factors and conditions which make such slopes acceptable should be identified.

(d) A fully self-sustaining vegetative cover shall be established or rock cover employed to reduce wind and water erosion to negligible levels.

Where a full vegetative cover is not likely to be self-sustaining due to climatic conditions, such as in ~~((semiarid))~~ semi-arid and arid regions, rock cover shall be employed on slopes of the impoundment system. The NRC will consider relaxing this requirement for extremely gentle slopes such as those which may exist on the top of the pile.

The following factors shall be considered in establishing the final rock cover design to avoid displacement of rock particles by human and animal traffic or by natural processes, and to preclude undercutting and piping:

(i) Shape, size, composition, gradation of rock particles (excepting bedding material, average particle size shall be at least cobble size or greater);

(ii) Rock cover thickness and zoning of particles by size; and

(iii) Steepness of underlying slopes.

(e) Individual rock fragments shall be dense, sound, and resistant to abrasion, and free from defects that would tend to unduly increase their destruction by water and frost actions. Weak, friable, or laminated aggregate shall not be used. Shale, rock laminated with shale, and cherts shall not be used.

Rock covering of slopes may not be required where top covers are on the order of ten meters or greater; impoundment slopes are on the order of 10h:1v or less; bulk cover materials have inherently favorable erosion resistance characteristics; and there is negligible drainage catchment area upstream of the pile, and there is good wind protection as described in (a) and (b) of this subsection.

(f) Impoundment surfaces shall be contoured to avoid areas of concentrated surface runoff or abrupt or sharp changes in slope gradient. In addition to rock cover on slopes, areas toward which surface runoff might be directed shall be well protected with substantial rock cover

(riprap). In addition to providing for stability of the impoundment systems itself, the overall stability, erosion potential, and geomorphology of surrounding terrain shall be evaluated to assure that there are no processes, such as gully erosion, which would lead to impoundment instability.

(g) The impoundment shall not be located near a capable fault that could cause a maximum credible earthquake larger than that which the impoundment could reasonably be expected to withstand. As used in this criterion, the term "capable fault" has the same meaning as defined in Section III (g) of Appendix A of 10 CFR Part 100. The term "maximum credible earthquake" means that earthquake which would cause the maximum vibratory ground motion based upon an evaluation of earthquake potential considering the regional and local geology and seismology and specific characteristics of local subsurface material.

(h) The impoundment, where feasible, should be designed to incorporate features which will promote deposition of suspended particles. For example, design features which promote deposition of sediment suspended in any runoff which flows into the impoundment area might be utilized; the object of such a design feature would be to enhance the thickness of cover over time.

(5) Criterion 5 – Criteria 5(a) through 5(g) and new Criterion ((9)) 13 incorporate the basic groundwater protection standards imposed by the United States Environmental Protection Agency in 40 CFR Part 192, Subparts D and E (48 FR 45926; October 7, 1983) which apply during operations and prior to the end of closure. Groundwater monitoring to comply with these standards is required by ~~((this))~~ Criterion 7.

(a) The primary groundwater protection standard is a design standard for surface impoundments used to manage uranium and thorium by-product material. Surface impoundments (except for an existing portion) must have a liner that is designed, constructed, and installed to prevent any migration of wastes out of the impoundment to the adjacent subsurface soil, groundwater, or surface water at any time during the active life (including the closure period) of the impoundment. The liner may be constructed of materials that may allow wastes to migrate into the liner (but not into the adjacent subsurface soil, groundwater, or surface water) during the active life of the facility, provided that impoundment closure includes removal or decontamination of all waste residues, contaminated containment system components (liners, etc.), contaminated subsoils, and structures and equipment contaminated with waste and leachate. For impoundments that will be closed with the liner material left in place, the liner must be constructed of materials that can prevent wastes from migrating into the liner during the active life of the facility.

(b) The liner required by (a) of this subsection must be:

(i) Constructed of materials that have appropriate chemical properties and sufficient strength and thickness to prevent failure due to pressure gradients (including static head and external hydrogeologic forces), physical contact with the waste or leachate to which they are exposed, climatic conditions, the stress of installation, and the stress of daily operation;

(ii) Placed upon a foundation or base capable of providing support to the liner and resistance to pressure gradients above and below the liner to prevent failure of the liner due to settlement, compression, or uplift; and

(iii) Installed to cover all surrounding earth likely to be in contact with the wastes or leachate.

(c) The applicant or licensee will be exempted from the requirements of (a) of this subsection if the department finds, based on a demonstration by the applicant or licensee, that alternate design and operating practices, including the closure plan, together with site characteristics will prevent the migration of any hazardous constituents into groundwater or surface water at any future time. In deciding whether to grant an exemption, the department will consider:

(i) The nature and quantity of the wastes;

(ii) The proposed alternate design and operation;

(iii) The hydrogeologic setting of the facility, including the attenuative capacity and thickness of the liners and soils present between the impoundment and groundwater or surface water; and

(iv) All other factors which would influence the quality and mobility of the leachate produced and the potential for it to migrate to groundwater or surface water.

(d) A surface impoundment must be designed, constructed, maintained, and operated to prevent overtopping resulting from normal or abnormal operations; overflowing; wind and wave actions; rainfall; runoff; from malfunctions of level controllers, alarms, and other equipment; and human error.



(e) When dikes are used to form the surface impoundment, the dikes must be designed, constructed, and maintained with sufficient structural integrity to prevent massive failure of the dikes. In ensuring structural integrity, it must not be presumed that the liner system will function without leakage during the active life of the impoundment.

(f) Uranium and thorium by-product materials must be managed to conform to the following secondary groundwater protection standard: Hazardous constituents entering the groundwater from a licensed site must not exceed the specified concentration limits in the uppermost aquifer beyond the point of compliance during the compliance period. Hazardous constituents are those constituents identified by the department pursuant to (g) of this subsection. Specified concentration limits are those limits established by the department as indicated in (j) of this subsection. The department will also establish the point of compliance and compliance period on a site specific basis through license conditions and orders. The objective in selecting the point of compliance is to provide the earliest practicable warning that the impoundment is releasing hazardous constituents to the groundwater. The point of compliance must be selected to provide prompt indication of groundwater contamination on the hydraulically downgradient edge of the disposal area. The department must identify hazardous constituents, establish concentration limits, set the compliance period, and adjust the point of compliance, if needed, when the detection monitoring established under criterion 7 indicates leakage of hazardous constituents from the disposal area.

(g) A constituent becomes a hazardous constituent subject to (j) of this subsection when the constituent:

(i) Is reasonably expected to be in or derived from the by-product material in the disposal area;

(ii) Has been detected in the groundwater in the uppermost aquifer; and

(iii) Is listed in WAC ((402-52-300)) 246-252-050 Appendix A.

(h) The department may exclude a detected constituent from the set of hazardous constituents on a site specific basis if it finds that the constituent is not capable of posing a substantial present or potential hazard to human health or the environment. In deciding whether to exclude constituents, the department will consider the following:

(i) Potential adverse effect on groundwater quality, considering —

(A) The physical and chemical characteristics of the waste in the licensed site, including its potential for migration;

(B) The hydrogeological characteristics of the facility and surrounding land;

(C) The quantity of groundwater and the direction of groundwater flow;

(D) The proximity and withdrawal rates of groundwater users;

(E) The current and future uses of groundwater in the area;

(F) The existing quality of groundwater, including other sources of contamination and their cumulative impact on the groundwater quality;

(G) The potential for health risks caused by human exposure to waste constituents;

(H) The potential damage to wildlife, crops, vegetation, and physical structures caused by exposure to waste constituents;

(I) The persistence and permanence of the potential adverse effects.

(ii) Potential adverse effects on hydraulically-connected surface water quality, considering —

(A) The volume and physical and chemical characteristics of the waste in the licensed site;

(B) The hydrogeological characteristics of the facility and surrounding land;

(C) The quantity and quality of groundwater, and the direction of groundwater flow;

(D) The patterns of rainfall in the region;

(E) The proximity of the licensed site to surface waters;

(F) The current and future uses of surface waters in the area and any water quality standards established for those surface waters;

(G) The existing quality of surface water, including other sources of contamination and the cumulative impact on surface water quality;

(H) The potential for health risks caused by human exposure to waste constituents;

(I) The potential damage to wildlife, crops, vegetation, and physical structures caused by exposure to waste constituents; and

(J) The persistence and permanence of the potential adverse effects.

(i) In making any determinations under (h) and (k) of this subsection about the use of groundwater in the area around the facility, the department will consider any identification of underground sources of

drinking water and exempted aquifers made by the United States Environmental Protection Agency.

(j) At the point of compliance, the concentration of a hazardous constituent must not exceed —

(i) The department approved background concentration of that constituent in the groundwater;

(ii) The respective value given in the table in subsection (5)(l) of this section if the constituent is listed in the table and if the background level of the constituent is below the value listed; or

(iii) An alternate concentration limit established by the department.

(k) Conceptually, background concentrations pose no incremental hazards and the drinking water limits in (j)(i) of this subsection state acceptable hazards but these two options may not be practically achievable at a specific site. Alternate concentration limits that present no significant hazard may be proposed by licensees for department consideration. Licensees must provide the basis for any proposed limits including consideration of practicable corrective actions, that limits are as low as reasonably achievable, and information on the factors the department must consider.

The department will establish a site specific alternate concentration limit for a hazardous constituent as provided in (j) of this subsection if it finds that the constituent will not pose a substantial present or potential hazard to human health or the environment as long as the alternate concentration limit is not exceeded. In establishing alternate concentration limits, the department will apply its as low as reasonably achievable criterion in this chapter. The department will also consider the following factors:

(i) Potential adverse effects on groundwater quality, considering —

(A) The physical and chemical characteristics of the waste in the licensed site including its potential for migration;

(B) The hydrogeological characteristics of the facility and surrounding land;

(C) The quantity of groundwater and the direction of groundwater flow;

(D) The proximity and withdrawal rates of groundwater users;

(E) The current and future uses of groundwater in the area;

(F) The existing quality of groundwater, including other sources of contamination and their cumulative impact on the groundwater quality;

(G) The potential for health risks caused by human exposure to waste constituents;

(H) The potential damage to wildlife, crops, vegetation, and physical structures caused by exposure to waste constituents;

(I) The persistence and permanence of the potential adverse effects.

(ii) Potential adverse effects on hydraulically-connected surface water quality, considering —

(A) The volume and physical and chemical characteristics of the waste in the licensed site;

(B) The hydrogeological characteristics of the facility and surrounding land;

(C) The quantity and quality of groundwater, and the direction of groundwater flow;

(D) The patterns of rainfall in the region;

(E) The proximity of the licensed site to surface waters;

(F) The current and future uses of surface waters in the area and any water quality standards established for those surface waters;

(G) The existing quality of surface water including other sources of contamination and the cumulative impact on surface water quality;

(H) The potential for health risks caused by human exposure to waste constituents;

(I) The potential damage to wildlife, crops, vegetation, and physical structures caused by exposure to waste constituents; and

(J) The persistence and permanence of the potential adverse effects.

(l) MAXIMUM VALUES FOR GROUNDWATER PROTECTION:

Constituent or Property	Maximum Concentration
	Milligrams per liter
Arsenic.....	0.05
Barium.....	1.0
Cadmium.....	0.01
Chromium.....	0.05
Lead.....	0.05
Mercury.....	0.002
Selenium.....	0.01
Silver.....	0.05

Constituent or Property	Maximum Concentration
Endrin (1,2,3,4,10,10-hexachloro-1,7 -epoxy-1,4,4a,5,6,7,8,9a-octahydro-1, 4-endo, endo-5,8-dimethano naphthalene) .....	0.0002
Lindane (1,2,3,4,5,6-hexachlorocyclohexane, gamma isomer).....	0.004
Methoxychlor (1,1,1-Trichloro-2,2-bis (p-methoxyphenylethane).....	0.1
Toxaphene (C <sub>10</sub> H <sub>10</sub> Cl <sub>6</sub> , Technical chlorinated camphene, 67-69 percent chlorine).....	0.005
2,4-D (2,4-Dichlorophenoxyacetic acid).....	0.1
2,4,5-TP Silvex (2,4,5-Trichlorophenoxypropionic acid).....	0.01
	Picocuries per liter
Combined radium - 226 and radium - 228 .....	5
Gross alpha - particle activity (excluding radon and uranium when producing uranium by-product material or thorium when producing thorium by-product material).....	15

(m) If the groundwater protection standards established under (f) of this subsection are exceeded at a licensed site, a corrective action program must be put into operation as soon as is practicable, and in no event later than eighteen months after the department finds that the standards have been exceeded. The licensee shall submit the proposed corrective action program and supporting rationale for department approval prior to putting the program into operation, unless otherwise directed by the department. The objective of the program is to return hazardous constituent concentration levels in groundwater to the concentration limits set as standards. The licensee's proposed program must address removing the hazardous constituents that have entered the groundwater at the point of compliance or treating them in place. The program must also address removing or treating in place any hazardous constituents that exceed concentration limits in groundwater between the point of compliance and the downgradient facility property boundary. The licensee shall continue corrective action measures to the extent necessary to achieve and maintain compliance with the groundwater protection standard. The department will determine when the licensee may terminate corrective action measures based on data from the groundwater monitoring program and other information that provide reasonable assurance that the groundwater protection standard will not be exceeded.

(n) In developing and conducting groundwater protection programs, applicants and licensees shall also consider the following:

(i) Installation of bottom liners (where synthetic liners are used, a leakage detection system must be installed immediately below the liner to ensure major failures are detected if they occur. This is in addition to the groundwater monitoring program conducted as provided in ((this)) Criterion 7. Where clay liners are proposed or relatively thin, in-situ clay soils are to be relied upon for seepage control, tests must be conducted with representative tailings solutions and clay materials to confirm that no significant deterioration of permeability or stability properties will occur with continuous exposure of clay to tailings solutions. Tests must be run for a sufficient period of time to reveal any effects if they are going to occur (in some cases deterioration has been observed to occur rather rapidly after about nine months of exposure)).

(ii) Mill process designs which provide the maximum practicable recycle of solutions and conservation of water to reduce the net input of liquid to the tailings impoundment.

(iii) Dewatering of tailings by process devices and/or in-situ drainage systems (at new sites, tailings must be dewatered by a drainage system installed at the bottom of the impoundment to lower the phreatic surface and reduce the driving head of seepage, unless tests show tailings are not amenable to such a system. Where in-situ dewatering is to be conducted, the impoundment bottom must be graded to assure that the drains are at a low point. The drains must be protected by suitable filter materials to assure that drains remain free running. The drainage system must also be adequately sized to assure good drainage).

(iv) Neutralization to promote immobilization of hazardous constituents.

(o) Where groundwater impacts are occurring at an existing site due to seepage, action must be taken to alleviate conditions that lead to excessive seepage impacts and restore groundwater quality. The specific seepage control and groundwater protection method, or combination of methods, to be used must be worked out on a site-specific basis.

Technical specifications must be prepared to control installation of seepage control systems. A quality assurance, testing, and inspection program, which includes supervision by a qualified engineer or scientist, must be established to assure the specifications are met.

(p) In support of a tailings disposal system proposal, the applicant/operator shall supply information concerning the following:

(i) The chemical and radioactive characteristics of the waste solutions.

(ii) The characteristics of the underlying soil and geologic formations particularly as they will control transport of contaminants and solutions. This includes detailed information concerning extent, thickness, uniformity, shape, and orientation of underlying strata. Hydraulic gradients and conductivities of the various formations must be determined. This information must be gathered from borings and field survey methods taken within the proposed impoundment area and in surrounding areas where contaminants might migrate to groundwater. The information gathered on boreholes must include both geologic and geophysical logs in sufficient number and degree of sophistication to allow determining significant discontinuities, fractures, and channeled deposits of high hydraulic conductivity. If field survey methods are used, they should be in addition to and calibrated with borehole logging. Hydrologic parameters such as permeability may not be determined on the basis of laboratory analysis of samples alone; a sufficient amount of field testing (e.g., pump tests) must be conducted to assure actual field properties are adequately understood. Testing must be conducted to allow estimating chemi-sorption attenuation properties of underlying soil and rock.

(iii) Location, extent, quality, capacity and current uses of any groundwater at and near the site.

(q) Steps must be taken during stockpiling of ore to minimize penetration of radionuclides into underlying soils; suitable methods include lining and/or compaction of ore storage areas.

(6) Criterion 6 - (a) In cases where waste by-product material is to be permanently disposed, an earthen cover shall be placed over tailings or wastes at the end of the milling operations and the waste disposal area shall be closed in accordance with a design<sup>1</sup> which shall provide reasonable assurance of control of radiological hazard to:

(i) Be effective for one thousand years, to the extent reasonably achievable, and, in any case, for at least two hundred years; and

(ii) Limit releases of Radon-222 from uranium by-product materials, and Radon-220 from thorium by-product materials, to the atmosphere so as to not exceed an average<sup>2</sup> release rate of twenty picocuries per square meter per second (pCi/m<sup>2</sup>(/s))s to the extent practicable throughout the effective design life determined pursuant to (a)(i) of this subsection. In computing required tailings cover thicknesses, moisture in soils in excess of amounts found normally in similar soils in similar circumstances shall not be considered. Direct gamma exposure from the tailings or wastes should be reduced to background levels. The effects of any thin synthetic layer shall not be taken into account in determining the calculated radon exhalation level. If nonsoil materials are proposed as cover materials, it must be demonstrated that such materials will not crack or degrade by differential settlement, weathering, or other mechanism over long term time intervals.

(b) Near surface materials (i.e., within the top three meters) shall not include mine waste or rock that contains elevated levels of radium; soils used for near surface cover must be essentially the same, as far as radioactivity is concerned, as that of surrounding soils. This is to insure that surface radon exhalation is not significantly above background because of the cover material itself.

(c) The design requirements in this criterion for longevity and control of radon releases shall apply to any portion of a licensed and/or disposal site unless such portion contains a concentration of radium in land, averaged over areas of one hundred square meters, which, as a result of by-product material does not exceed the background level by more than:

(i) Five picocuries per gram (pCi/g) of Radium-226, or, in the case of thorium by-product material, Radium-228, averaged over the first fifteen centimeters below the surface; and

(ii) Fifteen pCi/g of Radium-226, or, in the case of thorium by-product material, Radium-228, averaged over fifteen centimeters thick layers more than fifteen centimeters below the surface.

(d) The licensee must also address the nonradiological hazards associated with the wastes in planning and implementing closure. The licensee shall ensure that disposal areas are closed in a manner that minimizes the need for further maintenance. To the extent necessary to prevent threats to human health and the environment, the licensee shall control, minimize, or eliminate post-closure escape of



nonradiological hazardous constituents, leachate, contaminated rainwater, or waste decomposition products to the ground or surface waters or to the atmosphere.

## Footnotes:

- 1 The standard applies to design. Monitoring for radon after installation of an appropriately designed cover is not required.
- 2 This average shall apply to the entire surface of each disposal area over periods of at least one year, but short compared to one hundred years. Radon will come from both uranium by-product materials and from covering material. Radon ((emissions)) emissions from covering materials should be estimated as part of developing a closure plan for each site. The standard, however, applies only to emissions from by-product materials to the atmosphere.

(7) Criterion 7 – At least one full year prior to any major site construction, a preoperational monitoring program must be conducted to provide complete baseline data on a milling site and its environs. Throughout the construction and operating phases of the mill, an operational monitoring program must be conducted to complete the following:

(a) To measure or evaluate compliance with applicable standards and regulations;

(b) To evaluate performance of control systems and procedures;

(c) To evaluate environmental impacts of operation; and

(d) To detect potential long-term effects.

The licensee shall establish a detection monitoring program needed for the department to set the site-specific groundwater protection standards in Criterion 5 of this section. For all monitoring under this paragraph, the licensee or applicant will propose for department approval as license conditions, which constituents are to be monitored on a site-specific basis. A detection monitoring program has two purposes. The initial purpose of the program is to detect leakage of hazardous constituents from the disposal area so that the need to set groundwater protection standards is monitored. If leakage is detected, the second purpose of the program is to generate data and information needed for the department to establish the standards under Criterion 5. The data and information must provide a sufficient basis to identify those hazardous constituents which require concentration limit standards and to enable the department to set the limits for those constituents and the compliance period. They may also need to provide the basis for adjustments to the point of compliance. For licenses in effect September 30, 1983, the detection monitoring programs must have been in place by October 1, 1984. For licenses issued after September 30, 1983, the detection monitoring programs must be in place when specified by the department in orders or license conditions. Once groundwater protection standards have been established pursuant to Criterion 5, the licensee shall establish and implement a compliance monitoring program. The purpose of the compliance monitoring program is to determine that the hazardous constituent concentrations in ground water continue to comply with the standards set by the department. In conjunction with a corrective action program, the licensee shall establish and implement a corrective action monitoring program. The purpose of the corrective action monitoring program is to demonstrate the effectiveness of the corrective actions. Any monitoring program required by this paragraph may be based on existing monitoring programs to the extent the existing programs can meet the stated objective for the program.

(8) Criterion 8 – Milling operations shall be conducted so that all airborne effluent releases are reduced to as low as is reasonably achievable. The primary means of accomplishing this shall be by means of emission controls. Institutional controls, such as extending the site boundary and exclusion area, may be employed to ensure that offsite exposure limits are met, but only after all practicable measures have been taken to control emissions at the source. Notwithstanding the existence of individual dose standards, strict control of emissions is necessary to assure that population exposures are reduced to the maximum extent reasonably achievable and to avoid site contamination. The greatest potential sources of offsite radiation exposure (aside from radon exposure) are dusting from dry surfaces of the tailings disposal area not covered by tailings solution and emissions from yellowcake drying and packaging operations. During operations and prior to closure, radiation doses from radon emissions from surface impoundments shall be kept as low as is ((practicable)) reasonably achievable. Checks shall be made and logged hourly of all parameters (e.g., differential pressure and scrubber water flow rate) which determine the efficiency of yellowcake stack emission control equipment operation. It shall be determined whether or not conditions are within a range prescribed to

ensure that the equipment is operating consistently near peak efficiency; corrective action shall be taken when performance is outside of prescribed ranges. Effluent control devices shall be operative at all times during drying and packaging operations and whenever air is exhausting from the yellowcake stack.

Drying and packaging operations shall terminate when controls are inoperative. When checks indicate the equipment is not operating within the range prescribed for peak efficiency, actions shall be taken to restore parameters to the prescribed range. When this cannot be done without shutdown and repairs, drying and packaging operations shall cease as soon as practicable.

Operations may not be restarted after cessation due to off-normal performance until needed corrective actions have been identified and implemented. All such cessations, corrective actions, and restarts shall be reported to the ((agency)) department in writing, within ten days of the subsequent restart.

To control dusting from tailings, that portion not covered by standing liquids shall be wetted or chemically stabilized to prevent or minimize blowing and dusting to the maximum extent reasonably achievable. This requirement may be relaxed if tailings are effectively sheltered from wind, such as may be the case where they are disposed of below grade and the tailings surface is not exposed to wind. Consideration shall be given in planning tailings disposal programs to methods which would allow phased covering and reclamation of tailings impoundments since this will help in controlling particulate and radon emissions during operation. To control dustings from diffuse sources, such as tailings and ore pads where automatic controls do not apply, operators shall develop written operating procedures specifying the methods of control which will be utilized.

Milling operations producing or involving thorium by-product material shall be conducted in such a manner as to provide reasonable assurance that the annual dose equivalent does not exceed twenty-five millirems to the whole body, seventy-five millirems to the thyroid, and twenty-five millirems to any other organ of any member of the public as a result of exposures to the planned discharge of radioactive materials, Radon-220 and its daughters excepted, to the general environment.

Uranium and thorium by-product materials shall be managed so as to conform to the applicable provisions of Title 40 of the Code of Federal Regulations, Part 440, Ore Mining and Dressing Point Source Category: Effluent Limitations Guidelines and New Source Performance Standards, Subpart C, Uranium, Radium, and Vanadium Ores Subcategory, as codified on January 1, 1983.

The licensee shall establish a detection monitoring program needed to establish the groundwater protection standards in subsection (5)(f) of this section. A detection monitoring program has two purposes. The initial purpose of the program is to detect leakage of hazardous constituents from the disposal area so that the need to set groundwater protection standards is monitored. If leakage is detected, the second purpose of the program is to generate data and information needed for the department to establish the standards under subsection (5)(f) of this section. The data and information must provide a sufficient basis to identify those hazardous constituents which require concentration limit standards and to enable the department to set the limits for those constituents and the compliance period. They may also need to provide the basis for adjustments to the point of compliance. For licenses in effect September 30, 1983, the detection monitoring programs must have been in place by October 1, 1984. For licenses issued after September 30, 1983, the detection monitoring programs must be in place when specified by the department in orders or license conditions. Once groundwater protection standards have been established pursuant to subsection (5)(f) of this section, the licensee shall establish and implement a compliance monitoring program. The purpose of the compliance monitoring program is to determine that the hazardous constituent concentrations in groundwater continue to comply with the standards set by the department. In conjunction with a corrective action program, the licensee shall establish and implement a corrective action monitoring program. The purpose of the corrective action monitoring program is to demonstrate the effectiveness of the corrective actions. Any monitoring program required by this paragraph may be based on existing monitoring programs to the extent the existing programs can meet the stated objective for the program.

Daily inspections of tailings or waste retention systems must be conducted by a qualified engineer or scientist and documented. The department must be immediately notified of any failure in a tailings or waste retention system which results in a release of tailings or waste into unrestricted areas, and/or of any unusual conditions (conditions

not contemplated in the design of the retention system) which if not corrected could indicate the potential or lead to failure of the system and result in a release of tailings or waste into unrestricted areas.

(9) Criterion 9 – (a) Pursuant to chapter 70.121 RCW, and except as otherwise provided, financial surety arrangements for site reclamation and long-term surveillance and control which may consist of surety bonds, cash deposits, certificates of deposit, deposits of government securities, irrevocable letters or lines of credit, or any combination of the above, or other arrangements approved by the department, milling operations shall be established for source material to ensure the protection of the public health and safety in the event of abandonment, default, or other inability of the licensee to meet the requirements of the act and these regulations.

(i) The amount of funds to be ensured by such surety arrangements shall be based on department-approved cost estimates.

(ii) Self-insurance, or any arrangement which essentially constitutes self-insurance (e.g., a contract with a state or federal agency), will not satisfy the surety requirement, since this provides no additional assurance other than that which already exists through license requirements.

(b) The arrangements required in (a) of this subsection shall be established prior to commencement of operations to assure that sufficient funds will be available to carry out decontamination and decommissioning of the facility.

(c) Amendments to licenses in effect on the effective date of this regulation may be issued, providing that the required surety arrangements are established within ninety days after the effective date of this subsection.

(d) For source material milling operations, the amount of funds to be ensured by such surety arrangements shall be based on department-approved cost estimates in an approved plan for (i) decontamination and decommissioning of mill buildings and the milling site to levels which would allow unrestricted use of these areas upon decommissioning, and (ii) the reclamation of tailings and/or waste disposal areas in accordance with the technical criteria delineated in this section. The licensee shall submit this plan in conjunction with an environmental report that addresses the expected environmental impacts of the milling operation, decommissioning and tailings reclamation, and evaluates alternatives for mitigating these impacts. In addition, the surety shall cover the payment of the charge for long-term surveillance and control required by the department. In establishing specific surety arrangements, the licensee's cost estimates shall take into account total costs that would be incurred if an independent contractor were hired to perform the decommissioning and reclamation work. In order to avoid unnecessary duplication and expense, the department may accept financial sureties that have been consolidated with financial or surety arrangements established to meet requirements of other federal or state agencies and/or local governing bodies for such decommissioning, decontamination, reclamation, and long-term site surveillance, provided such arrangements are considered adequate to satisfy these requirements and that portion of the surety which covers the decommissioning and reclamation of the mill, mill tailings site and associated areas, and the long-term funding charge is clearly identified and committed for use in accomplishing these activities. The licensee's surety mechanism will be reviewed annually by the department to assure that sufficient funds will be available for completion of the reclamation plan if the work had to be performed by an independent contractor. The amount of surety liability should be adjusted to recognize any increases or decreases resulting from inflation, changes in engineering plans, activities performed, and any other conditions affecting costs. Regardless of whether reclamation is phased through the life of the operation or takes place at the end of operations, an appropriate portion of surety liability shall be retained until final compliance with the reclamation plan is determined. This will yield a surety that is at least sufficient at all times to cover the costs of decommissioning and reclamation of the areas that are expected to be disturbed before the next license renewal. The term of the surety mechanism must be open ended, unless it can be demonstrated that another arrangement would provide an equivalent level of assurance. This assurance could be provided with a surety instrument which is written for a specific period of time (e.g., five years), yet which must be automatically renewed unless the surety notifies the beneficiary (the state regulatory agency) and the principal (the licensee) some reasonable time (e.g., ninety days) prior to the renewal date of their intention not to renew. In such a situation, the surety requirement still exists and the licensee would be required to submit an acceptable replacement surety within a brief period of time to allow at least sixty days for the department to collect.

Proof of forfeiture must not be necessary to collect the surety so that in the event that the licensee could not provide an acceptable replacement surety within the required time, the surety shall be automatically collected prior to its expiration. The conditions described above would have to be clearly stated on any surety instrument which is not opened and must be agreed to by all parties.

Long-term care requirements. Pursuant to chapter 70.121 RCW, and as otherwise provided in WAC 246-235-080 (6)(d), a long-term care trust fund shall be established by source material milling licensees prior to the issuance of the license.

(10) Criterion 10 – (a) A minimum charge of two hundred fifty thousand dollars (1978 United States dollars) accrued as specified in WAC 246-235-080 (6)(d) to cover the costs of long-term surveillance shall be paid by each mill operator to the agency prior to the termination of a uranium or thorium mill license. If site surveillance or control requirements at a particular site are determined, on the basis of a site-specific evaluation, to be significantly greater than those specified in (a) of this subsection (e.g., if fencing is determined to be necessary), variance in funding requirements may be specified by the department. The total charge to cover the costs of long-term surveillance shall be such that, with an assumed one percent annual real interest rate, the collected funds will yield interest in an amount sufficient to cover the annual costs of site surveillance. The charge will be adjusted annually prior to actual payments to recognize inflation. The inflation rate to be used is that indicated by the change in the consumer price index published by the United States Department of Labor, Bureau of Labor Statistics. Contributions by a licensee to the long-term care trust fund pursuant to chapter 70.121 RCW shall be transferred to cover the costs assessed under this criterion.

((8)) (11) Criterion ((8)) 11 – These criteria relating to ownership of tailings and their disposal sites become effective on November 8, 1981, and apply to all licenses terminated, issued, or renewed after that date.

Any uranium or thorium milling license or tailings license shall contain such terms and conditions as the United States Nuclear Regulatory Commission determines necessary to assure that prior to termination of the license, the licensee will comply with ownership requirements of this criterion for sites used for tailings disposal.

Title to the by-product material licensed pursuant to WAC ((402-22-150)) 246-252-030 and land, including any interests therein (other than land owned by the United States or by ((a)) the state of Washington) which is used for the disposal of any such by-product material, or is essential to ensure the long term stability of such disposal site, shall be transferred to the United States or the state of Washington. In view of the fact that physical isolation must be the primary means of long term control, and government land ownership is a desirable supplementary measure, ownership of certain severable subsurface interests (for example, mineral rights) may be determined to be unnecessary to protect the public health and safety and the environment. In any case, ((however,)) the applicant/operator must demonstrate a serious effort to obtain such subsurface rights, and in the event that certain rights cannot be obtained, provide notification in local public land records of the fact that the land is being used for the disposal of radioactive material and is subject to either a United States Nuclear Regulatory Commission general or specific license prohibiting the disruption and disturbance of the tailings. In some rare cases, such as may occur with deep burial where no ongoing site surveillance will be required, surface land ownership transfer requirements may be waived. For licenses issued before November 8, 1981, the United States Nuclear Regulatory Commission may take into account the status of the ownership of such land, and interests therein, and the ability of a licensee to transfer title and custody thereof to the United States or the state. If the United States Nuclear Regulatory Commission, subsequent to title transfer, determines that use of the surface or subsurface estates, or both, of the land transferred to the United States or to a state will not endanger the public health, safety, welfare or environment, the United States Nuclear Regulatory Commission may permit the use of the surface or subsurface estates, or both, of such land in a manner consistent with the provisions provided in these criteria. If the United States Nuclear Regulatory Commission permits such use of such land, it will provide the person who transferred such land with the right of first refusal with respect to such use of such land.

Material and land transferred to the United States or a state in accordance with this criterion must be transferred without cost to the United States or a state other than administrative and legal costs incurred in carrying out such transfer.

The provisions of this part, respecting transfer of title and custody to land and tailings and wastes, do not apply in the case of lands held in trust by the United States for any Indian tribe, or lands owned by such Indian tribe subject to a restriction against alienation imposed by the United States. In the case of such lands which are used for the disposal of byproduct material, as defined in this section, the licensee shall enter into arrangements with the United States Nuclear Regulatory Commission as may be appropriate to assure the long-term surveillance of such lands by the United States.

(12) Criterion 12 - The final disposition of tailings or wastes at milling sites should be such that ongoing active maintenance is not necessary to preserve isolation. As a minimum, annual site inspections must be conducted by the government agency retaining ultimate custody of the site where tailings or wastes are stored, to confirm the integrity of the stabilized tailings or waste systems, and to determine the need, if any, for maintenance and/or monitoring. Results of the inspection must be reported to the United States Nuclear Regulatory Commission within sixty days following each inspection. The United States Nuclear Regulatory Commission may require more frequent site inspections if, on the basis of a site-specific evaluation, such a need appears necessary, due to the features of a particular tailings or waste disposal system.

((9)) (13) Criterion ((9)) 13 - Secondary groundwater protection standards required by ((subsection (5))) Criterion 5 of this section are concentration limits for individual hazardous constituents. The list of constituents found in Appendix A of this chapter, chapter 246-252 WAC, identifies the constituents for which standards must be set and complied with if the specific constituent is reasonably expected to be in or derived from the by-product material and has been detected in groundwater. For purposes of this criterion, the property of gross alpha activity will be treated as if it is a hazardous constituent. Thus, when setting standards under subsection (5)(j) of this section, the department will also set a limit for gross alpha activity.

**WSR 91-11-084**  
**PROPOSED RULES**  
**DEPARTMENT OF LICENSING**  
 [Filed May 21, 1991, 3:44 p.m.]

**Original Notice.**

Title of Rule: WAC 308-96A-005 Terminology; 308-96A-057 Purple heart license plates; 308-96A-065 Personalized license plates; 308-96A-071 Military affiliate radio system special license plates; 308-96A-161 Regular fleet registration; 308-96A-162 Permanent fleet registration; and 308-56A-120 Vehicle not on excise tax schedule.

Purpose: The purpose of these rules is to enable the Department of Licensing to implement and administer the provisions relating to special license plates and vehicle licenses.

Statutory Authority for Adoption: RCW 46.01.110 and 46.16.335.

Statute Being Implemented: Chapter 46.16 RCW.

Summary: These rules provide the necessary criteria and guidelines for individuals to obtain special license plates for their motor vehicles. Define procedures regulating the issuing of personalized license plates that are reported stolen and for the issuance of fleet identifier codes. Repealing WAC 308-56A-120, which is superseded by WAC 308-57-005 - 308-57-440, the current excise tax rules.

Reasons Supporting Proposal: Special license plate programs were requested and are justified pursuant to RCW 46.16.301. Regulating the reissue of stolen license

plates is a safeguard to public health and well being. Define procedures for administration of the fleet registration[,] assist the public in the registration process for fleet vehicles. Repeal excise tax rule as outdated procedure and inaccurate as to the current status of implementing excise tax on motor vehicles.

Name of Agency Personnel Responsible for Drafting: Jack L. Lince, Assistant Administrator, 1st Floor, Highways-Licenses Building, 753-7379; Implementation and Enforcement: Nancy Kelly, Administrator, 2nd Floor, Highways-Licenses Building, 753-6920.

Name of Proponent: Department of Licensing, Title and Registration Services, Nancy Kelly, Administrator, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 308-96A-057, adds special purple heart license plate program. It defines qualifications, fees and application procedures. The rule will permit qualified applicants to apply for the special license plate; WAC 308-96A-071, adds special military affiliate radio system (MARS) license plate program. It defines qualifications, fees and application procedures. The rule will permit qualified applicants to apply for the special license plates; WAC 308-96A-161 and 308-96A-162, qualifies the special regular and permanent fleet registration programs, respectively. The rules set forth the vehicle qualification and type of license plate tabs to be issued; WAC 308-96A-005, adds terminology for terms used in chapter 308-96A WAC; WAC 308-96A-065, adds conditions for denying the reissue of personalized license plates that are reported stolen. The rule will provide a measure of safety for the public and will assist law enforcement by removing a duplicate set of plates; and repealing WAC 308-56A-120 which has been superseded by chapter 308-57 WAC.

Proposal Changes the Following Existing Rules: WAC 308-96A-005, adds definitions to terminology; WAC 308-96A-065, provides for withholding issuance of personalized plate in configurations reported to have been stolen; and WAC 308-56A-120, repealed.

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

Hearing Location: Vehicle Services Conference Room, 2nd Floor, Highways-Licenses Building, Washington Street, Olympia, Washington 98504, on June 25, 1991, at 9:00 a.m.

Submit Written Comments to: Nancy Kelly, Administrator, Department of Licensing, P.O. Box 2957, Olympia, WA 98507-2957, by June 24, 1991.

Date of Intended Adoption: June 25, 1991.

May 21, 1991  
 David M. Hankins  
 Assistant Attorney General

**REPEALER**

The following section of the Washington Administrative Code is repealed:

WAC 308-56A-120 VEHICLE NOT ON EXCISE TAX SCHEDULE.

AMENDATORY SECTION (Amending Order TL/RG-34, filed 5/28/87)

WAC 308-96A-005 TERMINOLOGY. (1) The terms "licensing" and "registering" are synonymous for the transaction in which both a certificate of registration and license plates and/or current validation tabs are issued to the applicant.

(2) The terms "tonnage," (~~"load license,"~~) "gross weight license," "license based on gross weight," and "gross weight fees" are used interchangeably (~~and refer~~) when referring to (~~those~~) license fees that are (~~charged~~) collected annually from owners of motor trucks (~~and~~), truck tractors (~~according to their vehicles' maximum~~), road tractors, tractors, bus, auto stage, or for hire vehicles with seating capacity of more than six, based upon the declared combined gross weight or declared gross weight(~~(s)~~).

(3) "Capacity fee" is used to refer to the load license for stages and for-hire vehicles with seating capacity of six or less and for fixed load vehicles including circus and tow.

(4) The term "no bill" refers to the (~~partially completed~~) notice to renew a license which is mailed (~~from Olympia~~) by the department to the registered owner. This form indicates (~~that~~) the additional information that is required prior to the registration for the current year license.

(5) A "prebill" is the notice to renew a vehicle license (~~that~~) which is mailed (~~from Olympia~~) by the department to the registered owner.

(6) References to "current year" mean the current registration year unless otherwise stated.

(7) "Month of expiration" or "expiration month" is the calendar month during which a registration year ends.

(8) A "fleet" is a group of fifteen (~~vehicles~~) or more vehicles registered in the same owner name and (~~whose owner has~~) which have been assigned (~~(a)~~) the same fleet identifier code by the department.

(a) "Perm or permanent fleet" means a fleet of commercial vehicles licensed to one registered owner where each vehicle is issued nonexpiring tabs and registration. Individual permanent fleet vehicles are not eligible for monthly license fee based on gross weight.

(b) "Regular fleet" means a fleet licensed to one registered owner where each vehicle is issued year and month tabs.

(9) "License fee" means and is limited to the fees required for the act of licensing a vehicle as set forth in chapter 46.16 RCW. License fee excludes the fees required for special vehicle license plates authorized by chapter 46.16 RCW.

(10) "Ride sharing van" for purposes of RCW 82.08.0287, 82.12.0282, and 82.44.015 means a passenger vehicle with a seating capacity of no fewer than seven nor more than fifteen persons including the driver. The seating capacity may not be fewer than five persons including the driver when at least three passengers are confined to a wheelchair.

NEW SECTION

WAC 308-96A-057 PURPLE HEART LICENSE PLATES. Any military person that has been awarded a Purple Heart medal by any branch of the Armed Forces, including the Merchant Marines may be issued a set of special vehicle license plates indicating the recipient was wounded during one of this nations' wars or conflicts.

(1) Applicants for a special Purple Heart vehicle license plate shall satisfy the following conditions:

- (a) Be a resident of the state of Washington;
- (b) Have been wounded in combat;
- (c) Been awarded a Purple Heart medal by any branch of the Armed Forces; and
- (d) Be an owner, co-owner, lessee, or co-lessee of the vehicle to which the Purple Heart special license plate will be issued.

(2) Applications for the special license plates shall be upon forms provided by the department and sent to Specialized Licensing, Department of Licensing, Highway-Licenses Building, P.O. Box 9909, Olympia, Washington 98504-9909. The application shall include:

(a) A photocopy of the applicants form DD-214 or similar document issued by a branch of the Armed Forces which awards a Purple Heart medal to the applicant and the date of award;

(b) A photocopy of the current registration of the vehicle for which the special license plate is to be issued showing the applicants ownership status in the vehicle; and

(c) A replacement license plate fee then in effect. Veterans who qualify for free vehicle licensing may be issued the Purple Heart special license plate without paying the replacement plate fee.

(3) Purple Heart special license plates may be issued for display on any motor vehicle that is otherwise authorized to display a regular motor vehicle license plate, except the plates may not be issued for motorcycles. Purple Heart special license plates may not be displayed on nonmotor vehicles including campers and travel trailers.

AMENDATORY SECTION (Amending Order TL/RG 41, filed 5/27/88)

WAC 308-96A-065 PERSONALIZED LICENSE PLATES. (1) The registered owner of a vehicle may apply for personalized license plates with any acceptable and unassigned combination of one to seven letters, numbers, or combination of both pursuant to RCW 46.16.565 through 46.16.600. Single digit plates shall not be assigned the letters "1" or "O," nor the numbers "1" (one) or "0" (zero).

(2) When a vehicle with personalized plates is sold, transferred or destroyed, the owner shall remove the plates from the vehicle. The owner may retain the plates for transfer to a replacement vehicle or return the plates to the department, relinquishing the right to the letter and/or number sequence or combination, or relinquish the plates to another individual by signing a notarized release of interest in the plates. The person to whom the plates were transferred must within fifteen days make application to have the plates transferred to a vehicle registered to the person.

(3) When the owner of a personalized plate fails to renew the license within forty-five days following the renewal due date or fails to have the plate transferred to a replacement vehicle within thirty days from the sale, transfer, or destruction of the original vehicle, the plates will be cancelled.

(4) Cancelled personalized plates may be reissued anytime after cancellation if the department determines a renewal application was not applied for prior to the cancellation.

(5) A personalized license plate reported stolen may not be reissued until the stolen plate is removed from the Washington Crime Information Center (WACIC) records or for five years from the date the plate is reported stolen whichever comes first. The plate shall be reserved for the last owner for a period of thirty days after it becomes eligible for reissue. If the last owner of the plate makes an application for reissue as a replacement within the thirty days, the plate shall be provided at the replacement plate fee then in effect.

(6) The combination of letters and/or digits on a personalized license plate which has been cancelled may be reassigned to an applicant who applies for an original personalized plate with that combination of letters and/or digits and pays the fees for an original personalized plate.

NEW SECTION

WAC 308-96A-071 MILITARY AFFILIATE RADIO SYSTEM SPECIAL LICENSE PLATES. (1) Any Washington state resident holding a valid Military Affiliate Radio System station license (MARS) is entitled to apply to the department in Olympia, Washington, and upon satisfactory showing, to receive in lieu of regular vehicle license plates, similar license plates bearing the official MARS call sign assigned by the Department of Defense. Only one set of license plates reflecting the call sign may be issued to the MARS station licensee at any one time.

(2) An application for special MARS license plates must be accompanied by a photocopy of the official MARS station license authorized by the Department of Defense and issued by the United States Army, Air Force, or Navy/Marine Corps. When the MARS station license expires, the applicant must notify the department of the expiration and if a renewed license is obtained, furnish a copy of the new license.

(3) An applicant for special MARS license plates must be the registered owner of the Washington state registered vehicle for which the special license plates will be issued.

(4) In addition to paying all other license fees and excise taxes required by law, each applicant for an original special MARS license plate shall pay an additional license fee of five dollars.

(5) In addition to paying all other license fees required by law, each applicant when applying for transfer of their special MARS license plates to another vehicle shall pay an additional license fee of five dollars.

(6) Any MARS station licensee who holds a special vehicle license plate issued under this section and who has allowed the station license to expire, or for any reason no longer has an official valid MARS station license, shall notify the department in writing within thirty days of the license becoming invalid and surrender the special MARS vehicle

license plates. Special MARS vehicle license plates are deemed to be cancelled on the date the MARS station license becomes invalid. Failure to notify the department and surrender the vehicle license plates is a traffic infraction. The special plates may be reinstated by applying for and paying the fee for a new special plate.

**NEW SECTION**

**WAC 308-96A-161 REGULAR FLEET REGISTRATION.** Any owner of a fleet of vehicles may apply for and be issued a regular fleet identifier code by the department. The owner may have any vehicle with a certificate of title in the same owner name registered using the regular fleet identifier code. Regular vehicle license plate month and year tabs shall be issued. Monthly tonnage may be purchased for individual vehicles.

**NEW SECTION**

**WAC 308-96A-162 PERMANENT FLEET REGISTRATION.** Any owner of a fleet of vehicles used for commercial purposes may apply for and be issued a permanent fleet identifier code by the department. The owner may have any vehicle used for commercial purpose, with a certificate of title in the same owner name registered using the permanent fleet identifier code. Nonexpiring license plate tabs and registration documents shall be issued. Annual tonnage must be purchased for individual vehicles.

**WSR 91-11-085  
PERMANENT RULES  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES  
(Public Assistance)**

[Order 3179—Filed May 21, 1991, 3:59 p.m.]

Date of Adoption: May 21, 1991.

Purpose: To incorporate the increase standards level required by the 1991 federal poverty income guidelines. To incorporate the OBRA 90 changes regarding newborns whose mothers are eligible Medicaid recipients.

Citation of Existing Rules Affected by this Order: Amending WAC 388-83-033 Children—Eligible to eighteen years of age.

Statutory Authority for Adoption: RCW 74.08.090.

Pursuant to notice filed as WSR 91-08-034 on March 29, 1991.

Changes Other than Editing from Proposed to Adopted Version: In subsection (2)(a) after age is added the "and born before January 1, 1991,". A new subsection (2)(b) is added: "Find an infant under one year of age and born on or after January 1, 1991, 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."

The present subsection (2)(b) becomes a new subsection (2)(c)

The principal reasons for adopting the changes are these changes are favorable to clients and are part of the requirements of the Federal Law OBRA 1990.

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

May 21, 1991

Rosemary Carr

Acting Director

Administrative Services

**AMENDATORY SECTION** (Amending Order 3105, filed 11/30/90, effective 12/31/90)

**WAC 388-83-033 CHILDREN—ELIGIBLE TO EIGHTEEN YEARS OF AGE.** (1) The department shall find a child who has not yet attained eighteen years of age eligible for Medicaid 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) 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;

(b) A child born after September 30, 1983, who attains six years of age, but has not attained eight years of age, 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 ((+990)) 1991 poverty income guidelines is:

	FAMILY SIZE	MONTHLY
(i)	One	\$ ((523)) <u>552</u>
(ii)	Two	\$ ((702)) <u>740</u>
(iii)	Three	\$ ((880)) <u>928</u>
(iv)	Four	\$ ((1,058)) <u>1,117</u>
(v)	Five	\$ ((1,237)) <u>1,305</u>
(vi)	Six	\$ ((1,415)) <u>1,493</u>
(vii)	Seven	\$ ((1,593)) <u>1,682</u>
(viii)	Eight	\$ ((1,772)) <u>1,870</u>

(ix) For family units with more than eight members, add \$((+78)) 188 to the monthly income for each additional member.

(c) A child 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 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 ((+990)) 1991 federal poverty income guidelines is:

	FAMILY SIZE	MONTHLY
(i)	One	\$ ((696)) <u>734</u>
(ii)	Two	\$ ((933)) <u>984</u>
(iii)	Three	\$ ((1,170)) <u>1,234</u>
(iv)	Four	\$ ((1,408)) <u>1,486</u>
(v)	Five	\$ ((1,645)) <u>1,736</u>
(vi)	Six	\$ ((1,882)) <u>1,986</u>
(vii)	Seven	\$ ((2,119)) <u>2,237</u>
(viii)	Eight	\$ ((2,356)) <u>2,487</u>

(ix) For family units with more than eight members, add \$((237)) 250 to the monthly income for each additional member.

(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 ((+990))

1991 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 and born before January 1, 1991, 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) Find an infant under one year of age and born on or after January 1, 1991, 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.

(c) 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)) 1991 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 under this section except in subsection (1)(a) of this section.

(6) A child shall remain eligible under this section until the later of the end of the month:

(a) Of the child's 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 of the child's birthday that exceeds the age requirement; and

(ii) The stay for inpatient services continues into the following month or months; and

(iii) Except for the age requirement, the child would be eligible for assistance under this section.

**WSR 91-11-086**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Order 3180—Filed May 21, 1991, 4:03 p.m.]

Date of Adoption: May 21, 1991.

Purpose: To incorporate the increase standards level required by the 1991 federal poverty income guidelines.

Citation of Existing Rules Affected by this Order: Amending WAC 388-82-160 Hospital premium insurance enrollment for the working disabled.

Statutory Authority for Adoption: RCW 74.08.090.

Pursuant to notice filed as WSR 91-08-035 on March 29, 1991.

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

May 21, 1991

Rosemary Carr

Acting Director

Administrative Services

**AMENDATORY SECTION** (Amending Order 3060, filed 8/23/90, effective 9/23/90)

WAC 388-82-160 HOSPITAL PREMIUM INSURANCE ENROLLMENT FOR THE WORKING DISABLED. The department shall pay premiums for Medicare Part A for an individual:

(1) Who is not otherwise entitled for medical assistance;

(2) Entitled to enroll for Medicare hospital insurance benefits, Part A, under section 1818A of the Social Security Act;

(3) Having resources, as determined under chapter 388-92 WAC, not exceeding twice the maximum supplemental security income (SSI) resource limits under chapter 388-92 WAC for an individual or a couple (individual with a spouse); and

(4) Having a total countable family income, as determined under chapter 388-92 WAC, not exceeding two hundred percent of the poverty income guidelines as published and updated by the secretary of health and human services. Two hundred percent of the ((1990)) 1991 poverty income guidelines is:

	Family Size	Monthly
(a)	One	\$((1,046.00)) 1,104.00
(b)	Two	((1,404.00)) 1,480.00

(c) For family units with three members or more, add \$((356.00)) 376.00 to the monthly income for each additional member.

**WSR 91-11-087**  
**PERMANENT RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Order 3181—Filed May 21, 1991, 4:06 p.m., effective June 1, 1991]

Date of Adoption: May 21, 1991.

Purpose: To conform WAC 388-49-600 with Public Law 101-508, the Computer Matching and Privacy Protection Amendments of 1990.

Citation of Existing Rules Affected by this Order: Amending WAC 388-49-600 Notices to households.

Statutory Authority for Adoption: RCW 74.04.510.

Pursuant to notice filed as WSR 91-08-064 on April 3, 1991.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: RCW 34.05.380 (3)(b).

Effective Date of Rule: June 1, 1991.

May 21, 1991  
Rosemary Carr  
Acting Director  
Administrative Services

**AMENDATORY SECTION** (Amending Order 2967, filed 4/11/90, effective 5/12/90)

WAC 388-49-600 NOTICES TO HOUSEHOLDS. (1) The department shall notify a certified household of any change:

(a) At least ten days before the change; or

(b) ~~((At least thirty days before the change if the information causing the change is derived from computer matches the department conducts with federal agencies; or~~

~~(c)))~~ By the date benefits are to be received for a household reporting changes on the monthly report.

(2) The department is not required to provide advance notice when:

(a) The federal or state government makes mass changes;

(b) The department determines all household members have died;

(c) The household moves from the state;

(d) The department restored lost benefits and previously notified the household in writing when the increased allotment would terminate;

(e) The department notified the household at the time of certification that allotments would vary from month to month;

(f) The household's benefits are reduced because a public assistance grant is approved; or

(g) A household member is disqualified for intentional program violation or the benefits of the remaining household members are reduced or terminated to reflect the disqualification of that household member.

### WSR 91-11-088

#### WITHDRAWAL OF PROPOSED RULES DEPARTMENT OF ECOLOGY

[Filed May 21, 1991, 4:07 p.m.]

Notice is hereby given that the Department of Ecology will not take further action under WSR 91-03-141, filed on January 23, 1991, to amend WAC 173-19-280 Klickitat County.

The Department of Ecology may, at a later date, file a new notice of intent to amend this program.

Any questions regarding this action should be directed to Nora Jewett of the Shorelands and Coastal Zone Management Program at (206) 459-6789.

Fred Olson  
Deputy Director

### WSR 91-11-089

#### PROPOSED RULES

#### DEPARTMENT OF ECOLOGY

[Order 91-36—Filed May 21, 1991, 4:10 p.m.]

Original Notice.

Title of Rule: Repealing chapter 173-201 WAC and replacing it with chapter 173-203 WAC, Water quality standards for surface waters of the state of Washington.

Purpose: To establish water quality standards for surface waters of the state consistent with public health and public enjoyment thereof, and the propagation and protection of fish, shellfish and wildlife, pursuant to the provisions of chapter 90.48 RCW and the policies and purposes thereof.

Other Identifying Information: To improve the regulation's structural efficiency, it is necessary to change the title to new chapter 173-203 WAC.

Statutory Authority for Adoption: Chapter 90.48 RCW.

Statute Being Implemented: Chapter 90.48 RCW.

Summary: The Department of Ecology is proposing revisions to the state's surface water quality standards which will improve their effectiveness in protecting water quality in accordance with the purpose and authority established by chapter 90.48 RCW, Water Pollution Control Act.

Reasons Supporting Proposal: Authority and mandate to protect water quality as established by chapter 90.48 RCW; state commitments to the USEPA to carry out provisions of the Clean Water Act; and revisions consistent with existing state standards for the protection of surface water quality.

Name of Agency Personnel Responsible for Drafting: Perry Lund, Baran Hall, 493-9405; Implementation and Enforcement: Michael T. Llewelyn, Prudential Building, 438-7090.

Name of Proponent: Department of Ecology, governmental.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: This rule has complied with the requirements of RCW 90.70.080.

Rule is necessary because of federal law, Federal Water Pollution Control Act, as amended by the Clean Water Act of 1977.

Explanation of Rule, its Purpose, and Anticipated Effects: The Department of Ecology is proposing revisions to the state's surface water quality standards regulation, chapter 173-201 WAC. These revisions are designed to provide improved protection for water quality, in accordance with the purpose and authority established by chapter 90.48 RCW, Water Pollution Control Act.

Proposal Changes the Following Existing Rules: Key elements of this revision include correction of typographic errors, restructuring of subsections, and minor language clarifications; repealing and replacing the existing rule citation (chapter 173-201 WAC) as chapter 173-203 WAC; establishing wetland water quality criteria and wetlands antidegradation provisions; updating the state's antidegradation policy; adopting aquatic life toxic criteria for five substances; revised language



clarifying the applicability of the standards to nonpoint sources and stormwater; establishing criteria on allowing mixing zones for water discharges; upgrading Totten Inlet and Little Skookum Inlet and the Lower Cedar River to class AA; clarifying the intent to use toxicity testing and biological assessments to ensure aquatic life protection; and adding special temperature condition to the Skagit River Gorge Bypass.

#### SMALL BUSINESS ECONOMIC IMPACT STATEMENT

##### SUMMARY

##### INTRODUCTION

This document summarizes the small business economic impact statement (SBEIS) written for the amendments to the state surface water quality standards. The full SBEIS may be obtained from ecology's water quality program.

The state Regulatory Fairness Act requires that a SBEIS be written for rules which have an economic impact on more than twenty percent of all industries or more than ten percent of any one industry. The SBEIS must describe the costs of complying with the rule. It must compare the compliance costs of small and large businesses to determine whether the rule disproportionately impacts small business.

A small business is defined as a profit-seeking enterprise, which is independently owned and operated from all other businesses, and which has fifty or fewer employees.

#### AMENDMENTS TO THE SURFACE WATER QUALITY STANDARDS

The Clean Water Act requires that states review their surface water quality standards at least once every three years. As a result of this review, many amendments have been made to the standards. There are six amendments to the standards that cause economic impacts: WAC 173-203-040 (1)-(4), additional aquatic life criteria; WAC 173-203-040(5), whole effluent toxicity testing and bioassessments for aquatic life protection; WAC 173-203-040(6), human health risk level for establishing criteria for carcinogens; WAC 173-203-100, mixing zones; WAC 173-203-130(6), reclassification of Lower Cedar River; WAC 173-203-130(93), special condition for Skagit River; and WAC 173-203-140(25), reclassification of Totten Inlet.

In addition, the amendments add water quality criteria for wetlands to the standards. The wetlands criteria are analyzed in a separate SBEIS.

#### CONCLUSIONS OF ECONOMIC ANALYSIS

Aquatic life toxic criteria. The amendment to the water quality standards that adds numeric criteria for aluminum, ammonia, arsenic, and chloride and that revises the criteria for selenium makes no change in the way ecology regulates industrial NPDES permit holders. Most dischargers of these pollutants have already been required to bring their discharges into compliance with effluent limits. Therefore, this amendment imposes no additional costs on permit holders. Also, most dischargers of these pollutants are large businesses.

This amendment has no immediate impact on holders of permits for industrial stormwater. The level of BMPs/treatment needed for aluminum, ammonia, arsenic, and chloride is the same as that presently needed by industrial stormwater dischargers.

This amendment has little impact on agriculture and forestry because these two industries are not significant dischargers of these four pollutants. The amendment has little impact on urban stormwater dischargers. The addition of criteria for the four new toxics does not increase the level of BMPs/treatment needed for urban stormwater.

Whole effluent toxicity testing and bioassessments. Most of the industrial NPDES permit holders that will potentially be required to conduct whole effluent toxicity testing and bioassessments and to comply with whole effluent toxicity limits are large businesses. Only a few chemical companies, woodpreservers, and ore mines might be small. All apple warehouses are small (although only a few of these businesses will have to do this testing). Few of the small businesses that hold NPDES permits will incur costs due to toxicity testing requirements. The economic impact of both testing and compliance costs is primarily on large businesses.

Few holders of industrial stormwater permits will be required to conduct whole effluent toxicity testing or bioassessment.

It is extremely unlikely that whole effluent toxicity testing and bioassessments would be used on a regular basis in regulating nonpoint sources such as agriculture, forestry, and urban stormwater.

Human health risk level for establishing criteria for carcinogens. Nearly all of the industrial NPDES permit holders that discharge carcinogens are large businesses. Only a few chemical companies, woodpreservers, and ore mines might be small. Few if any of the small businesses that hold NPDES permits will incur costs due to carcinogen regulation. The economic impact of these requirements is nearly exclusively on large permit holders.

The amendment has only a minor immediate effect on nonpoint source dischargers. The chief nonpoint source dischargers of carcinogens are agriculture, forestry, and urban stormwater.

Mixing zones. The amendments to the mixing zone provisions of the standards do not significantly alter the cost of complying with water quality-based effluent limits. Fundamentally, these amendments only place departmental guidance into the rule.

Reclassification of Lower Cedar River and Totten Inlet. Few point source dischargers are located on these two waterbodies. No point source dischargers are affected by the reclassifications.

The reclassifications will have little or no impact on nonpoint source polluters such as agriculture, boating, construction, forestry, septic tanks, and urban stormwater. For these sources, whether a waterbody is Class A or AA is not a significant concern in determining the extent of the pollution problem or in determining the measures needed to solve it.

Special condition for Skagit River. The only discharger—whether point source or nonpoint source—located



on the segment of the Skagit River that the special condition for temperature applies to is a state highway. It is not affected by the addition of the special condition because highway runoff is not a significant source of thermal pollution. Also, the special condition relaxes the temperature criteria, thus lowering costs.

## EXECUTIVE SUMMARY

## MITIGATION OF IMPACT ON SMALL BUSINESS

**Aquatic life toxic criteria.** The addition to the water quality standards of numeric criteria for aluminum, ammonia, arsenic, and chloride and the revision of the criteria for selenium have no impacts on any point or nonpoint source dischargers. This amendment does not affect businesses, governments, or individuals. It has no impact on small businesses. Because the amendment has no impact on small businesses, there is no need to mitigate its impact.

**Whole effluent toxicity testing and bioassessments.** Most of the industrial NPDES permit holders that will potentially be required to conduct whole effluent toxicity testing and bioassessments and to comply with whole effluent toxicity limits are large businesses. Because this amendment chiefly impacts large businesses rather than small businesses, there is no need to mitigate its impact.

**Human health risk level for establishing criteria for carcinogens.** Nearly all of the industrial dischargers affected by this amendment are large businesses. Because this amendment chiefly impacts large businesses rather than small businesses, there is no need to mitigate its impact.

**Mixing zones.** In general, the mixing zone amendments have no impact on any point source dischargers. They do not affect businesses, governments, or individuals. They have no impact on small businesses. Because the amendments have no impact on small businesses, there is no need to mitigate their impact.

**Mixing zones can be used to mitigate the impact of the water quality standards on businesses and governments—whether they are small or large.** Mixing zones are inherently mitigation. Their purpose is to decrease the impact of the water quality standards on dischargers. By allowing exceedances of the standards within the mixing zone, treatment costs are reduced.

**Reclassification of Lower Cedar River and Totten Inlet.** The reclassifications of these two waterbodies will have no impact on any point or nonpoint source dischargers. They do not affect businesses, governments, or individuals. They have no impact on small businesses. Because the reclassifications have no impact on small businesses, there is no need to mitigate their impact.

**Special condition for Skagit River.** The addition of the special condition for temperature has no impact on any point or nonpoint source dischargers. It relaxes the temperature criteria, thus lowering costs. It does not affect businesses, governments, or individuals. It has no impact on small businesses. Because it has no impact on small businesses, there is no need to mitigate its impact.

For a complete copy of the small business economic impact statement, contact: Mark Hicks, Department of Ecology, Mailstop PV-11, Olympia, Washington 98504-8711, phone (206) 438-7087.

During its review of state water quality standards, the Washington Department of Ecology is incorporating revisions specifically designed to better protect wetlands. The proposed amendments complement the current surface water quality standards by adding wetlands to the definition of surface waters of the state, providing a definition of wetlands, identifying characteristic uses of wetlands, and establishing numeric and narrative criteria for evaluating the water quality of wetlands. In addition, a section that establishes wetlands mitigation procedures also has been provided. These revised standards will apply to national pollutant discharge elimination system permits, Clean Water Act 401 certifications, and all other current applications of the surface water quality standards.

Within the state of Washington, a small business economic impact statement (SBEIS) is required if a regulatory action is found to have an economic impact on 10% of the firms in any three-digit standard industrial classification or 20% of all businesses. The SBEIS is used to determine if the regulatory action will cause disproportionate impacts on small businesses (those with fewer than 50 employees). If disproportionate impacts are identified, they must be mitigated.

## Small Business Impacts

The proposed wetlands water quality standards (WQS) have been evaluated and found to have a disproportionate impact on Washington's small businesses.

In summary, the SBEIS determined the following: Most Washington businesses that would incur incremental costs from the wetlands WQS would do so to control storm water runoff into wetlands; capital costs of complying with the proposed regulations will be disproportionately greater for those small businesses that would be required to separate oil from storm water before releasing that water into wetlands; operation and maintenance costs were not found to be disproportionately higher for small businesses, except for small retail businesses required to operate and maintain oil-water separators; a few small businesses would incur disproportionate impacts as a result of the wetlands WQS. These economic impacts, which are associated with installation of best management practices to control storm water runoff, could be mitigated.

## Mitigation Measures

Washington's Regulatory Fairness Act (chapter 19.85 RCW) requires that if a rule places a disproportional economic impact on small businesses, then the impact must be mitigated. For each small business shown to incur a disproportionate share of compliance costs, mitigation measures were identified to reduce those cost impacts.

Promotion of shared treatment facilities is the recommended mitigation measure that would reduce the disproportionate cost impacts on small businesses affected by implementation of the new wetlands WQS. The purchase, operation, and maintenance of storm water treatment facilities should be coordinated between two or more businesses required to install such facilities. The

cost of control facilities could be lowered if the cost could be spread over affected businesses. Agencies responsible for enforcing the new standards should identify all businesses within a region or subregion that must conform to the new standards before those standards are enforced. Affected businesses that are adjacent to one another would then be allowed to explore the possibility of sharing the treatment facilities.

For a complete copy of the SBEIS, please contact: Perry Lund, Washington Department of Ecology, Mailstop PV-11, Olympia, Washington 98504, (206) 493-9405.

Hearing Location: July 23, 1991, Moses Lake, Washington, PUD Auditorium, 312 West 3rd, at 7 p.m.; and on July 25, 1991, Olympia, Washington, Tyee Hotel, at 3 p.m.

Submit Written Comments to: Mark Hicks, Water Quality Program, Department of Ecology, Mailstop PV-11, by July 28, 1991.

Date of Intended Adoption: October 1, 1991.

May 21, 1991

Fred Olson  
Deputy Director

#### REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 173-201-010	INTRODUCTION.
WAC 173-201-025	DEFINITIONS.
WAC 173-201-035	GENERAL CONSIDERATIONS.
WAC 173-201-045	GENERAL WATER USE AND CRITERIA CLASSES.
WAC 173-201-047	TOXIC SUBSTANCES.
WAC 173-201-070	GENERAL CLASSIFICATIONS.
WAC 173-201-080	SPECIFIC CLASSIFICATIONS—
FRESHWATER.	
WAC 173-201-085	SPECIFIC CLASSIFICATIONS—MARINE WATER.
WAC 173-201-090	ACHIEVEMENT CONSIDERATIONS.
WAC 173-201-100	IMPLEMENTATION.
WAC 173-201-110	SURVEILLANCE.
WAC 173-201-120	ENFORCEMENT.

#### Chapter 173-203 WAC WATER QUALITY STANDARDS FOR SURFACE WATERS OF THE STATE OF WASHINGTON

##### WAC

173-203-010	Introduction.
173-203-020	Definitions.
173-203-030	General water use and criteria classes.
173-203-040	Toxic substances.
173-203-050	Radioactive substances.
173-203-060	General considerations.
173-203-070	Antidegradation.
173-203-080	Outstanding resource waters.
173-203-090	Wetlands mitigation.
173-203-100	Mixing zones.
173-203-110	Short-term modifications.
173-203-120	General classifications.
173-203-130	Specific classifications—Freshwater.
173-203-140	Specific classifications—Marine water.
173-203-150	Achievement considerations.
173-203-160	Implementation.
173-203-170	Surveillance.
173-203-180	Enforcement.

#### NEW SECTION

WAC 173-203-010 INTRODUCTION. (1) The purpose of this chapter is to establish water quality standards for surface waters of the

state of Washington consistent with public health and public enjoyment thereof, and the propagation and protection of fish, shellfish, and wildlife, pursuant to the provisions of chapter 90.48 RCW and the policies and purposes thereof.

(2) This chapter shall be reviewed periodically by the department and appropriate revisions shall be undertaken.

(3) The water use and quality criteria set forth in WAC 173-203-030 through 173-203-140 are established in conformance with present and potential water uses of the surface waters of the state of Washington and in consideration of the natural water quality potential and limitations of the same. These shall be the sole water quality criteria for said waters.

#### NEW SECTION

WAC 173-203-020 DEFINITIONS. The following definitions are intended to facilitate the use of chapter 173-203 WAC:

"Acute conditions" are changes in the physical, chemical, or biologic environment which are suspected of being capable of resulting in lethality to an organism after generally less than a ninety-six hour exposure period. Acute conditions may be measured by acute toxicity test(s) approved by the department.

"AKART" is an acronym for "all known, available, and reasonable methods of prevention, control, and treatment." AKART shall represent the most current methodology for preventing, controlling, or abating the pollutants associated with a discharge that can be reasonably required. The concept of AKART applies to both point and nonpoint sources of pollution.

"Background conditions" means the biological, chemical, and physical conditions of a water body, upstream from the point or nonpoint source of any discharge under consideration. Background sampling location in an enforcement action would be upstream from the point of discharge, but not upstream from other inflows. If several discharges to any water body exist, and enforcement action is being taken for possible violations to the standards, background sampling would be undertaken immediately upstream from each discharge. When assessing background conditions in the headwaters of a disturbed watershed it may be necessary to use the background conditions of a neighboring or similar watershed as the reference conditions.

"Best management practices (BMP)" means physical, structural, and/or managerial practices approved by the department that, when used singly or in combination, prevent or reduce pollutant discharges.

"Biological assessment" is an evaluation of the biological condition of a water body using surveys of aquatic community structure and function and other direct measurements of resident biota in surface waters.

"Bog" means those wetlands that are acidic, peat forming, and whose primary water source is rainwater.

"Chronic conditions" are changes in the physical, chemical, or biologic environment which are suspected of being capable of resulting in lethal or sublethal deleterious effects to an organism during its lifetime. Generally the concept of chronic exposure refers to exposure periods greater than ninety-six hours or to exposure during a critical life stage of an organism. Chronic conditions may be measured by chronic toxicity test(s) approved by the department.

"Constructed wetlands" means those wetlands intentionally constructed on nonwetland sites for the sole purpose of wastewater or storm water treatment and managed as such. Constructed wetlands are normally considered as part of the collection and treatment system.

"Created wetlands" means those wetlands intentionally created from nonwetland sites to produce or replace natural wetland habitat.

"Critical condition" is when the physical, chemical, and biological characteristics of the receiving water environment interact with the effluent to produce the greatest potential impact on aquatic biota and existing and characteristic water uses.

"Damage to the ecosystem" means any demonstrated or predicted stress to aquatic or terrestrial organisms or communities of organisms which the department reasonably concludes may interfere in the health or survival success or natural structure of such populations. This stress may be due to, but is not limited to, alteration in habitat or changes in water temperature, chemistry, or turbidity, and shall consider the potential build up of discharge constituents or temporal increases in habitat alteration which may create such stress in the long-term.

"Department" means the state of Washington department of ecology.

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

"Drainage ditch" means that portion of a designed and constructed conveyance system that serves the purpose of transporting surplus water.

"Estuary" means tidal wetland and deepwater habitats that are usually semienclosed by land but have open, partial, or sporadic access to the open ocean, and in which ocean water is at least occasionally diluted by fresh water runoff from land.

"Fecal coliform" means that portion of the coliform group which is present in the intestinal tracts and feces of warm-blooded animals as detected by the product of acid or gas from lactose in a suitable culture medium within twenty-four hours at 44.5 plus or minus 0.2 degrees Celsius.

"Fen" means those wetlands that are generally acidic, peat forming, and whose primary water source is ground water or surface water, except marl fens.

"Geometric mean" means the nth root of a product of n factors.

"Ground water exchange" means the discharge and recharge of ground water at a wetland. Discharge is inflow to a wetland from an aquifer, seeps or springs that increases the available supply of surface water. Recharge is outflow from a wetland downgradient to an aquifer or downstream to surface water for base flow maintenance. Exchange may include ground water discharge in one season followed by recharge later in the year.

"Hardness" means a measure of the calcium and magnesium salts present in water. For purposes of this chapter, hardness is measured in milligrams per liter as calcium carbonate (CaCO<sub>3</sub>).

"Hydrodynamics" means the dynamic energy, force, or motion of fluids as affected by the physical forces acting upon those fluids.

"Hydroperiod" means the seasonal occurrence of flooding and/or soil saturation; it encompasses depth, frequency, duration, and seasonal pattern of inundation.

"Irrigation ditch" means that portion of a designed and constructed conveyance facility that serves the purpose of transporting irrigation water from its supply source to its place of use.

"Marl fens" means those wetlands that are alkaline or neutral pH as a result of buffering by calcium compounds in the soil.

"Mean detention time" means the time obtained by dividing a reservoir's mean annual minimum total storage by the thirty-day ten-year low-flow from the reservoir.

"Migration or translocation" means any natural movement of an organism or communities of organisms from one locality to another locality.

"Mitigation" means, in the following order of preference:

Avoiding the impact altogether by not taking a certain action or part of an action;

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

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

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

Compensation for the impact by replacing, enhancing, or providing substitute resources or environments.

Mitigation for individual actions may include a combination of the above measures.

"Mixing zone" means the area of water adjacent to an effluent outfall where mixing results in the dilution of the effluent with the receiving water. As conditioned by WAC 173-203-100, water quality criteria may be exceeded to allow dilution of effluent in a limited volume of receiving water.

"Permit" means a document issued pursuant to RCW 90.48.160 et seq. or RCW 90.48.260 or both, specifying the waste treatment and control requirements and waste discharge conditions.

"pH" means the negative logarithm of the hydrogen ion concentration.

"Practicable alternative" means an alternative that is available and capable of being carried out after taking into consideration cost, existing technology, and logistics in light of overall project purposes. It may include an area not owned by the applicant which could reasonably have been or be obtained, utilized, expanded, or managed in order to fulfill the basic purpose of the proposed activity.

"Primary contact recreation" means activities where a person would have direct contact with water to the point of complete submergence including, but not limited to, skin diving, swimming, and water skiing.

"Secondary contact recreation" means activities where a person's water contact would be limited (wading or fishing) to the extent that

bacterial infections of eyes, ears, respiratory, or digestive systems or urogenital areas would normally be avoided.

"Shoreline stabilization" means the anchoring of soil at the water's edge, or in shallow water, by fibrous plant root complexes; this may include long-term accretion of sediment or peat, along with shoreline progradation in such areas.

"Storm water" means that portion of precipitation that does not naturally percolate into the ground or evaporate, but flows via overland flow, interflow, pipes, and other features of a storm water drainage system into a defined surface water body, or a constructed infiltration facility.

"Storm water attenuation" means the process by which peak flows from precipitation and runoff velocities are slowed as a result of passing through a wetland.

"Storm water drainage system" means constructed features whose primary existing and/or characteristic surface water use is to function as part of a system to collect, convey, channel, filter, hold, inhibit, retain, treat, detain, infiltrate, or direct storm water.

"Surface waters of the state" includes lakes, rivers, ponds, streams, inland waters, saltwaters, wetlands, and all other surface waters and water courses within the jurisdiction of the state of Washington.

"Temperature" means water temperature expressed in degrees Celsius (°C).

"Turbidity" means the clarity of water expressed as nephelometric turbidity units (NTU) and measured with a calibrated turbidimeter.

"Upwelling" means the annual natural phenomenon where the summer prevailing, northerly winds parallel to Washington's coast produce a seaward transport of surface waters. Cold, deeper, more saline waters rich in nutrients and low in dissolved oxygen flow into Puget Sound and other coastal estuaries replacing the deep water. This cold, oxygen deficient water gradually rises to replace the surface water, reaching the surface during late summer and fall.

"USEPA" means the United States Environmental Protection Agency.

"Water-dependent" means a use or a portion of a use which requires direct contact with the water and cannot exist at a nonwater location due to the intrinsic nature of its operations.

"Wetlands" means those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, such as swamps, marshes, bogs, and similar areas. This includes wetlands created, restored, or enhanced as part of a mitigation procedure. This does not include constructed wetlands or the following surface waters of the state intentionally constructed from nonwetland sites: Irrigation and drainage ditches, grass-lined swales, canals, agricultural detention facilities, farm ponds, and landscape amenities.

"Wildlife habitat" means waters of the state used by, or that directly or indirectly provide food support to fish, other aquatic life, and wildlife for any life history stage or activity.

#### NEW SECTION

WAC 173-203-030 GENERAL WATER USE AND CRITERIA CLASSES. The following criteria shall apply to the various classes of surface waters in the state of Washington:

(1) Class AA (extraordinary).

(a) General characteristic. Water quality of this class shall markedly and uniformly exceed the requirements for all or substantially all uses.

(b) Characteristic uses. Characteristic uses shall include, but not be limited to, the following:

(i) Water supply (domestic, industrial, agricultural).

(ii) Stock watering.

(iii) Fish and shellfish:

Salmonid migration, rearing, spawning, and harvesting.

Other fish migration, rearing, spawning, and harvesting.

Clam, oyster, and mussel rearing, spawning, and harvesting.

Crustaceans and other shellfish (crabs, shrimp, crayfish, scallops, etc.) rearing, spawning, and harvesting.

(iv) Wildlife habitat.

(v) Recreation (primary contact recreation, sport fishing, boating, and aesthetic enjoyment).

(vi) Commerce and navigation.

(c) Water quality criteria:

(i) Fecal coliform organisms:

(A) Freshwater - fecal coliform organisms shall not exceed a geometric mean value of 50 organisms/100 mL, with not more than 10

percent of all samples obtained for calculating the geometric mean value exceeding 100 organisms/100 mL.

(B) Marine water – fecal coliform organisms shall not exceed a geometric mean value of 14 organisms/100 mL, with not more than 10 percent of all samples obtained for calculating the geometric mean value exceeding 43 organisms/100 mL.

(ii) Dissolved oxygen:

(A) Freshwater – dissolved oxygen shall exceed 9.5 mg/L.

(B) Marine water – dissolved oxygen shall exceed 7.0 mg/L. When natural conditions, such as upwelling, occur, causing the dissolved oxygen to be depressed near or below 7.0 mg/L, natural dissolved oxygen levels can be degraded by up to 0.2 mg/L by human-caused activities.

(iii) Total dissolved gas shall not exceed 110 percent of saturation at any point of sample collection.

(iv) Temperature shall not exceed 16.0°C (freshwater) or 13.0°C (marine water) due to human activities. Temperature increases shall not, at any time, exceed  $t=23/(T+5)$  (freshwater) or  $t=8/(T-4)$  (marine water).

When natural conditions exceed 16.0°C (freshwater) and 13.0°C (marine water), no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C.

For purposes hereof, "t" represents the maximum permissible temperature increase measured at a dilution zone boundary; and "T" represents the background temperature as measured at a point or points unaffected by the discharge and representative of the highest ambient water temperature in the vicinity of the discharge.

Provided that temperature increase resulting from nonpoint source activities shall not exceed 2.8°C, and the maximum water temperature shall not exceed 16.3°C (freshwater).

(v) pH shall be within the range of 6.5 to 8.5 (freshwater) or 7.0 to 8.5 (marine water) with a human-caused variation within a range of less than 0.2 units.

(vi) Turbidity shall not exceed 5 NTU over background turbidity when the background turbidity is 50 NTU or less, or have more than a 10 percent increase in turbidity when the background turbidity is more than 50 NTU.

(vii) Toxic, radioactive, or deleterious material concentrations shall be below those which may adversely affect characteristic water uses, cause acute or chronic conditions to the aquatic biota, or adversely affect public health (see WAC 173-203-040 and 173-203-050).

(viii) Aesthetic values shall not be impaired by the presence of materials or their effects, excluding those of natural origin, which offend the senses of sight, smell, touch, or taste.

(2) Class A (excellent).

(a) General characteristic. Water quality of this class shall meet or exceed the requirements for all or substantially all uses.

(b) Characteristic uses. Characteristic uses shall include, but not be limited to, the following:

(i) Water supply (domestic, industrial, agricultural).

(ii) Stock watering.

(iii) Fish and shellfish:

Salmonid migration, rearing, spawning, and harvesting.

Other fish migration, rearing, spawning, and harvesting.

Clam, oyster, and mussel rearing, spawning, and harvesting.

Crustaceans and other shellfish (crabs, shrimp, crayfish, scallops, etc.) rearing, spawning, and harvesting.

(iv) Wildlife habitat.

(v) Recreation (primary contact recreation, sport fishing, boating, and aesthetic enjoyment).

(vi) Commerce and navigation.

(c) Water quality criteria:

(i) Fecal coliform organisms:

(A) Freshwater – fecal coliform organisms shall not exceed a geometric mean value of 100 organisms/100 mL, with not more than 10 percent of all samples obtained for calculating the geometric mean value exceeding 200 organisms/100 mL.

(B) Marine water – fecal coliform organisms shall not exceed a geometric mean value of 14 organisms/100 mL, with not more than 10 percent of all samples obtained for calculating the geometric mean value exceeding 43 organisms/100 mL.

(ii) Dissolved oxygen:

(A) Freshwater – dissolved oxygen shall exceed 8.0 mg/L.

(B) Marine water – dissolved oxygen shall exceed 6.0 mg/L. When natural conditions, such as upwelling, occur, causing the dissolved oxygen to be depressed near or below 6.0 mg/L, natural dissolved oxygen levels can be degraded by up to 0.2 mg/L by human-caused activities.

(iii) Total dissolved gas shall not exceed 110 percent of saturation at any point of sample collection.

(iv) Temperature shall not exceed 18.0°C (freshwater) or 16.0°C (marine water) due to human activities. Temperature increases shall not, at any time, exceed  $t=28/(T+7)$  (freshwater) or  $t=12/(T-2)$  (marine water).

When natural conditions exceed 18.0°C (freshwater) and 16.0°C (marine water), no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C.

For purposes hereof, "t" represents the maximum permissible temperature increase measured at a dilution zone boundary; and "T" represents the background temperature as measured at a point or points unaffected by the discharge and representative of the highest ambient water temperature in the vicinity of the discharge.

Provided that temperature increase resulting from nonpoint source activities shall not exceed 2.8°C, and the maximum water temperature shall not exceed 18.3°C (freshwater).

(v) pH shall be within the range of 6.5 to 8.5 (freshwater) or 7.0 to 8.5 (marine water) with a human-caused variation within a range of less than 0.5 units.

(vi) Turbidity shall not exceed 5 NTU over background turbidity when the background turbidity is 50 NTU or less, or have more than a 10 percent increase in turbidity when the background turbidity is more than 50 NTU.

(vii) Toxic, radioactive, or deleterious material concentrations shall be below those which may adversely affect characteristic water uses, cause acute or chronic conditions to the aquatic biota, or adversely affect public health (see WAC 173-203-040 and 173-203-050).

(viii) Aesthetic values shall not be impaired by the presence of materials or their effects, excluding those of natural origin, which offend the senses of sight, smell, touch, or taste.

(3) Class B (good).

(a) General characteristic. Water quality of this class shall meet or exceed the requirements for most uses.

(b) Characteristic uses. Characteristic uses shall include, but not be limited to, the following:

(i) Water supply (industrial and agricultural).

(ii) Stock watering.

(iii) Fish and shellfish:

Salmonid migration, rearing, and harvesting.

Other fish migration, rearing, spawning, and harvesting.

Clam, oyster, and mussel rearing and spawning.

Crustaceans and other shellfish (crabs, shrimp, crayfish, scallops, etc.) rearing, spawning, and harvesting.

(iv) Wildlife habitat.

(v) Recreation (secondary contact recreation, sport fishing, boating, and aesthetic enjoyment).

(vi) Commerce and navigation.

(c) Water quality criteria:

(i) Fecal coliform organisms:

(A) Freshwater – fecal coliform organisms shall not exceed a geometric mean value of 200 organisms/100 mL, with not more than 10 percent of all samples obtained for calculating the geometric mean value exceeding 400 organisms/100 mL.

(B) Marine water – fecal coliform organisms shall not exceed a geometric mean value of 100 organisms/100 mL, with not more than 10 percent of all samples obtained for calculating the geometric mean value exceeding 200 organisms/100 mL.

(ii) Dissolved oxygen:

(A) Freshwater – dissolved oxygen shall exceed 6.5 mg/L.

(B) Marine water – dissolved oxygen shall exceed 5.0 mg/L. When natural conditions, such as upwelling, occur, causing the dissolved oxygen to be depressed near or below 5.0 mg/L, natural dissolved oxygen levels can be degraded by up to 0.2 mg/L by human-caused activities.

(iii) Total dissolved gas shall not exceed 110 percent of saturation at any point of sample collection.

(iv) Temperature shall not exceed 21.0°C (freshwater) or 19.0°C (marine water) due to human activities. Temperature increases shall not, at any time, exceed  $t=34/(T+9)$  (freshwater) or  $t=16/T$  (marine water).

When natural conditions exceed 21.0°C (freshwater) and 19.0°C (marine water), no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C.

For purposes hereof, "t" represents the maximum permissible temperature increase measured at a dilution zone boundary; and "T" represents the background temperature as measured at a point or points

unaffected by the discharge and representative of the highest ambient water temperature in the vicinity of the discharge.

Provided that temperature increase resulting from nonpoint source activities shall not exceed 2.8°C, and the maximum water temperature shall not exceed 21.3°C (freshwater).

(v) pH shall be within the range of 6.5 to 8.5 (freshwater) and 7.0 to 8.5 (marine water) with a human-caused variation within a range of less than 0.5 units.

(vi) Turbidity shall not exceed 10 NTU over background turbidity when the background turbidity is 50 NTU or less, or have more than a 20 percent increase in turbidity when the background turbidity is more than 50 NTU.

(vii) Toxic, radioactive, or deleterious material concentrations shall be below those which may adversely affect characteristic water uses, cause acute or chronic conditions to the aquatic biota, or adversely affect public health (see WAC 173-203-040 and 173-203-050).

(viii) Aesthetic values shall not be reduced by dissolved, suspended, floating, or submerged matter not attributed to natural causes, so as to affect water use or taint the flesh of edible species.

(4) Class C (fair).

(a) General characteristic. Water quality of this class shall meet or exceed the requirements of selected and essential uses.

(b) Characteristic uses. Characteristic uses shall include, but not be limited to, the following:

(i) Water supply (industrial).

(ii) Fish (salmonid and other fish migration).

(iii) Recreation (secondary contact recreation, sport fishing, boating, and aesthetic enjoyment).

(iv) Commerce and navigation.

(c) Water quality criteria – marine water:

(i) Fecal coliform organisms shall not exceed a geometric mean value of 200 organisms/100 mL, with not more than 10 percent of all samples obtained for calculating the geometric mean value exceeding 400 organisms/100 mL.

(ii) Dissolved oxygen shall exceed 4.0 mg/L. When natural conditions, such as upwelling, occur, causing the dissolved oxygen to be depressed near or below 4.0 mg/L, natural dissolved oxygen levels can be degraded by up to 0.2 mg/L by human-caused activities.

(iii) Temperature shall not exceed 22.0°C due to human activities. Temperature increases shall not, at any time, exceed  $t=20/(T+2)$ .

When natural conditions exceed 22.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C.

For purposes hereof, "t" represents the maximum permissible temperature increase measured at a dilution zone boundary; and "T" represents the background temperature as measured at a point unaffected by the discharge and representative of the highest ambient water temperature in the vicinity of the discharge.

(iv) pH shall be within the range of 6.5 to 9.0 with a human-caused variation within a range of less than 0.5 units.

(v) Turbidity shall not exceed 10 NTU over background turbidity when the background turbidity is 50 NTU or less, or have more than a 20 percent increase in turbidity when the background turbidity is more than 50 NTU.

(vi) Toxic, radioactive, or deleterious material concentrations shall be below those which may adversely affect characteristic water uses, cause acute or chronic conditions to the aquatic biota, or adversely affect public health (see WAC 173-203-040 and 173-203-050).

(vii) Aesthetic values shall not be interfered with by the presence of obnoxious wastes, slimes, aquatic growths, or materials which will taint the flesh of edible species.

(5) Lake class.

(a) General characteristic. Water quality of this class shall meet or exceed the requirements for all or substantially all uses.

(b) Characteristic uses. Characteristic uses shall include, but not be limited to, the following:

(i) Water supply (domestic, industrial, agricultural).

(ii) Stock watering.

(iii) Fish and shellfish:

Salmonid migration, rearing, spawning, and harvesting.

Other fish migration, rearing, spawning, and harvesting.

Clam and mussel rearing, spawning, and harvesting.

Crayfish rearing, spawning, and harvesting.

(iv) Wildlife habitat.

(v) Recreation (primary contact recreation, sport fishing, boating, and aesthetic enjoyment).

(vi) Commerce and navigation.

(c) Water quality criteria:

(i) Fecal coliform organisms shall not exceed a geometric mean value of 50 organisms/100 mL, with not more than 10 percent of all samples obtained for calculating the geometric mean value exceeding 100 organisms/100 mL.

(ii) Dissolved oxygen – no measurable decrease from natural conditions.

(iii) Total dissolved gas shall not exceed 110 percent of saturation at any point of sample collection.

(iv) Temperature – no measurable change from natural conditions.

(v) pH – no measurable change from natural conditions.

(vi) Turbidity shall not exceed 5 NTU over background conditions.

(vii) Toxic, radioactive, or deleterious material concentrations shall be below those which may adversely affect characteristic water uses, cause acute or chronic conditions to the aquatic biota, or adversely affect public health (see WAC 173-203-040 and 173-203-050).

(viii) Aesthetic values shall not be impaired by the presence of materials or their effects, excluding those of natural origin, which offend the senses of sight, smell, touch, or taste.

(6) Wetlands class.

(a) General characteristic. Water quality of this class shall meet or exceed the requirements for all or substantially all uses.

(b) Characteristic uses shall include, but not be limited to, the following:

(i) Water supply (domestic, industrial, agricultural).

(ii) Fish and shellfish:

Salmonid migration, rearing, spawning, and harvesting.

Other fish migration, rearing, spawning, and harvesting.

Clam, oyster, and mussel rearing, spawning, and harvesting.

Crustaceans and other shellfish (crabs, shrimps, crayfish, scallops, etc.) rearing, spawning, and harvesting.

(iii) Wildlife habitat.

(iv) Recreation (primary contact recreation, sport fishing, boating, and aesthetic enjoyment).

(v) Commerce and navigation.

(vi) Aesthetics.

(vii) Ground water exchange.

(viii) Storm water attenuation.

(ix) Shoreline stabilization.

(c) Wetlands shall not be used for the treatment of storm water.

(d) Eradication and control of state listed noxious weeds shall be done in accordance with chapter 17.10 RCW and WAC 173-203-110.

(e) Forest practices shall be conducted using best management practices in accordance with the provisions of chapter 76.09 RCW.

(f) Water quality criteria:

(i) Fecal coliform organisms – no measurable change from natural conditions. Human-influenced activities shall not be allowed to raise fecal coliform concentrations above natural conditions.

(ii) pH – no measurable change from natural conditions.

(iii) Settleable solids shall not be introduced or allowed to accumulate in a wetland such that they directly or indirectly degrade the wetland or interfere with the existing or characteristic uses.

(iv) Toxic, radioactive, or deleterious material concentrations shall be below those which may adversely affect characteristic water uses, cause acute or chronic conditions to aquatic and terrestrial biota, or adversely affect public health or welfare (see WAC 173-203-040 and 173-203-050).

(v) Aesthetic values shall not be reduced by dissolved, suspended, floating, or submerged matter not attributed to natural causes, so as to affect water use, or form nuisances, or taint tissue of edible species.

(vi) Nutrients shall not be introduced to or allowed to accumulate in a wetland such that they directly or indirectly degrade the wetland or interfere with the existing or characteristic uses of the wetland.

(vii) Natural physical and biological characteristics shall be maintained and protected so that there is no significant degradation of characteristic uses, except as provided for in the wetlands mitigation section, WAC 173-203-090. Physical and biological characteristics shall be maintained by:

(A) Maintaining hydrological conditions, including hydroperiod, hydrodynamics, and natural water temperature variations necessary to support vegetation which would be present naturally; and

(B) Maintaining substrate characteristics necessary to support vegetation which would be present naturally.

#### NEW SECTION

WAC 173-203-040 TOXIC SUBSTANCES. (1) Toxic substances shall not be introduced above natural background levels in waters of

the state which may adversely affect characteristic water uses, cause acute or chronic toxicity to the aquatic biota, or adversely affect public health, as determined by the department.

(2) The department shall employ or require chemical testing, acute and chronic toxicity testing, and biological assessments, as appropriate, to evaluate compliance with subsection (1) of this section and to ensure that aquatic communities and the existing and characteristic beneficial uses of waters are being fully protected.

(3) The following criteria shall be applied to all surface waters of the state of Washington for the protection of aquatic life. Criteria more stringent than these aquatic life values may be required by the department where local species occur that may be more sensitive than the species used to develop these criteria, where local environmental conditions warrant more restrictive criteria, or where criteria are being applied to protect human health. Values are ug/L for all substances except Ammonia and Chloride which are mg/L:

Substance	Freshwater		Marine Water	
	Acute	Chronic	Acute	Chronic
Aldrin/Dieldrin	2.5a	0.0019b	0.71a	0.0019b
Aluminum	750.0c	87.0d	-	-
Ammonia (un-ionized NH3)	f,c	g,d	0.233h,c	0.035h,d
Arsenic (III)	360.0c	190.0d	69.0c	36.0d,cc
Cadmium	i,c	j,d	43.0c	9.3d
Chlordane	2.4a	0.0043b	0.09a	0.004b
Chlorine (Dissolved) k	860.0h,c	230.0h,d	-	-
Chlorine (Total Residual)	19.0c	11.0d	13.0c	7.5d
Chloropyrifos	0.083c	0.041d	0.011c	0.0056d
Chromium (Hex)	16.0c1	11.0d	1,100.0c,1	50.0d
Chromium (Tri)	m,c	n,d	-	-
Copper	o,c	p,d	2.9c	-
Cyanide	22.0c	5.2d	1.0c	-
DDT (and metabolites)	1.1a	0.001b	0.13a	0.001b
Dieldrin/Aldrin e	2.5a	0.0019b	0.71a	0.0019b
Endosulfan	0.22a	0.056b	0.034a	0.0087b
Endrin	0.18a	0.0023b	0.037a	0.0023b
Heptachlor	0.52a	0.0038b	0.053a	0.0036b
Hexachlorocyclohexane (Lindane)	2.0a	0.08b	0.16a	-
Lead	q,c	r,d	140.0c	5.6d
Mercury s	2.4c	0.012d	2.1c	0.025d
Nickel	t,c	u,d	75.0c	8.3d
Parathion	0.065c	0.013d	-	-
Pentachlorophenol (PCP)	w,c	v,d	13.0c	7.9d
Polychlorinated Biphenyls (PCBs)	2.0	0.014b	10.0	0.030b
Selenium	20.0c	5.0d	300.0c	71.0d,x
Silver	y,a	0.12	2.3a	-
Toxaphene	0.73c,z	0.0002d	0.21c,z	0.0002d
Zinc	aa,c	bb,d	95.0c	86.0d

Notes to Table:

- a. An instantaneous concentration not to be exceeded at any time.
- b. A 24-hour average not to be exceeded.
- c. A 1-hour average concentration not to be exceeded more than once every three years on the average.
- d. A 4-day average concentration not to be exceeded more than once every three years on the average.
- e. Aldrin is metabolically converted to Dieldrin. Therefore, the sum of the Aldrin and Dieldrin concentrations are compared with the Dieldrin criteria.
- f. Shall not exceed the numerical value given by:  $0.52$

$$FT/(FPH/2)$$

where:  $FT = 10^{[0.03(20-TCAP)]}$ ;  $TCAP \leq T \leq 30$

$$FT = 10^{[0.03(20-T)]}$$
;  $0 \leq T \leq TCAP$

$$FPH = 1$$
;  $8 \leq pH \leq 9$

$$FPH = 1 + 10^{(7.4-pH)}$$
;  $6.5 \leq pH \leq 8.0$

$$1.25$$

TCAP = 20°C; Salmonids or other cold water species present.

TCAP = 25°C; Salmonids and other cold water species absent.

- g. Shall not exceed the numerical value given by:  $0.80$

$$FT/(FPH/RATIO)$$

where: RATIO = 16 ;  $7.7 \leq pH \leq 9$

$$RATIO = 24 \times \frac{10^{(7.7-pH)}}{1+10^{(7.4-pH)}} ; 6.5 \leq pH \leq 7.7$$

where: FT and FPH are as shown in (f) above except:

TCAP = 15°C; Salmonids or other cold water species present.

TCAP = 20°C; Salmonids and other cold water species absent.

- h. Measured in milligrams per liter rather than micrograms per liter.

i.  $\leq e^{(1.128[\ln(\text{hardness})]-3.828)}$

j.  $\leq e^{(0.7852[\ln(\text{hardness})]-3.490)}$

- k. Criterion based on dissolved chloride in association with sodium. This criterion probably will not be adequately protective when the chloride is associated with potassium, calcium, or magnesium, rather than sodium.

- l. Salinity dependent effects. At low salinity the 1-hour average may not be sufficiently protective.

m.  $\leq e^{(0.8190[\ln(\text{hardness})] + 3.688)}$

n.  $\leq e^{(0.8190[\ln(\text{hardness})] + 1.561)}$

o.  $\leq e^{(0.9422[\ln(\text{hardness})] - 1.464)}$

p.  $\leq e^{(0.8545[\ln(\text{hardness})] - 1.465)}$

q.  $\leq e^{(1.273[\ln(\text{hardness})] - 1.460)}$

r.  $\leq e^{(1.273[\ln(\text{hardness})] - 4.705)}$

- s. Criteria for Mercury may not adequately protect Coho Salmon, Rainbow Trout, Bluegill, and Haddock.

t.  $\leq e^{(0.8460[\ln(\text{hardness})] + 3.3612)}$

u.  $\leq e^{(0.8460[\ln(\text{hardness})] + 1.1645)}$

v.  $\leq e^{[1.005(pH) - 5.290]}$

w.  $\leq e^{[1.005(pH) - 4.830]}$

- x. The status of the fish community should be monitored whenever the concentration of selenium exceeds 5.0 ug/l in salt water.

y.  $\leq e^{(1.72[\ln(\text{hardness})] - 6.52)}$

- z. Channel Catfish may be more acutely sensitive.

aa.  $\leq e^{(0.8473[\ln(\text{hardness})] + 0.8604)}$

bb.  $\leq e^{(0.8473[\ln(\text{hardness})] + 0.7614)}$

- cc. This criterion might be too high wherever Skeletonema cosarrum or Thalassiosira aestivalis are ecologically important.

(4) USEPA Quality Criteria for Water, 1986 shall be used in the use and interpretation of the values listed in subsection (1) of this section.

(5) Concentrations of toxic, and other substances with toxic propensities not listed in subsection (1) of this section shall be determined in consideration of USEPA Quality Criteria for Water, 1986, and as revised, and other relevant information as appropriate.

(6) For calculating criteria for the protection of human health, the department shall utilize a risk level of 1:1,000,000, or one additional cancer case in 1,000,000 exposed. This risk level is intended for establishing specific criteria and shall not be used to estimate acceptable state-wide occurrences of cancer incidence. This risk level applies regardless of the actual size of the subgroup exposed.

**NEW SECTION**

WAC 173-203-050 RADIOACTIVE SUBSTANCES. (1) Deleterious concentrations of radioactive materials for all classes shall be as determined by the lowest practicable concentration attainable and in no case shall exceed:

(a) 1/100 of the values listed in WAC 402-24-220 (Column 2, Table II, Appendix A, rules and regulations for radiation protection); or,

(b) USEPA Drinking Water Regulations for radionuclides, as published in the Federal Register of July 9, 1976, or subsequent revisions thereto.

(2) Nothing in this chapter shall be interpreted to be applicable to those aspects of governmental regulation of radioactive waters which have been preempted from state regulation by the Atomic Energy Act of 1954, as amended, as interpreted by the United States Supreme Court in the cases of Northern States Power Co. v. Minnesota 405 U.S. 1035 (1972) and Train v. Colorado Public Interest Research Group, 426 U.S. 1 (1976).

#### NEW SECTION

**WAC 173-203-060 GENERAL CONSIDERATIONS.** The following general guidelines shall apply to the water quality criteria and classifications set forth in WAC 173-203-030 through 173-203-140 hereof:

(1) At the boundary between waters of different classifications, the water quality criteria for the higher classification shall prevail.

(2) In brackish waters of estuaries, where the fresh and marine water quality criteria differ within the same classification, the criteria shall be interpolated on the basis of salinity; except that the marine water quality criteria shall apply for dissolved oxygen when the salinity is one part per thousand or greater and for fecal coliform organisms when the salinity is ten parts per thousand or greater.

(3) In determining compliance with the fecal coliform criteria in WAC 173-203-030, averaging of data collected beyond a thirty-day period, or beyond a specific discharge event under investigation, shall not be permitted when such averaging would skew the data set so as to mask noncompliance periods.

(4) The water quality criteria herein established for total dissolved gas shall not apply when the stream flow exceeds the seven-day, ten-year frequency flood.

(5) Waste discharge permits, whether issued pursuant to the National Pollutant Discharge Elimination System or otherwise, shall be conditioned in such manner as to authorize discharges which meet the water quality standards.

(a) However, persons discharging wastes in compliance with the terms and conditions of permits shall not be subject to civil and criminal penalties on the basis that the discharge violates water quality standards.

(b) Permits shall be subject to modification by the department whenever it appears to the department the discharge violates water quality standards. Modification of permits, as provided herein, shall be subject to review in the same manner as originally issued permits.

(6) No waste discharge permit will be issued which violates established water quality criteria, except as provided for under WAC 173-203-100 or 173-203-110.

(7) Due consideration will be given to the precision and accuracy of the sampling and analytical methods used as well as existing conditions at the time, in the application of the criteria.

(8) The analytical testing methods for these criteria shall be in accordance with the "Guidelines Establishing Test Procedures for the Analysis of Pollutants" (40 C.F.R. Part 136) and other or superseding methods published and/or approved by the department following consultation with adjacent states and concurrence of the USEPA.

(9) Nothing in this chapter shall be interpreted to prohibit the establishment of effluent limitations for the control of the thermal component of any discharge in accordance with Section 316 of the Federal Clean Water Act (33 U.S.C. 1251 et seq.).

#### NEW SECTION

**WAC 173-203-070 ANTIDegradation.** The antidegradation policy of the state of Washington, as generally guided by chapter 90.48 RCW, Water Pollution Control Act, and chapter 90.54 RCW, Water Resources Act of 1971, is stated as follows:

(1) Existing beneficial uses shall be maintained and protected and no further degradation which would interfere with or become injurious to existing beneficial uses shall be allowed.

(2) Whenever the natural conditions of said waters are of a lower quality than the criteria assigned, the natural conditions shall constitute the water quality criteria.

(3) Water quality shall be maintained and protected in waters designated as outstanding resource waters in WAC 173-203-080.

(4) Whenever waters are of a higher quality than the criteria assigned for said waters, the existing water quality shall be protected and waste and other materials and substances which will reduce the existing quality shall not be allowed to enter such waters, except in those instances where:

(a) It is clear, after satisfactory public participation and intergovernmental coordination, that overriding considerations of the public interest will be served;

(b) All wastes and other materials and substances discharged into said waters shall be provided with all known, available, and reasonable methods of prevention, control, and treatment by new and existing point sources before discharge. All wastes and other materials and substances discharged into said waters from nonpoint sources shall be provided with all known, available, and reasonable best management practices; and

(c) When the lowering of water quality in high quality waters is authorized, the lower water quality shall still be of high enough quality to fully support all existing beneficial uses.

(5) Short-term modification of water quality may be permitted as conditioned by WAC 173-203-110.

#### NEW SECTION

**WAC 173-203-080 OUTSTANDING RESOURCE WATERS.** Waters meeting one or more of the following criteria shall be considered for outstanding resource water designation. Designations shall be adopted in accordance with the provisions of chapter 34.05 RCW, Administrative Procedure Act.

(1) Waters in national parks, national monuments, national preserves, national wildlife refuges, national wilderness areas, federal wild and scenic rivers, national seashores, national marine sanctuaries, national recreation areas, national scenic areas, and national estuarine research reserves;

(2) Waters in state parks, state wilderness areas, state wildlife management areas, and state scenic rivers;

(3) Waters that are determined by the department of natural resources to meet the criteria of the Washington natural heritage program as specified in chapter 79.70 RCW;

(4) Mapped occurrences of priority species and their habitats as determined by the department of wildlife;

(5) Documented critical habitat for threatened species of native anadromous fish populations as determined by the department of fisheries;

(6) High quality, regionally rare wetland communities with irreplaceable ecological functions, including sphagnum bogs and fens, marl fens, estuarine wetlands, and mature forested swamps; and

(7) Waters of exceptional recreational or ecological significance.

#### NEW SECTION

**WAC 173-203-090 WETLANDS MITIGATION.** This section applies to activities which may adversely affect water quality in wetlands. The overall goal of mitigation shall be no net loss of wetlands function and acreage. Where practicable, improvement of wetland quality should be encouraged.

(1) Water quality in exceptional wetlands (see WAC 173-203-120) shall be maintained and protected.

(2) Water quality in all other wetlands shall be maintained and protected unless it can be shown that the impact is unavoidable and necessary. Avoidance shall be the primary means to achieve the water quality goals of this chapter.

(a) For water-dependent activities, unavoidable and necessary water quality impacts can be demonstrated where there are no practicable alternatives which would:

(i) Not involve a wetland or which would have less adverse water quality impact on a wetland; and

(ii) Not have other more significant adverse consequences to the environment or human health.

(b) Where nonwater-dependent activities are proposed, it shall be presumed that adverse impacts are avoidable. This presumption may be rebutted upon a demonstration that:

(i) The basic project purpose cannot reasonably be accomplished utilizing alternative sites in the general region that would avoid, or result in less adverse water quality impact on a wetland;

(ii) A reduction in the size, scope, configuration, or density of the project as proposed and all alternative designs of the project as proposed that would avoid, or result in less adverse water quality impact on a wetland will not accomplish the basic purpose of the project; and

(iii) In cases where the applicant has rejected alternatives to the project as proposed due to constraints such as zoning, deficiencies of infrastructure, or parcel size, the applicant has made reasonable attempt to remove or accommodate such constraints.



(3) When it has been determined that lowering the water quality of a wetland is unavoidable and necessary and has been minimized to the maximum extent practicable, wetland losses and degradation shall be offset, where appropriate and practicable, through deliberate restoration, creation, or enhancement of wetlands.

(a) In-kind replacement of functional values shall be provided, unless it is found that in-kind replacement is not feasible or practical due to the characteristics of the existing wetland and a greater benefit can be demonstrated by an alternative. In such cases, substitute resources of equal or greater ecological value shall be provided.

(b) On-site replacement shall be provided, unless it is found that on-site replacement is not feasible or practical due to physical features of the property or a greater benefit can be demonstrated by using an alternative site. In such cases, replacement shall occur within the same watershed and proximity.

(c) A mitigation plan shall be required for proposed mitigation projects.

(d) Restoration, enhancement, or replacement shall be completed prior to wetland degradation, where possible. In all other cases, restoration, enhancement, or replacement shall be completed prior to use or occupancy of the activity or development, or immediately after activities that will temporarily disturb wetlands, except as provided by WAC 173-203-110.

#### NEW SECTION

WAC 173-203-100 MIXING ZONES. (1) The allowable size and location of a mixing zone and the associated effluent limits shall be established in discharge permits, general permits, or orders, as appropriate, and shall be based on:

- (a) The requirement that AKART be fully applied;
- (b) Consideration of the chemical and physical interaction of the effluent and the receiving water;
- (c) The critical condition for discharge;
- (d) The protection of sensitive and important habitats and existing and characteristic uses of the water body; and
- (e) Minimization of the area of water quality degradation.

(2) No mixing zone shall be granted unless the supporting information clearly indicates the mixing zone avoids degradation of sensitive or important habitat, does not adversely impact any existing or characteristic uses of the water body outside of the mixing zone, and does not adversely affect public health as determined by the department.

(3) Water quality criteria shall not be violated outside of the boundary of a mixing zone as a result of the discharge for which the mixing zone was authorized.

(4) The maximum size of a mixing zone shall comply with the following:

(a) In rivers and streams, mixing zones, alone or in combination with other mixing zones, shall comply with the most restrictive combination of the following:

- (i) Not extend in a downstream direction for a distance from the discharge port(s) greater than three hundred feet plus the depth of water over the diffuser or point of discharge, or extend upstream for a distance of over one hundred feet;
- (ii) Not utilize greater than twenty-five percent of the flow; or
- (iii) Not occupy greater than twenty-five percent of the cross-sectional width of the water body. This size limitation (a) of this subsection) may be applied to estuaries having flow characteristics that resemble rivers.

(b) In estuaries, mixing zones, alone or in combination with other mixing zones, shall:

(i) Not extend in any horizontal direction from the discharge port(s) for a distance greater than two hundred feet plus the depth of water over the diffuser or point of discharge; and

(ii) Not occupy greater than twenty-five percent of the cross-sectional width of the water body. For the purpose of this section, areas to the east of a line from Green Point (Fidalgo Island) to Lawrence Point (Orcas Island) are considered estuarine, as are all of the Strait of Georgia and the San Juan Islands north of Orcas Island. To the east of Deception Pass, and to the south and east of Admiralty Head, and south of Point Wilson on the Quimper Peninsula, is Puget Sound proper, which is considered to be entirely estuarine. All waters existing within bays from Point Wilson westward to Cape Flattery and south to the North Jetty of the Columbia River shall also be categorized as estuarine.

(c) In oceanic waters, mixing zones, alone or in combination with other mixing zones, shall not extend in any horizontal direction from the discharge port(s) for a distance greater than three hundred feet

plus the depth of water over the diffuser or point of discharge. For the purpose of this section, all marine waters not classified as estuarine in subsection (3)(b) of this section shall be categorized as oceanic.

(d) In lakes, and in reservoirs having a mean detention time greater than fifteen days, mixing zones shall not be allowed unless it can be demonstrated to the satisfaction of the department that:

(i) Other siting, technological, and managerial options that would avoid the need for a lake mixing zone are not reasonably achievable;

(ii) Overriding considerations of the public interest will be served; and

(iii) All technological and managerial methods available for pollution reduction and removal that are economically achievable would be implemented prior to discharge. Such methods may include, but not be limited to, advanced waste treatment techniques.

(e) In lakes, and in reservoirs having a mean detention time greater than fifteen days, mixing zones shall not, either singly or in combination with other mixing zones, exceed the most restrictive combination of the following:

(i) Exceed ten percent of the volume;

(ii) Exceed ten percent of the surface area (maximum radial extent of the plume regardless of whether it reaches the surface) of a water body; or

(iii) Extend beyond fifteen percent of the width of the water body.

(5) A zone where acute criteria may be exceeded is allowed only if it can be demonstrated to the department's satisfaction that the concentration of, and exposure, duration, and frequency of, the discharge will not create a barrier to the migration or translocation of indigenous organisms to a degree that has the potential to cause damage to the ecosystem. Acute criteria are based on numeric criteria and toxicity tests approved by the department, as generally guided under WAC 173-203-040 (1) through (5), and shall be met as near to the point of discharge as practicably attainable. Compliance shall be determined by monitoring data or calibrated models approved by the department utilizing representative dilution ratios. In no case shall the zone where acute criteria may be exceeded be greater than the most restrictive of the following:

(a) Ten percent of the distance from the edge of the outfall structure to the furthest horizontal edge of an authorized mixing zone, as applied in any spatial direction;

(b) Fifty times the discharge length scale in any spatial direction from each discharge port; the discharge length scale is the square-root of the cross-sectional area of any discharge outlet. In the case of multipoint diffusers, this requirement must be met for each port using the appropriate discharge length scale of that port; or

(c) Five times the local water depth in any horizontal direction from any discharge outlet. The local water depth is defined as the natural water depth (existing prior to the installation of the discharge outlet) prevailing under critical conditions.

(6) Mixing zones may overlap if it can be demonstrated to the department's satisfaction that:

(a) The request to allow the overlap qualifies for exemption under subsection (10) of this section;

(b) The separate and combined effects of the discharges can be determined; and

(c) The combined effects would not create a barrier to aquatic organism migration or translocation.

(7) Storm water:

(a) Storm water discharge from any "point source" containing "process wastewater" as defined in 40 C.F.R. Part 122.2 shall fully conform to WAC 173-203-100.

(b) Storm water discharges not described by (a) of this subsection may be granted an exemption to the size criteria in this section, provided the discharger clearly demonstrates to the department's satisfaction that:

(i) The exemption complies with the conditions of subsection (10) of this section;

(ii) The area of water quality degradation is minimized;

(iii) The pollutant controls utilized comply with WAC 173-203-160 (2)(d); and

(iv) Any increased capability to substantially comply with the provisions of this section shall be accomplished by the discharger.

(c) Mixing zones for storm water discharges shall be based on a volume of runoff corresponding to a design storm approved by the department. Exceedances from the mixing zone size criteria (subsections (4) through (6) of this section) due to precipitation events greater than the approved design storm may be allowed by the department, if it would not result in adverse impact to existing or characteristic uses of



the water body or result in damage to the ecosystem, or adversely affect public health as determined by the department.

(8) Combined sewer overflows employing at-site treatment and having achieved the greatest reasonable reduction in accordance with chapter 173-245 WAC, may be allowed an average once per year exemption to the size criteria in subsections (4) through (6) of this section, provided the discharge would not result in an adverse impact to existing and characteristic uses, result in damage to the ecosystem, or adversely affect public health as determined by the department.

(9) Exceedances from the size criteria (subsections (4) through (6) of this section) may be considered by the department in the following cases:

(a) For discharges existing prior to November 1, 1991, (or for proposed discharges with engineering plans formally approved by the department prior to November 1, 1991);

(b) Where alteration of the size configuration is expected to result in greater protection to aquatic organisms, sensitive or important habitat, or other existing and characteristic uses;

(c) Where the volume of water in the effluent is providing a greater benefit to existing and characteristic uses of the water body due to flow augmentation than the benefit of removing the discharge, if such removal is the remaining feasible option; and

(d) Where the exceedance is clearly necessary to accommodate important economic or social development in the area in which the waters are located.

(10) Before an exceedance from the size criteria may be allowed under subsection (9) of this section, it must clearly be demonstrated to the department's satisfaction that:

(a) AKART is fully applied;

(b) All siting, technological, and managerial options which would result in full or significantly closer compliance that are economically achievable are being utilized; and

(c) The proposed mixing zone shall not have a reasonable potential to result in a loss of sensitive or important habitat, substantially interfere with the recreational use of the water body, result in damage to the ecosystem, or adversely affect public health as determined by the department.

(11) Any exemptions granted to the size criteria shall be reexamined during each permit renewal period for changes in compliance capability. Any increased capability to comply shall be reflected in the renewed discharge permit.

(12) The department may establish permit limits and measures of compliance for human health based criteria (based on lifetime exposure levels), independent of this section.

(13) Sediment impact zones authorized by the department pursuant to chapter 173-204 WAC, Sediment management standards, do not satisfy the requirements of this section.

#### NEW SECTION

**WAC 173-203-110 SHORT-TERM MODIFICATIONS.** (1) The criteria and special conditions established in WAC 173-203-030 through 173-203-140 may be modified for a specific water body on a short-term basis when necessary to accommodate essential activities, respond to emergencies, or to otherwise protect the public interest, even though such activities may result in a temporary reduction of water quality conditions below those criteria and classifications established by this regulation. Such modification shall be issued in writing by the director or his/her designee subject to such terms and conditions as he/she may prescribe, and such modification shall not exceed a twelve-month period.

(2) In no case will any degradation of water quality be allowed if this degradation interferes with or becomes injurious to existing water uses or causes long-term harm to the environment.

(3) Notwithstanding the above, the aquatic application of herbicides which result in water use restrictions shall be considered an activity for which a short-term modification generally may be issued subject to the following conditions:

(a) A request for a short-term modification shall be made to the department on forms supplied by the department. Such request generally shall be made at least thirty days prior to herbicide application;

(b) Such herbicide application shall be in accordance with state of Washington department of agriculture regulations;

(c) Such herbicide application shall be in accordance with label provisions promulgated by USEPA under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended (7 U.S.C. 136, et seq.);

(d) Notice, including identification of the herbicide, applicator, location where the herbicide will be applied, proposed timing and method of application, and water use restrictions shall be given according to the following requirements:

(i) Appropriate public notice as determined and prescribed by the director or his/her designee shall be given of any water use restrictions specified in USEPA label provisions;

(ii) The appropriate regional offices of the departments of fisheries and wildlife shall be notified twenty-four hours prior to herbicide application; and

(iii) In the event of any fish kills, the departments of ecology, fisheries, and wildlife shall be notified immediately;

(e) The herbicide application shall be made at times so as to:

(i) Minimize public water use restrictions during weekends; and

(ii) Completely avoid public water use restrictions during the opening week of fishing season, Memorial Day weekend, July 4 weekend, and Labor Day weekend;

(f) Any additional conditions as may be prescribed by the director or his/her designee.

#### NEW SECTION

**WAC 173-203-120 GENERAL CLASSIFICATIONS.** General classifications applying to various surface water bodies not specifically classified under WAC 173-203-130 or 173-203-140 are as follows:

(1) All surface waters lying within national parks, national forests, and/or wilderness areas are classified Class AA or Lake Class.

(2) All lakes and their feeder streams within the state are classified Lake Class and Class AA respectively, except for those feeder streams specifically classified otherwise.

(3) All reservoirs with a mean detention time of greater than 15 days are classified Lake Class.

(4) All reservoirs with a mean detention time of 15 days or less are classified the same as the river section in which they are located.

(5) All reservoirs established on preexisting lakes are classified as Lake Class.

(6) All wetlands within the state are classified wetlands class.

All wetlands determined by the department to meet one of the following criteria are exceptional wetlands:

(a) Wetlands that are determined by the department of natural resources to meet the criteria of the Washington natural heritage program as specified in chapter 79.70 RCW;

(b) Mapped occurrence of threatened and endangered species and their priority habitats as determined by the department of wildlife;

(c) Documented critical habitat for threatened species of native anadromous fish populations as determined by the department of fisheries;

(d) High quality, regionally rare wetland communities with irreplaceable ecological functions, including sphagnum bogs and fens, marl fens, estuarine wetlands and mature forested swamps; and

(e) Designated Outstanding Resource Waters.

(7) All unclassified surface waters that are tributaries to Class AA waters are classified Class AA. All other unclassified surface waters within the state are hereby classified Class A.

#### NEW SECTION

**WAC 173-203-130 SPECIFIC CLASSIFICATIONS—FRESHWATER.** Specific fresh surface waters of the state of Washington are classified as follows:

(1) American River. Class AA

(2) Big Quilcene River and tributaries. Class AA

(3) Bumping River. Class AA

(4) Burnt Bridge Creek. Class A

(5) Cedar River from Lake Washington to the Maplewood Bridge (river mile 4.1). Class A

(6) Cedar River and tributaries from the Maplewood Bridge (river mile 4.1) to Landsburg Dam (river mile 21.6). Class AA

(7) Cedar River and tributaries from Landsburg Dam (river mile 21.6) to headwaters. Special condition - no waste discharge will be permitted. Class AA

(8) Chehalis River from upper boundary of Grays Harbor at Cosmopolis (river mile 3.1, longitude 123°45'45" W) to Scammon Creek (river mile 65.8). Class A

- (9) Chehalis River from Scammon Creek (river mile 65.8) to Newaukum River (river mile 75.2). Special condition - dissolved oxygen shall exceed 5.0 mg/L from June 1 to September 15. For the remainder of the year, the dissolved oxygen shall meet Class A criteria. Class A
- (10) Chehalis River from Newaukum River (river mile 75.2) to Rock Creek (river mile 106.7). Class A
- (11) Chehalis River, from Rock Creek (river mile 106.7) to headwaters. Class AA
- (12) Chehalis River, south fork. Class A
- (13) Chewack River. Class AA
- (14) Chiwawa River. Class AA
- (15) Cispus River. Class AA
- (16) Clearwater River. Class A
- (17) Cle Elum River. Class AA
- (18) Cloquallum Creek. Class A
- (19) Clover Creek from outlet of Lake Spanaway to inlet of Lake Steilacoom. Class A
- (20) Columbia River from mouth to the Washington-Oregon border (river mile 309.3). Special conditions - temperature shall not exceed 20.0°C due to human activities. When natural conditions exceed 20.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed 0.3°C due to any single source or 1.1°C due to all such activities combined. Dissolved oxygen shall exceed 90 percent of saturation. Class A
- (21) Columbia River from Washington-Oregon border (river mile 309.3) to Grand Coulee Dam (river mile 596.6). Special condition from Washington-Oregon border (river mile 309.3) to Priest Rapids Dam (river mile 397.1). Temperature shall not exceed 20.0°C due to human activities. When natural conditions exceed 20.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed  $t=34/(T+9)$ . Class A
- (22) Columbia River from Grand Coulee Dam (river mile 596.6) to Canadian border (river mile 745.0). Class AA
- (23) Colville River. Class A
- (24) Coweeman River from mouth to Mulholland Creek (river mile 18.4). Class A
- (25) Coweeman River from Mulholland Creek (river mile 18.4) to headwaters. Class AA
- (26) Cowlitz River from mouth to base of Riffe Lake Dam (river mile 52.0). Class A
- (27) Cowlitz River from base of Riffe Lake Dam (river mile 52.0) to headwaters. Class AA
- (28) Crab Creek and tributaries. Class B
- (29) Decker Creek. Class AA
- (30) Deschutes River from mouth to boundary of Snoqualmie National Forest (river mile 48.2). Class A
- (31) Deschutes River from boundary of Snoqualmie National Forest (river mile 48.2) to headwaters. Class AA
- (32) Dickey River. Class A
- (33) Dosewallips River and tributaries. Class AA
- (34) Duckabush River and tributaries. Class AA
- (35) Dungeness River from mouth to Canyon Creek (river mile 10.8). Class A
- (36) Dungeness River and tributaries from Canyon Creek (river mile 10.8) to headwaters. Class AA
- (37) Duwamish River from mouth south of a line bearing 254°true from the NW corner of berth 3, terminal No. 37 to the Black River (river mile 11.0) (Duwamish River continues as the Green River above the Black River). Class B
- (38) Elochoman River. Class A
- (39) Elwha River and tributaries. Class AA
- (40) Entiat River from Wenatchee National Forest boundary (river mile 20.5) to headwaters. Class AA
- (41) Grande Ronde River from mouth to Oregon border (river mile 37). Special condition - temperature shall not exceed 20.0°C due to human activities. When natural conditions exceed 20.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed  $t=34/(T+9)$ . Class A
- (42) Grays River from Grays River Falls (river mile 15.8) to headwaters. Class AA
- (43) Green River (Cowlitz County). Class AA
- (44) Green River (King County) from Black River (river mile 11.0 and point where Duwamish River continues as the Green River) to west boundary of Sec. 27-T21N-R6E (west boundary of Flaming Geyser State Park at river mile 42.3). Class A
- (45) Green River (King County) from west boundary of Sec. 27-T21N-R6E (west boundary of Flaming Geyser State Park, river mile 42.3) to west boundary of Sec. 13-T21N-R7E (river mile 59.1). Class AA
- (46) Green River and tributaries (King County) from west boundary of Sec. 13-T21N-R7E (river mile 59.1) to headwaters. Special condition - no waste discharge will be permitted. Class AA
- (47) Hamma Hamma River and tributaries. Class AA
- (48) Hanaford Creek from mouth to east boundary of Sec. 25-T15N-R2W (river mile 4.1). Special condition - dissolved oxygen shall exceed 6.5 mg/L. Class A
- (49) Hanaford Creek from east boundary of Sec. 25-T15N-R2W (river mile 4.1) to headwaters. Class A
- (50) Hoh River and tributaries. Class AA
- (51) Hoquiam River (continues as west fork above east fork) from mouth to river mile 9.3 (Dekay Road bridge) (upper limit of tidal influence). Class B
- (52) Humptulips River and tributaries from mouth to Olympic National Forest boundary on east fork (river mile 12.8) and west fork (river mile 40.4) (main stem continues as west fork). Class A
- (53) Humptulips River, east fork from Olympic National Forest boundary (river mile 12.8) to headwaters. Class AA
- (54) Humptulips River, west fork from Olympic National Forest boundary (river mile 40.4) to headwaters. Class AA
- (55) Issaquah Creek. Class A
- (56) Kalama River from lower Kalama River Falls (river mile 10.4) to headwaters. Class AA
- (57) Klickitat River from Little Klickitat River (river mile 19.8) to headwaters. Class AA
- (58) Lake Washington Ship Canal from Government Locks (river mile 1.0) to Lake Washington (river mile 8.6). Special condition - salinity shall not exceed one part per thousand (1.0 ppt) at any point or depth along a line that transects the ship canal at the University Bridge (river mile 6.1). Lake Class
- (59) Lewis River, east fork, from Multon Falls (river mile 24.6) to headwaters. Class AA
- (60) Little Wenatchee River. Class AA
- (61) Methow River from mouth to Chewack River (river mile 50.1). Class A
- (62) Methow River from Chewack River (river mile 50.1) to headwaters. Class AA
- (63) Mill Creek from mouth to 13th street bridge in Walla Walla (river mile 6.4). Special condition - dissolved oxygen concentration shall exceed 5.0 mg/L. Class B
- (64) Mill Creek from 13th Street bridge in Walla Walla (river mile 6.4) to Walla Walla Waterworks Dam (river mile 25.2). Class A
- (65) Mill Creek and tributaries from city of Walla Walla Waterworks Dam (river mile 25.2) to headwaters. Special condition - no waste discharge will be permitted. Class AA
- (66) Naches River from Snoqualmie National Forest boundary (river mile 35.7) to headwaters. Class AA
- (67) Naselle River from Naselle "Falls" (cascade at river mile 18.6) to headwaters. Class AA
- (68) Newaukum River. Class A
- (69) Nisqually River from mouth to Alder Dam (river mile 44.2). Class A
- (70) Nisqually River from Alder Dam (river mile 44.2) to headwaters. Class AA
- (71) Nooksack River from mouth to Maple Creek (river mile 49.7). Class A
- (72) Nooksack River from Maple Creek (river mile 49.7) to headwaters. Class AA
- (73) Nooksack River, south fork, from mouth to Skookum Creek (river mile 14.3). Class A

(74) Nooksack River, south fork, from Skookum Creek (river mile 14.3) to headwaters.	Class AA	fecal coliform organisms shall not exceed a geometric mean value of 200, organisms/100 mL. with not more than 10 percent of the samples used in calculating the mean value exceeding 400 organisms/100 mL.	Class A
(75) Nooksack River, middle fork.	Class AA	(100) Snohomish River upstream from latitude 47°56'30"N (southern tip of Ebey Island river mile 8.1) to confluence with Skykomish and Snoqualmie River (river mile 20.5).	Class A
(76) Okanogan River.	Class A	(101) Snoqualmie River and tributaries from mouth to west boundary of Twin Falls State Park on south fork (river mile 9.1).	Class A
(77) Palouse River from mouth to south fork (Colfax, river mile 89.6).	Class B	(102) Snoqualmie River, middle fork.	Class AA
(78) Palouse River from south fork (Colfax, river mile 89.6) to Idaho border (river mile 123.4). Special condition - temperature shall not exceed 20.0°C due to human activities. When natural conditions exceed 20.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed $t=34/(T+9)$ .	Class B	(103) Snoqualmie River, north fork.	Class AA
(79) Pend Oreille River from Canadian border (river mile 16.0) to Idaho border (river mile 87.7). Special condition - temperature shall not exceed 20.0°C due to human activities. When natural conditions exceed 20.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed $t=34/(T+9)$ .	Class A	(104) Snoqualmie River, south fork, from west boundary of Twin Falls State Park (river mile 9.1) to headwaters.	Class AA
(80) Pilchuck River from city of Snohomish Waterworks Dam (river mile 26.8) to headwaters.	Class AA	(105) Soleduck River and tributaries.	Class AA
(81) Puyallup River from mouth to river mile 1.0.	Class B	(106) Spokane River from mouth to Long Lake Dam (river mile 33.9). Special condition - temperature shall not exceed 20.0°C due to human activities. When natural conditions exceed 20.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed $t=34/(T+9)$ .	Class A
(82) Puyallup River from river mile 1.0 to Kings Creek (river mile 31.6).	Class A	(107) Spokane River from Long Lake Dam (river mile 33.9) to Nine Mile Bridge (river mile 58.0). Special conditions:	
(83) Puyallup River from Kings Creek (river mile 31.6) to headwaters.	Class AA	(a) The average euphotic zone concentration of total phosphorus (as P) shall not exceed 25µg/L during the period of June 1 to October 31.	
(84) Queets River and tributaries.	Class AA	(b) Temperature shall not exceed 20.0°C, due to human activities. When natural conditions exceed 20.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time exceed $t=34/(T+9)$ .	Lake Class
(85) Quillayute River.	Class AA	(108) Spokane River from Nine Mile Bridge (river mile 58.0) to the Idaho border (river mile 96.5). Temperature shall not exceed 20.0°C due to human activities. When natural conditions exceed 20.0°C no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time exceed $t=34/(T+9)$ .	Class A
(86) Quinault River and tributaries.	Class AA	(109) Stehekin River.	Class AA
(87) Salmon Creek (Clark County).	Class AA	(110) Stillaguamish River from mouth to north and south forks (river mile 17.8).	Class A
(88) Satsop River from mouth to west fork (river mile 6.4).	Class A	(111) Stillaguamish River, north fork, from mouth to Squire Creek (river mile 31.2).	Class A
(89) Satsop River, east fork.	Class AA	(112) Stillaguamish River, north fork, from Squire Creek (river mile 31.2) to headwaters.	Class AA
(90) Satsop River, middle fork.	Class AA	(113) Stillaguamish River, south fork, from mouth to Canyon Creek (river mile 33.7).	Class A
(91) Satsop River, west fork.	Class AA	(114) Stillaguamish River, south fork, from Canyon Creek (river mile 33.7) to the headwaters.	Class AA
(92) Skagit River from mouth to Skiyou Slough-lower end (river mile 25.6).	Class A	(115) Sulphur Creek.	Class B
(93) Skagit River and tributaries (includes Baker, Suak, Suattle, and Cascade rivers) from Skiyou Slough-lower end, (river mile 25.6) to Canadian border (river mile 127.0). Special condition.	Class A	(116) Sultan River from mouth to Chaplain Creek (river mile 5.9).	Class A
Skagit River (Gorge by-pass reach) from Penstock Tailrace (river mile 93.9) to Diablo Dam (river mile 96.6). Temperature shall not exceed 21°C due to human activities. When natural conditions exceed 21°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed $t=34/(T+9)$ .	Class AA	(117) Sultan River and tributaries from Chaplain Creek (river mile 5.9) to headwaters. Special condition - no waste discharge will be permitted above city of Everett Diversion Dam (river mile 9.4).	Class AA
(94) Skokomish River and tributaries.	Class AA	(118) Sumas River from Canadian border (river mile 12) to headwaters (river mile 23).	Class A
(95) Skookumchuck River from Bloody Run Creek (river mile 21.4) to headwaters.	Class AA	(119) Tieton River.	Class AA
(96) Skykomish River from mouth to May Creek (above Gold Bar at river mile 41.2).	Class A	(120) Tolt River, south fork and tributaries from mouth to west boundary of Sec. 31-T26N-R9E (river mile 6.9).	Class AA
(97) Skykomish River from May Creek (above Gold Bar at river mile 41.2) to headwaters.	Class AA	(121) Tolt River, south fork from west boundary of Sec. 31-T26N-R9E (river mile 6.9) to headwaters. Special condition - no waste discharge will be permitted.	Class AA
(98) Snake River from mouth to Washington-Idaho-Oregon border (river mile 176.1). Special condition.	Class AA	(122) Touchet River, north fork from Dayton water intake structure (river mile 3.0) to headwaters.	Class AA
(a) Below Clearwater River (river mile 139.3). Temperature shall not exceed 20.0°C due to human activities. When natural conditions exceed 20.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed $t=34/(T+9)$ .	Class AA	(123) Toutle River, north fork, from Green River to headwaters.	Class AA
(b) Above Clearwater River (river mile 139.3). Temperature shall not exceed 20.0°C due to human activities. When natural conditions exceed 20.0°C, no temperature increases will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed 0.3°C due to any single source or 1.1°C due to all such activities combined.	Class A	(124) Toutle River from Umatilla National Forest boundary (river mile 38.1) to headwaters.	Class AA
(99) Snohomish River from mouth and east of longitude 122°13'40"W upstream to latitude 47°56'30"N (southern tip of Ebey Island at river mile 8.1). Special condition -	Class A	(125) Tucannon River from Umatilla National Forest boundary (river mile 38.1) to headwaters.	Class AA
		(126) Twisp River.	Class AA

(127) Union River and tributaries from Bremerton Waterworks Dam (river mile 6.9) to headwaters. Special condition - no waste discharge will be permitted.

Class AA

(128) Walla Walla River from mouth to Lowden (Dry Creek at river mile 27.2).

Class B

(129) Walla Walla River from Lowden (Dry Creek at river mile 27.2) to Oregon border (river mile 40). Special condition - temperature shall not exceed 20.0°C due to human activities. When natural conditions exceed 20.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed  $t=34/(T+9)$ .

Class A

(130) Wenatchee River from Wenatchee National Forest boundary (river mile 27.1) to headwaters.

Class AA

(131) White River (Pierce-King counties) from Mud Mountain Dam (river mile 27.1) to headwaters.

Class AA

(132) White River (Chelan County).

Class AA

(133) Wildcat Creek.

Class A

(134) Willapa River upstream of a line bearing 70° true through Mailboat Slough light (river mile 1.8).

Class A

(135) Wishkah River from mouth to river mile 6 (SW 1/4 SW 1/4 NE 1/4 Sec. 21-T18N-R9W).

Class B

(136) Wishkah River from river mile 6 (SW 1/4 SW 1/4 NE 1/4 Sec. 21-T18N-R9W) to west fork (river mile 17.7).

Class A

(137) Wishkah River from west fork of Wishkah River (river mile 17.7) to south boundary of Sec. 33-T21N-R8W (river mile 32.0).

Class AA

(138) Wishkah River and tributaries from south boundary of Sec. 33-T21N-R8W (river mile 32.0) to headwaters. Special condition - no waste discharge will be permitted.

Class AA

(139) Wynoochee River from mouth to Olympic National Forest boundary (river mile 45.9).

Class A

(140) Wynoochee River from Olympic National Forest boundary (river mile 45.9) to headwaters.

Class AA

(141) Yakima River from mouth to Cle Elum River (river mile 185.6). Special condition - temperature shall not exceed 21.0°C due to human activities. When natural conditions exceed 21.0°C, no temperature increase will be allowed which will raise the receiving water temperature by greater than 0.3°C; nor shall such temperature increases, at any time, exceed  $t=34/(T+9)$ .

Class A

(142) Yakima River from Cle Elum River (river mile 185.6) to headwaters.

Class AA

**NEW SECTION**

WAC 173-203-140 SPECIFIC CLASSIFICATIONS—MARINE WATER. Specific marine surface waters of the state of Washington are classified as follows:

(1) Budd Inlet south of latitude 47°04'N (south of Priest Point Park).

Class B

(2) Coastal waters: Pacific Ocean from Ilwaco to Cape Flattery.

Class AA

(3) Commencement Bay south and east of a line bearing 258° true from "Brown's point" and north and west of line bearing 225° true through the Hylebos waterway light.

Class A

(4) Commencement Bay, inner, south and east of a line bearing 225° true through Hylebos Waterway light except the city waterway south and east of south 11th Street.

Class B

(5) Commencement Bay, city waterway south and east of south 11th Street.

Class C

(6) Drayton Harbor, south of entrance.

Class A

(7) Dyes and Sinclair Inlets west of longitude 122°37'W.

Class A

(8) Elliott Bay east of a line between Pier 91 and Duwamish head.

Class A

(9) Everett Harbor, inner, north and east of a line bearing 121° true from light "4" (Snohomish River mouth).

Class B

(10) Grays Harbor west of longitude 123°59'W.

Class A

(11) Grays Harbor east of longitude 123°59'W to longitude 123°45'45"W (Cosmopolis Chehalis River, river mile 3.1). Special condition - dissolved oxygen shall exceed 5.0 mg/L.

Class B

(12) Guemes Channel, Padilla, Samish and Bellingham Bays east of longitude 122°39'W and north of latitude 48°27'20"N.

Class A

(13) Hood Canal.

Class AA

(14) Mukilteo and all North Puget Sound west of longitude 122°39' W (Whidbey, Fidalgo, Guemes and Lummi islands and state highway 20 bridge at Deception Pass), except as otherwise noted.

Class AA

(15) Oakland Bay west of longitude 123°05'W (inner Shelton harbor).

Class B

(16) Port Angeles south and west of a line bearing 152° true from buoy "2" at the tip of Ediz Hook.

Class A

(17) Port Gamble south of latitude 47°15'20"N.

Class A

(18) Port Townsend west of a line between Point Hudson and Kala point.

Class A

(19) Possession Sound, south of latitude 47°57'N.

Class AA

(20) Possession Sound, Port Susan, Saratoga Passage, and Skagit Bay east of Whidbey Island and state highway 20 bridge at Deception Pass between latitude 47°57'N (Mukilteo) and latitude 48°27'20"N (Similk Bay), except as otherwise noted.

Class A

(21) Puget Sound through Admiralty Inlet and South Puget Sound, south and west to longitude 122°52'30"W (Brisco Point) and longitude 122°51'W (northern tip of Hartstene Island).

Class AA

(22) Sequim Bay southward of entrance.

Class AA

(23) South Puget Sound west of longitude 122°52'30"W (Brisco Point) and longitude 122°51'W (northern tip of Hartstene Island, except as otherwise noted).

Class A

(24) Strait of Juan de Fuca.

Class AA

(25) Totten Inlet and Little Skookum Inlet, west of longitude 122°5'32" (west side of Steamboat Island).

Class AA

(26) Willapa Bay seaward of a line bearing 70° true through Mailboat Slough light (Willapa River, river mile 1.8).

Class A

**NEW SECTION**

WAC 173-203-150 ACHIEVEMENT CONSIDERATIONS. To fully achieve and maintain the foregoing water quality in the state of Washington, it is the intent of the department to apply the various implementation and enforcement authorities at its disposal, including participation in the programs of the Federal Clean Water Act (33 U.S.C. 1251 et seq.) as appropriate. It is also the intent that cognizance will be taken of the need for participation in cooperative programs with other state agencies and private groups with respect to the management of related problems. The department's planned program for water pollution control will be defined and revised annually in accordance with section 106 of said federal act. Further, it shall be required that all activities which discharge wastes into waters within the state, or otherwise adversely affect the quality of said waters, be in compliance with the waste treatment and discharge provisions of state or federal law.

**NEW SECTION**

WAC 173-203-160 IMPLEMENTATION. (1) Discharges from municipal, commercial, and industrial operations. The primary means to be used for controlling municipal, commercial, and industrial waste discharges shall be through the issuance of waste disposal permits, as provided for in RCW 90.48.160, 90.48.162 and 90.48.260 and following.

(2) Miscellaneous waste discharge or water quality effect sources. The director shall, through the issuance of regulatory permits, directives, and orders, as are appropriate, control miscellaneous waste discharges and water quality effect sources not covered by WAC 173-203-160(1) hereof.

(a) Activities which generate nonpoint source pollution shall be conducted so as to comply with the water quality standards. The primary means to be used for requiring compliance with the standards shall be through best management practices required in waste discharge permits, rules, orders, and directives issued by the department for activities which generate nonpoint source pollution.

(b) Best management practices shall be applied so that when all appropriate combinations of individual best management practices are

utilized, violation of water quality criteria shall be prevented. If a discharger is applying all best management practices required by the department and a violation of water quality criteria occurs, the discharger shall modify existing practices or apply further water pollution control measures, selected or approved by the department, to achieve compliance with water quality criteria. Best management practices established in permits, orders, rules, or directives of the department shall be reviewed and modified, as appropriate so as to achieve compliance with water quality criteria.

(c) Activities which contribute to nonpoint source pollution shall be conducted utilizing best management practices to prevent violation of water quality criteria. When applicable best management practices are not being implemented, the department may conclude, unless clearly demonstrated otherwise, individual activities are causing pollution in violation of RCW 90.48.080. In these situations, the department may pursue orders, directives, permits, or civil or criminal sanctions to gain compliance with the standards.

(d) Activities which discharge pollutants in storm water shall be conducted so as to comply with the water quality standards. The primary means to be used for requiring compliance with the standards shall be through best management practices required in waste discharge permits, rules, orders, and directives issued by the department for activities which generate storm water pollution. The consideration and control procedures in subsection (2)(b) and (c) of this section apply to the control of pollutants in storm water.

#### NEW SECTION

WAC 173-203-170 SURVEILLANCE. A continuing surveillance program, to ascertain whether the regulations, waste disposal permits, orders, and directives promulgated and/or issued by the department are being complied with, will be conducted by the department staff as follows:

- (1) Inspecting treatment and control facilities.
- (2) Monitoring and reporting waste discharge characteristics.
- (3) Monitoring receiving water quality.

#### NEW SECTION

WAC 173-203-180 ENFORCEMENT. To insure that the provisions of chapter 90.48 RCW, the standards for water quality promulgated herein, the terms of waste disposal permits, and other orders and directives of the department are fully complied with, the following enforcement tools will be relied upon by the department, in cooperation with the attorney general as it deems appropriate:

- (1) Issuance of notices of violation and regulatory orders as provided for in RCW 90.48.120.
- (2) Initiation of actions requesting injunctive or other appropriate relief in the various courts of the state, as provided for in RCW 90.48.037.
- (3) Levying of civil penalties as provided for in RCW 90.48.144.
- (4) Initiation of a criminal proceeding by the appropriate county prosecutor, as provided for in RCW 90.48.140.
- (5) Issuance of regulatory orders or directives as provided for in RCW 90.48.240.

### WSR 91-11-090

#### PERMANENT RULES

#### DEPARTMENT OF ECOLOGY

[Order 90-65—Filed May 21, 1991, 4:13 p.m.]

Date of Adoption: May 21, 1991.

Purpose: Establishes the eligibility criteria and administrative structure for a program of grants to local governments for solid and hazardous waste management.

Citation of Existing Rules Affected by this Order: Amending chapter 173-312 WAC.

Statutory Authority for Adoption: RCW 43.21A.080.

Pursuant to notice filed as WSR 91-02-052 on December 27, 1990.

Changes Other than Editing from Proposed to Adopted Version: WAC 173-312-010 Purpose and authority.

(3)(d) "Provide funding assistance for local solid and hazardous waste planning and for implementation of some programs and projects in those plans."

WAC 173-312-020 Definitions.

"Cash expenditures," "In-kind contributions," and "Interlocal costs" added.

"Lead implementation agency" means the agency designated in the adopted local solid or hazardous waste plan as having the principal responsibility for the execution of all or most of the plan, and/or the coordinating agency which delegates responsibility to other agencies to execute portions of the plan."

"Moderate risk waste" means . . . (b) any household hazardous wastes which are generated from the disposal of substances identified by the department as hazardous household substances or substances that exhibit any of the properties of hazardous waste."

WAC 173-312-040 Applicant eligibility.

(1) "This eligibility extends to cities that have submitted an independent city plan, a joint city plan, or joint city-county plan to the department by the effective date of this rule. This eligibility also extends to any city subsequently requesting funding for the preparation of an independent plan, if such city provides for disposal sites wholly within its jurisdiction."

(2) "Jurisdictional health departments/districts are eligible to apply for coordinated prevention grants to pay for the enforcement of rules and regulations promulgated under chapter 70.95 RCW."

(3) "Counties whose solid waste plans are adopted, approved and updated by the department as required by chapter 70.95 RCW are eligible to apply for coordinated prevention grants to help pay for the implementation of projects in the most recently approved and adopted plan, provided that such projects are eligible as defined in WAC 173-312-050 . . . Local governments which do not comply will not be eligible for coordinated prevention grant funding for solid waste project implementation until the required plan updates are submitted to the department."

(6) "Any grant-eligible entities as defined in this section may submit their requests in a unified application . . ."

WAC 173-312-050 Project eligibility.

(1) "Eligible project costs are those costs which are necessary and reasonable to fund required local planning and the implementation of some projects and programs contained in those plans, including innovative approaches implementing policies of the plan. These are: . . ."

(1)(d) "Local solid waste plan enforcement by the jurisdictional health departments/districts."

(1)(e) "Local solid waste plan implementation projects, which are limited to: . . . (ii) Ground water monitoring well projects to meet the requirements of WAC 173-304-490. (iii) Waste reduction and recycling projects and programs."

WAC 173-312-060 Application process.

(1) "The department shall set forth in its grant guidelines the base funding levels estimated to be available for each county for coordinated prevention grants

and the process by which applications will be submitted."

(2) "The application shall be submitted by the county agency or department having responsibility for solid waste, unless the county executive department shall select another agency or department to submit the application."

(4)(a) "A unified grant application means that the county, the health department/district and any other grant eligible entities as defined in WAC 173-312-040 have reached agreement regarding the requested project and funding allocations . . ."

(4)(a)(ii) "The application shall be signed, indicating approval by responsible officials from the county, local health department/district and any other grant-eligible entities as defined in WAC 173-312-040."

(4)(b) "A package application means that the county, the local health department/district and any other grant-eligible entities as defined in WAC 173-312-040 have not reached agreement regarding the requested projects and funding allocations, or choose to submit individual applications."

"The maximum grant request may exceed the base funding level . . . A package application may consist of individual signed applications from the county, health department/district and other grant eligible entities as defined in WAC 173-312-040; requests from other cities would be submitted as part of the county application."

WAC 173-312-070 Application evaluation.

(1)(a)(d) "Programs and projects to implement adopted local solid waste plans, including waste reduction and recycling, ground water monitoring wells meeting the requirements of WAC 173-304-490, and publicly owned municipal solid waste landfill closure meeting the requirements of WAC 173-312-050 (1)(c)(ii)."

(2)(g) "For solid waste enforcement funding, takes into account the number of disposal sites and the geographic area requiring enforcement activity."

WAC 173-312-080 Allocation of grant funding.

(2) "Grants that may be awarded to eligible cities pursuant to WAC 173-312-040 may not exceed a city's proportionate share, based on population, of a county's base funding level as defined in subsection (3)(a) of this section, unless the department, the county, the health department/district and the grant eligible entities as defined in WAC 173-312-040 agree otherwise."

WAC 173-312-090 State assistance share and local cash match.

(1) and (2) " . . . local cash match . . ."

(2) "Economically disadvantaged counties which submit unified grant applications as defined in WAC 173-312-060 (3)(a) will be eligible for a grant amount ten percent greater than the base funding level."

(5) "Local cash match may not be met by in-kind contributions, except interlocal costs."

WAC 173-312-100 Grant administration.

(2)(a) "A base grant phase, during which eligible applicant governments apply for grant funds up to the base funding level set forth in WAC 173-312-080 (3)(a) plus the selected administrative incentives . . ."

(4) "No costs incurred prior to the effective date of a grant agreement are eligible unless specific provision is made in the grant agreement for such costs."

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

May 21, 1991

Fred Olson

Deputy Director

Chapter 173-312 WAC  
~~((LOCAL SOLID WASTE ENFORCEMENT  
 GRANT REGULATION))~~ COORDINATED PRE-  
 VENTION GRANTS

AMENDATORY SECTION (Amending Order 90-17,  
 filed 9/4/90, effective 10/5/90)

WAC 173-312-010 ~~((RESERVED:))~~ PURPOSE AND AUTHORITY. (1) The purpose of this chapter is to set forth requirements for the conduct of a financial assistance program to provide grants to local governments for local hazardous waste plans and programs and solid waste plans and programs, pursuant to the Model Toxics Control Act, RCW 70.105D.070(3). The plans and programs referenced in RCW 70.105D.070(3) are designed to prevent or minimize environmental contamination. Therefore, the grants are designated "coordinated prevention grants" under this chapter.

(2) A further purpose of this chapter is to establish a structure for the administration of coordinated prevention grants funded from the local toxics control account authorized by RCW 82.21.030. The administrative structure may be extended to other waste management grant programs using other funding sources including the 1972 waste disposal facilities bonds authorized by chapter 43.83A RCW, the 1980 waste disposal facilities bonds authorized by chapter 43.99 RCW, the litter control account authorized by chapter 70.93 RCW, the vehicle tire recycling account authorized by chapter 70.95 RCW, the solid waste management account authorized by chapter 70.95 RCW, the hazardous waste assistance account authorized by chapter 70.95E RCW, and other waste management funding sources that may be established in the future by the legislature.

(3) The purposes of the coordinated prevention grants program are to:

(a) Consolidate all grant programs funded from the local toxics control account, and such other programs in subsection (2) of this section as may be selected, into a single program, except for remedial action, public participation, and citizen proponent negotiations grants.

(b) Promote regional solutions and intergovernmental cooperation.

(c) Prevent or minimize environmental contamination by providing financial assistance to local governments to help them comply with state solid and hazardous waste laws and regulations.

(d) Provide funding assistance for local solid and hazardous waste planning and for implementation of some programs and projects in those plans.

(e) Encourage local responsibility for solid and hazardous waste management.

(f) Improve efficiency, consistency, reliability, and accountability of grant administration.

Note: Copies of all cited statutes, rules, and guidelines are available at the Department of Ecology, Mailstop: PV-11, Olympia, Washington 98504.

**AMENDATORY SECTION** (Amending Order 90-17, filed 9/4/90, effective 10/5/90)

**WAC 173-312-020 ((RESERVED:)) DEFINITIONS.** "Cash expenditure" means any cash outlay by the recipient, regardless of the source of funds, for direct costs of goods and/or services; salaries and benefits of recipient employees, including force account; overhead cash; and payments made to contractors.

"Class one areas" means the counties of Spokane, Snohomish, King, Pierce, and Kitsap and all the cities therein.

"Class two areas" means the counties located west of the crest of the Cascade Mountains and all the cities therein, except Snohomish, King, Pierce, and Kitsap counties.

"Class three areas" means the counties east of the crest of the Cascade Mountains and all the cities therein, except Spokane County.

"Department" means the department of ecology.

"Grant" means the portion of the project costs borne by the department.

"In-kind contributions" are property or services that benefit a project and that are contributed by a third party, without direct monetary compensation, to the recipient (or to any contractor under the agreement). In-kind contributions include donated or loaned real or personal property, volunteer services, and employee services donated by a third party.

"Incineration" means a process of reducing the volume of solid waste by use of an enclosed device using controlled flame combustion, operating under federal and state environmental laws and regulations.

"Interlocal costs" are in-kind contributions made to a project by another local government pursuant to a valid written agreement between the recipient and the other government which details the work to be accomplished, the goods and services to be provided, and the value thereof. If the recipient reimburses another governmental entity for any portion of its contributions, the amount paid to the other entity is not an interlocal cost. It is a cash expenditure on the part of the recipient. Only the nonreimbursed portion of the other governmental entity's contributions is an interlocal cost.

"Landfill" means a disposal facility or part of a facility at which solid waste is permanently placed in or on land and which is not a landspreading disposal facility.

"Lead implementation agency" means the agency designated in the adopted local solid or hazardous waste plan as having the principal responsibility for the execution of all or most of the plan, and/or the coordinating agency which delegates responsibility to other agencies to execute portions of the plan.

"Local government" means any political subdivision, regional governmental unit, district, municipal or public corporation, including cities, towns, and counties. The

term encompasses but does not refer specifically to the departments within a city, town, or county.

"Local hazardous waste plan" means the plan to manage moderate-risk waste that a local government is required to prepare pursuant to RCW 70.105.220.

"Match" means that portion of the cash expenditures borne by recipient funds and interlocal costs.

"Moderate-risk waste" means (a) any waste that exhibits any of the properties of hazardous waste but is exempt from regulation under chapter 70.105 RCW solely because the waste is generated in quantities below the threshold for regulation, and (b) any household wastes which are generated from the disposal of substances identified by the department as hazardous household substances or substances that exhibit any of the properties of hazardous waste.

"Recipient" means the entity to which the funding is awarded and which is accountable for the use of the funds provided. The recipient is the entire legal entity even if only one component or department is designated in the agreement document.

"Recyclable materials" means those solid wastes separated for recycling or reuse, such as papers, metals and glass, that are identified as recyclable material pursuant to a local comprehensive solid waste plan.

"Recycling" means transforming or remanufacturing waste materials into usable or marketable materials for use other than landfill disposal or incineration.

"Solid waste" or "wastes" means all putrescible and nonputrescible solid and semisolid wastes including, but not limited to, garbage, rubbish, ashes, industrial wastes, swill, demolition and construction wastes, abandoned vehicles or parts thereof, and recyclable materials.

**AMENDATORY SECTION** (Amending Order 90-17, filed 9/4/90, effective 10/5/90)

**WAC 173-312-030 ((RESERVED:)) RELATION TO OTHER LEGISLATION AND ADMINISTRATIVE RULES.** (1) This rule shall, together with chapters 173-322 and 173-321 WAC, and WAC 173-303-902, fulfill the requirement for rule making set forth in RCW 70.105D.070(7).

(2) The local government receiving a grant shall comply fully with all applicable federal, state, and local laws, orders, regulations, and permits.

(3) Grants will be awarded within the limits of available funds. The obligation of the department to make grant payments is contingent upon the availability of funds through legislative appropriation and allotment, and such other conditions not reasonably foreseeable by the department which may render performance impossible.

(4) Nothing in this chapter shall influence, affect, or modify existing department programs, regulations, or enforcement of applicable laws relating to solid and hazardous waste management and cleanup.

(5) All grants shall be subject to existing applicable accounting and auditing requirements of state laws and regulations.



AMENDATORY SECTION (Amending Order 90-17, filed 9/4/90, effective 10/5/90)

WAC 173-312-040 ((RESERVED:)) APPLICANT ELIGIBILITY. (1) Eligibility for solid waste planning grants. Counties that are required by chapter 70.95 RCW to adopt or update local solid waste plans, are eligible to apply for coordinated prevention grants to help pay for such plans. This eligibility extends to cities that have submitted an independent city plan, a joint city plan, or joint city-county plan to the department by the effective date of this rule. This eligibility also extends to any city subsequently requesting funding for the preparation of an independent plan, if such city provides for disposal sites wholly within its jurisdiction.

(2) Eligibility for solid waste enforcement grants. Jurisdictional health departments/districts are eligible to apply for coordinated prevention grants to pay for the enforcement of rules and regulations promulgated under chapter 70.95 RCW.

(3) Eligibility for solid waste implementation grants. Counties whose solid waste plans are adopted, approved, and updated by the department as required by chapter 70.95 RCW are eligible to apply for coordinated prevention grants to help pay for the implementation of projects in the most recently approved and adopted plan, provided that such projects are eligible as defined in WAC 173-312-050. This eligibility also extends to cities that are eligible for funding to do local solid waste plans or updates as provided by subsection (1) of this section.

If such adopted plans designate lead implementation agencies to implement the plans, such agencies are also eligible to apply for coordinated prevention grants.

Solid waste plan updates must be submitted to the department no later than July 1, 1991, for class one areas; July 1, 1992, for class two areas; and July 1, 1994, for class three areas; unless an extension is granted by the department. Local governments that do not comply will not be eligible for coordinated prevention grant funding for solid waste project implementation until the required plan updates are submitted to the department.

(4) Eligibility for hazardous waste planning grants. Local governments that are required by chapter 70.105 RCW to adopt or update local hazardous waste plans are eligible to apply for coordinated prevention grants to help pay for such plans.

(5) Eligibility for hazardous waste plan implementation grants. Local governments with department-approved local hazardous waste plans as required by chapter 70.105 RCW are eligible to apply for coordinated prevention grants to help pay for the implementation of projects in the plan. If such plans designate lead implementation agencies to implement the plans, such agencies are also eligible to apply for coordinated prevention grants.

(6) Any grant-eligible entities as defined in this section may submit their requests in a unified application as described in WAC 173-312-060 (4)(a), or may submit separate applications in a package application as provided in WAC 173-312-060 (4)(b).

AMENDATORY SECTION (Amending Order 90-17, filed 9/4/90, effective 10/5/90)

WAC 173-312-050 ((RESERVED:)) PROJECT ELIGIBILITY: (1) Eligible project costs are those costs that are necessary and reasonable to fund required local planning and the implementation of some projects and programs contained in those plans, including innovative approaches implementing policies of the plan. These are:

(a) Local hazardous waste planning as required by chapter 70.105 RCW.

(b) Local solid waste planning as required by chapter 70.95 RCW.

(c) Local hazardous waste plan implementation projects.

(d) Local solid waste enforcement by the jurisdictional health departments/districts.

(e) Local solid waste plan implementation projects, which are limited to:

(i) Projects that implement the requirements of chapter 173-304 WAC for closure of publicly-owned municipal solid waste landfills will be eligible for grant funding provided all of the following criteria are met:

(A) The jurisdictional health department/district has required the landfill to reach postclosure no later than September 30, 1995;

(B) Financial assurance accounts for closure and postclosure have been established and maintained as required by chapter 173-304 WAC for landfills closed after November 27, 1989;

(C) The landfill has an approved closure plan as required by chapter 173-304 WAC;

(D) Local governments that have disposed of significant quantities of waste at the landfill make reasonable financial contribution to the costs of closure and postclosure; and

(E) The landfill is not eligible for remedial action grants under chapter 173-322 WAC or identified by the department as potentially requiring remedial action.

The total amount expended from the local toxics control account for solid waste landfill closure shall not exceed fifteen million dollars and no funds shall be expended for this purpose after December 31, 1995. No single landfill closure project shall be eligible for more than five hundred thousand dollars from the local toxics control account.

(ii) Ground water monitoring well projects to meet the requirements of WAC 173-304-490.

(iii) Waste reduction and recycling projects and programs.

(2) Eligible project costs do not include:

(a) Solid waste incinerator feasibility studies, construction, maintenance, or operation.

(b) Landfill closure as required by chapter 173-304 WAC, except for ground water monitoring wells or projects which meet the requirements of subsection (1)(e)(i) of this section.

(c) New landfill construction or landfill expansion, or landfill upgrading at an operating facility to meet the requirements of chapter 173-304 WAC.

(d) Garbage collection and disposal, except start-up costs for waste reduction and recycling programs.



(e) Solid and hazardous waste expenses not directly related to compliance with state solid and hazardous waste laws and regulations.

NEW SECTION

WAC 173-312-060 APPLICATION PROCESS.

(1) The department shall set forth in its grant guidelines the base funding levels estimated to be available for each county for coordinated prevention grants and the process by which applications will be submitted.

(2) The application shall be submitted by the county agency or department having responsibility for solid waste, unless the county executive department shall select another agency or department to submit the application.

(3) Coordinated prevention grant applications must:

(a) Include a commitment by the applicant(s) to use local funds to match grant funds according to the requirements of WAC 173-312-090.

(b) Be for eligible projects as defined in WAC 173-312-050.

(c) Include a scope of work that is sufficiently detailed for the department to monitor grant performance.

(d) Include documentation that all cities in the county and lead implementation agencies which have approved the adopted local hazardous waste plan or solid waste plan have had the opportunity to request that projects that meet the requirements of WAC 173-312-050 be included in the application.

(4) To obtain coordinated prevention grant funding, a county shall submit either a unified application or a package application, as defined herein:

(a) A unified grant application means that the county, the health department/district and any other grant eligible entities as defined in WAC 173-312-040 have reached agreement regarding the requested projects and funding allocations for both local solid and local hazardous waste plans and projects. The submittal will consist of a single county application with specific projects identified to be executed by the county and other local governments. Unified applications will receive financial incentives for administrative coordination set forth in WAC 173-312-090.

The unified application shall include a maximum grant request for no more than the base funding level for the county, plus the selected financial incentive.

The application shall be signed, indicating approval by responsible officials from the county, local health department/district and any other grant-eligible entities as defined in WAC 173-312-040.

(b) A package application means that the county, the local health department/district and any other grant-eligible entities as defined in WAC 173-312-040 have not reached agreement regarding the requested projects and funding allocations, or choose to submit individual applications. The maximum grant request may exceed the base funding level. A package application is not eligible for the financial incentives for administrative coordination set forth in WAC 173-312-090. A package application must be submitted by the county. A package application may consist of individual signed applications from the county, the health department/district and

other grant-eligible entities as defined in WAC 173-312-040; requests from other cities will be submitted as part of the county application.

NEW SECTION

WAC 173-312-070 APPLICATION EVALUA-

TION. (1) In evaluating coordinated prevention grant applications, the department may require that funding of certain projects take precedence over other projects. The department will refer to the following priority order in evaluating projects:

(a) Required hazardous waste planning under chapter 70.105 RCW and required solid waste planning under chapter 70.95 RCW.

(b) Programs and projects to implement adopted local hazardous waste plans, including waste reduction and recycling.

(c) Solid waste enforcement programs.

(d) Programs and projects to implement adopted local solid waste plans, including waste reduction and recycling, ground water monitoring wells meeting the requirements of WAC 173-304-490, and publicly owned municipal solid waste landfill closure meeting the requirements of WAC 173-312-050 (1)(e)(i).

(2) The department will evaluate each application according to the extent to which it:

(a) Conforms to the adopted local hazardous waste and solid waste plans.

(b) Advances regional solutions and intergovernmental cooperation.

(c) Supports the state's goal to achieve a fifty percent recycling rate by 1995.

(d) Confers broad benefit on residents of the county, whether they reside in incorporated areas or unincorporated areas.

(e) Meets the needs of local government for projects that prevent environmental contamination from solid and hazardous waste.

(f) Uses the state's resources efficiently.

(g) For solid waste enforcement funding, takes into account the number of disposal sites and the geographic area requiring enforcement activity.

(3) The department may fund all or portions of a coordinated prevention grant application.

(4) The department may award grants to any local government in order to execute all or portions of a coordinated prevention grant program.

NEW SECTION

WAC 173-312-080 ALLOCATION OF GRANT

FUNDING. (1) The department shall consider the following factors in calculating base funding levels, supplemental grant levels, and maximum grant amounts for recipients:

(a) Projected and actual revenue to the local toxics control account, and other funding sources cited in WAC 173-312-010(2), as determined by the department.

(b) The number of people served by a local government.

(2) Grants that may be awarded to eligible cities pursuant to WAC 173-312-040 may not exceed a city's proportionate share, based on population, of a county's base funding level as defined in subsection (3)(a) of this section, unless the department, the county, the health department/district and the grant-eligible entities as defined in WAC 173-312-040 agree otherwise.

(3) Projected revenues to the local toxics control account that are available each biennium for coordinated prevention grant purposes shall be divided into two portions. After administrative costs have been deducted, allocations will be calculated as follows:

(a) The base funding level shall be calculated for each county by means of a formula which shall consist of two elements:

(i) A fixed amount for each county, regardless of size; and

(ii) A per capita amount based on county population size as determined by the United States census data or by the official estimates of the state office of financial management.

(b) The smaller portion, as well as unused funds in (a) of this subsection, shall become supplemental funds and shall be used for the following purposes:

(i) Financial incentives to local governments for administrative centralization and efficiency;

(ii) Remedial action grants issued pursuant to chapter 173-322 WAC, if the need exceeds administrative allocations;

(iii) Landfill closure projects meeting the requirements of WAC 173-312-050 (1)(e)(i);

(iv) Reserve funds for grants to deal with unanticipated or immediate threats to human health and the environment; and

(v) Supplemental grants, to be awarded based on the criteria set forth in WAC 173-312-070(2).

(4) Applicants must meet the requirements of this chapter to the satisfaction of the department in order to secure grant awards.

#### NEW SECTION

**WAC 173-312-090 STATE ASSISTANCE SHARE AND LOCAL CASH MATCH.** (1) Costs eligible under WAC 173-312-050 will be considered for grant funding of up to sixty percent. At least forty percent of eligible costs must be provided as local cash match. Counties which submit unified applications as defined in WAC 173-312-060 (4)(a) either will be considered for grant funding of up to sixty-five percent, provided that at least thirty-five percent of eligible costs is provided as local cash match, or will be eligible for a grant amount level ten percent greater than the base funding level.

(2) Counties, and grant-eligible jurisdictions within such counties, that are determined to be economically disadvantaged will be eligible for an increased state share and a reduced local cash match. For projects proposed by such jurisdictions, costs eligible under WAC 173-312-050 will be considered for grant funding of up to seventy-five percent. At least twenty-five percent of eligible costs must be provided as local cash match.

Economically disadvantaged counties that submit unified grant applications as defined in WAC 173-312-060 (4)(a) will be eligible for a grant amount ten percent greater than the base funding level.

(3) A county is considered economically disadvantaged if it meets both of the following criteria:

(a) Per capita income, as measured by the latest official estimate of the state office of financial management, is in the lower twenty counties in the state; and

(b) Economic distress exists as defined by chapter 43-165 RCW.

(4) The department will include a list of economically disadvantaged counties as defined in this section in the guidelines for coordinated prevention grants.

(5) Local cash match may be met by cash expenditures and interlocal costs. Interlocal costs are the only type of in-kind contributions that may be used for local cash match.

#### NEW SECTION

**WAC 173-312-100 GRANT ADMINISTRATION.** (1) The department shall prepare guidelines to facilitate compliance with and interpretation of this rule.

(2) The coordinated prevention grants shall operate on a biennial funding cycle. Such cycle will consist of:

(a) A base grant phase, during which eligible applicant governments apply for grant funds up to the base funding level set forth in WAC 173-312-080 (3)(a) plus the selected administrative incentives; and

(b) A supplemental grant phase, during which grant recipients request grant amendments including supplemental funding requests for additional funds to assist ongoing or new projects. The supplemental grant phase will be contingent on the availability of funds to the local toxics control account.

(3) The department will obligate coordinated prevention grant funds to a recipient for a maximum period of two years. If the recipient has not accomplished the scope of work in the time period set forth in the agreement, the recipient must use a portion of its next biennial base funding level to complete the project(s).

(4) No costs incurred prior to the effective date of a grant agreement are eligible unless specific provision is made in the grant agreement for such costs.

#### **WSR 91-11-091**

#### **PERMANENT RULES**

#### **DEPARTMENT OF ECOLOGY**

[Order 91-06—Filed May 21, 1991, 4:15 p.m.]

Date of Adoption: May 21, 1991.

Purpose: To adopt a new chapter 173-270 WAC, Puget Sound highway runoff program, which will enhance the quality of highway runoff from state highways in the Puget Sound Basin, establish procedures and criteria for the Washington State Department of Transportation and provide for appropriate consultation with interested and affected parties.

Statutory Authority for Adoption: Chapter 90.48 RCW.

Other Authority: Chapter 90.70 RCW.

Pursuant to notice filed as WSR 91-04-091 on February 6, 1991.

Changes Other than Editing from Proposed to Adopted Version: WAC 173-270-080(2) is amended by adding a new subdivision (k) to obtain additional information needed to evaluate Washington State Department of Transportation's compliance with the rule as follows: (k) A summary of the negotiations required by WAC 173-270-060(6).

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: RCW 90.70.080(2) addresses factors to be considered when establishing the geographic basis of a rule.

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

May 21, 1991

Fred Olson

Deputy Director

#### Chapter 173-270 WAC

### PUGET SOUND HIGHWAY RUNOFF PROGRAM

#### NEW SECTION

WAC 173-270-010 PURPOSE, AUTHORITY, AND APPLICABILITY. (1) Purpose. The purpose of this chapter is to:

(a) Control highway runoff into waters of the state to the maximum extent possible under state law;

(b) Establish procedures and criteria for WSDOT's highway runoff program mandated by the Puget Sound water quality management plan pursuant to chapter 90.70 RCW; and

(c) Provide for appropriate consultation and coordination with tribes, local governments, and other interested and affected parties.

(2) Authority. The authority for this chapter is provided by chapters 90.48 and 90.70 RCW.

(3) Applicability. This chapter applies to all state highway rights of way in the Puget Sound basin which WSDOT owns or controls by long-term lease or easement, or for which WSDOT has maintenance responsibility. This chapter is applicable subject to the availability of appropriated funds or other funding sources.

Note: Copies of statutes and administrative rules incorporated by reference as a part of this chapter are available at ecology offices in Lacey, Washington during regular business hours.

#### NEW SECTION

WAC 173-270-020 DEFINITIONS. The definitions in this section apply to this chapter unless the context requires otherwise.

(1) "Average daily traffic" or "ADT" means the total traffic volume during a given time period (in whole days) greater than one day and less than one year divided by the number of days in that time period. ADT is determined by WSDOT.

(2) "Best management practices" or "BMPs" means physical, structural, and/or managerial practices that when used singly or in combination prevent or reduce pollution of water and have been approved by ecology.

BMPs are listed and described in the manual defined in subsection (9) of this section.

(3) "Broadcast application" means a uniform application of pesticides to an entire area.

(4) "Buffer zone" means the minimum distance that a pesticide is permitted to be applied from a physical feature or sensitive area.

(5) "Capital improvement program plan" means a schedule of permanent physical structural improvements budgeted to fit financial resources.

(6) "Ecology" means the Washington state department of ecology.

(7) "EPA" means the U.S. Environmental Protection Agency.

(8) "Experimental BMP" means any treatment or methodology proposed for treatment of highway runoff that is not in the highway runoff manual, defined in subsection (9) of this section, and is being studied by WSDOT and/or ecology for adoption as a BMP.

(9) "Highway runoff manual" means the manual adopted by WSDOT and approved by ecology that contains BMPs to prevent or reduce pollution, and described in WAC 173-270-030.

(10) "Integrated pest management" or "IPM" means the selection, integration, and implementation of pest control that consists of: Prevention of pest problems; monitoring and evaluation of pests, damage and results of treatment; acknowledgment of population levels of pests that can be tolerated based on legal, economic, health, or aesthetic thresholds; use of natural control agents in an ecosystem; reliance to the maximum extent possible on nonhazardous biological, mechanical, and cultural treatment of pests; application of pesticides in a manner that minimizes damage to the ecosystem's natural controls and integrity; and use of pesticides only after all other methods have been evaluated.

(11) "Local government" means a county, city, town, or special purpose district that has authority to manage stormwater.

(12) "New construction" means the addition of one or more lanes, ramps, bridges, or other major structures to an existing state highway or the construction of a new state highway.

(13) "Pest" means any form of plant or animal life or virus (except virus on or in living man or other animal) which is normally considered to be a pest or which the director of the WSDA may declare by regulation to be a pest, including but not limited to, any insect, other arthropod, fungus, rodent, nematode, mollusk, or weed.

(14) "Pest treatment" means mechanical, biological, cultural, or chemical procedures or methods to manage, control, or reduce the influence of a pest.

(15) "Pesticide" means as defined by chapter 17.21 RCW, the Washington Pesticide Act, and regulated by the United States Environmental Protection Agency and WSDA.

(16) "Pollution" means such contamination or other alteration of the physical, chemical, or biological properties of any waters of the state, including change in temperature, taste, color, turbidity, or odor of the waters, or such discharge of any liquid, gaseous, solid, radioactive, or other substance into any waters of the state

as will or is likely to create a nuisance or render such waters harmful, detrimental, or injurious to the public health, safety or welfare, or to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial use, or to livestock, wild animals, birds, fish, or other aquatic life.

(17) "Puget Sound basin" means the waters of Puget Sound south of Admiralty Inlet including Hood Canal and Saratoga Passage; the waters north to the Canadian border, including portions of the Strait of Georgia; the Strait of Juan de Fuca south of the Canadian border; and all land draining into these waters as mapped in WAC 173-500-040 Water resource inventory areas numbers 1 through 19.

(18) "Quality assurance and control plan" means a collection of policies, objectives, principles, and procedures for attaining data of known and accepted quality and establishes standards of performance for sampling, monitoring, and measurement.

(19) "Sensitive area" means an area or that due to its ground or surface water characteristics may be adversely affected or altered directly or indirectly by pollution and requires special vegetation management, stormwater management, or other practices.

(20) "Spot treatment" means the application of pesticides to a selected individual area or species.

(21) "Stormwater management manual" means the technical manual prepared by ecology for use by local governments and WSDOT that contains BMPs to prevent or reduce pollution in stormwater.

(22) "Stormwater treatment" means chemical, biological, or mechanical procedures or structural methods to remove, reduce, or neutralize pollution.

(23) "Waters of the state" means lakes, rivers, ponds, streams, inland waters, underground waters, salt waters, and all other surface waters and water courses within the jurisdiction of the state of Washington.

(24) "Wetlands" means those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands are identified and delineated by the "Federal Manual for Identifying Jurisdictional Wetlands" dated January 19, 1989.

(25) "WSDA" means the Washington state department of agriculture.

(26) "WSDOT" means the Washington state department of transportation.

#### NEW SECTION

WAC 173-270-030 BEST MANAGEMENT PRACTICES. (1) Approved manual required. Six months after the effective date of ecology's stormwater management manual or six months after the effective date of this chapter, whichever is later, WSDOT shall submit to ecology a highway runoff manual. If WSDOT proposes to adopt a manual other than ecology's stormwater management manual as its highway runoff manual, WSDOT shall formally consult with the tribes and local governments about the contents of the highway

runoff manual. The highway runoff manual shall be consistent with ecology's stormwater management manual and shall be adopted by WSDOT only after obtaining ecology's approval. After obtaining ecology's approval, WSDOT shall use the highway runoff manual to direct stormwater management for its existing and new facilities and rights of way in the Puget Sound basin.

(2) Amendments to manual.

(a) Ecology initiates amendments. If ecology amends its stormwater management manual to change or add a BMP or other technical requirement that applies to highways, ecology shall notify WSDOT in writing and send WSDOT a copy of the amendment. This notification shall include ecology's determination as to whether the highway runoff manual complies with the amendment. If the highway runoff manual does not comply with the amendment, WSDOT shall submit proposed amendments within sixty days unless ecology agrees to a time extension. Such proposed amendment shall be subject to ecology's review and approval.

(b) WSDOT initiates amendments. Amendments proposed by WSDOT to the approved highway runoff manual shall be submitted to ecology for review and approval. WSDOT shall formally consult with affected tribes and local governments during the development of proposed amendments. Ecology shall review and approve, conditionally approve or deny the proposed amendments within sixty days from the submittal date.

(3) More stringent standards.

(a) WSDOT shall use the minimum standards established in the highway runoff manual but may use more stringent standards.

(b) When a state highway is located in the jurisdiction of a local government that is required by ecology to utilize more stringent standards to protect the quality of receiving waters, WSDOT shall comply with the same standards to promote uniform stormwater treatment.

(c) WSDOT shall comply with standards identified in watershed action plans for WSDOT rights of ways as required by WAC 400-12-570.

(4) Project coordination. WSDOT shall consult with appropriate tribes and local governments and evaluate local conditions for design, construction, and maintenance of stormwater facilities as indicated in WSDOT's utilities manual. Other agencies and organizations that have an interest or expertise in stormwater may also be consulted. WSDOT, tribes, and local governments are encouraged to jointly develop and maintain stormwater facilities.

(5) Contents of manual. The highway runoff manual shall include, but not be limited to, the following:

(a) BMPs for the control of erosion and sedimentation from construction sites, including standards for operation and maintenance;

(b) Hydrologic analysis procedures, including selection of design storms and estimation of runoff;

(c) Design, operation, and maintenance standards for retention and/or detention facilities and conveyance systems that shall emphasize systems which maximize water quality benefits as well as water quantity control, such as inclusion of biofiltration techniques where practicable;

(d) BMPs for the control of pests, excluding weed control which shall be addressed in the vegetation management program described in WAC 173-270-040;

(e) BMPs for the selection and use of deicing chemicals and traction grit which, as a minimum, shall consist of the following: (i) Traction grit particles should be as large as suitable for application on highways for traction purposes because large particles are less readily transported into waters of the state; (ii) selection and use of deicing chemicals shall include consideration of potential effects on water quality and the beneficial uses of potentially affected waters; (iii) stockpiles containing deicing chemicals shall be investigated for existing and potential water quality problems; and (iv) stockpiles that have an identified problem shall be covered, curbed, diked, placed on an impervious surface, and/or located so runoff can not carry dissolved chemicals into waters of the state; and

(f) BMPs for waste disposal from highway runoff system maintenance.

(6) Experimental BMPs.

(a) WSDOT request. WSDOT may request in writing that ecology approve the use of an experimental BMP for one or several sites. The request shall include, but need not be limited to, a description of: (i) The experimental BMP; (ii) why the experimental BMP is being requested; (iii) why the BMPs in the highway runoff manual are not appropriate; (iv) applicable construction techniques; (v) the site or sites at which use of the experimental BMP is proposed; (vi) the characteristics of the site or sites; (vii) design criteria for the experimental BMP; (viii) maintenance procedures; (ix) cost estimates; (x) monitoring procedures; (xi) the time needed for monitoring; (xii) the anticipated results; (xiii) if appropriate, an approved BMP that could be used if the experimental BMP fails; and (xiv) consultation with interested and affected parties including tribes, local governments, and contiguous property owners.

(b) Ecology review and approval. After reviewing WSDOT's request, ecology may approve, conditionally approve, or deny the use of the experimental BMP for specific sites. Any approval shall be for a period of time not to exceed four years unless ecology determines, upon request and justification by WSDOT, that unusual circumstances justify a longer time period.

(c) Evaluation criteria. In evaluating an experimental BMP, ecology shall consider factors it deems appropriate, including, but not limited to: The experimental BMP's effectiveness in protecting water quality and beneficial uses; its reliability, cost, ease of construction; and maintenance requirements.

(d) BMP status. Before ecology's authorization for WSDOT's use of the experimental BMP expires, WSDOT shall consult with affected tribes, local governments, or property owners. WSDOT shall document the results of the experimental BMP and shall determine whether to request amendment of the highway runoff manual to include the experimental BMP as an approved BMP. Before ecology's authorization expires, WSDOT shall either request an amendment to the highway runoff manual under subsection (2)(b) of this section or inform

ecology in writing that it is not proposing to amend the highway runoff manual to include the BMP. Based upon the predicted results in the original request, monitoring data and other information relevant to WSDOT's request, ecology shall determine whether an experimental BMP that is not proposed to be included in the highway runoff manual shall be replaced with an approved BMP.

NEW SECTION

WAC 173-270-040 VEGETATION MANAGEMENT PROGRAM. (1) General. The purposes of vegetation management in highway rights of way are to establish and maintain stable plant communities that resist encroachment by undesirable plants, noxious weeds, and other pests; meet WSDOT operational, health, natural resources, and environmental standards; be cost effective; and protect the public investment with minimal negative impacts on the environment.

(2) Program required. WSDOT shall prepare and implement a vegetation management program for all state highways within the Puget Sound basin. WSDOT shall obtain ecology's preliminary approval of the program before WSDOT conducts a public hearing. WSDOT shall formally consult with the tribes and local governments during preparation of the proposed program. After the public hearing, WSDOT shall obtain ecology's approval before WSDOT adopts the program. The program shall be adopted by September 30, 1991. WSDOT and ecology shall review the program at least every two years beginning September 30, 1993. Either ecology or WSDOT may initiate amendment of the program. Amendments shall be prepared, approved, and adopted in accordance with the procedures of this subsection for the initial development of the vegetation management program.

(3) Contents of program.

(a) The vegetation management program shall include, but need not be limited to vegetation management policies; technical guidelines; procedures to implement policies and guidelines; and roadside management plan procedures and standards.

(b) Vegetation management policies. These policies, at a minimum, shall address:

(i) Operational, aesthetic, and environmental standards;

(ii) Integrated pest management;

(iii) Coordination between WSDOT and local governments, abutting property owners, and tribes, including public notification, option to maintain by contiguous property owner and the option to maintain by a preferred management technique of the contiguous property owner;

(iv) Recordkeeping;

(v) Training and education for vegetation management employees; and

(vi) Testing for pesticides at storage, loading, and mixing areas and, if necessary, in ground water and nearby surface water that may be contaminated by or affected by pesticides.

(c) Technical guidelines. These guidelines, at a minimum, shall address:

(i) Integrated pest management which shall address monitoring, establishing injury levels, setting action levels, selecting treatment, and evaluating treatment.

(A) Monitoring. Monitoring guidelines shall provide for: Identification of the potential pest and/or problem and sensitive areas; and observation of the vegetation on the site, or the site itself for potential pest problems at regular intervals. The schedule and methods of monitoring shall be appropriate to minimize the severity of damage caused by the pest.

(B) Establishing injury levels. Guidelines for establishing injury levels shall provide for determination of when a pest is likely to cause significant damage and require action to prevent unacceptable damage or public safety problems. Accurate records shall be kept so adequate data is available to make decisions. A problem shall be noted before any action is taken.

(C) Setting action levels. Guidelines for setting action levels shall provide for prioritization of target species and determination of when to initiate action so that unacceptable injury levels are not reached.

(D) Selecting treatment. Selection of pest treatment strategies and tactics shall provide for safety of highway users; protect the environment and human health; and provide for the stewardship of the public investment. This shall include an effort to minimize the use of chemical controls.

(E) Evaluating treatment. After pest treatment, the site shall be inspected to determine whether the pest treatment had the desired results. Adequate time shall be provided for the pest treatment to function before it is evaluated. If the pest treatment did not have the desired results, the treatment may be modified. Desired results may be examined to determine if they were realistic and/or appropriate;

(ii) Measures to reduce the amount of pesticides used to the least possible including measures to reduce the use of any state restricted use pesticides on WSDA's list for the protection of ground water found in WAC 16-228-164;

(iii) Criteria for the selection of pesticides that shall include, but not be limited to, target specificity, toxicity, persistence, migration characteristics, time of application and site conditions of treatment area, including slope and permeability;

(iv) Procedures for sampling and analysis for pesticide contamination in storage, loading, and mixing areas and, if appropriate, ground water and surface water with the use of Puget Sound protocols for sediment sampling of marine sediment for EPA priority pollutants is recommended where appropriate;

(v) A spill cleanup plan;

(vi) Methods for safe transportation of pesticides;

(vii) A recordkeeping system on pesticide use, including format;

(viii) Criteria for the identification of sensitive areas;

(ix) Buffer zones to protect waters of the state, public and private supply wells and watersheds, irrigation ditches, ecology regulated areas, and sensitive areas;

(x) Pesticide storage including a requirement that pesticides shall be stored in a secure building with an impermeable floor and controlled drains;

(xi) Vegetation selection in accordance with WSDOT's design manual with emphasis given to reduced maintenance; and

(xii) Vegetation management personnel training and education.

(d) Procedures for the implementation of the policies and guidelines.

(e) Procedures and standards for the preparation and implementation of roadside management plans for specific segments of state highway to assist WSDOT field crews manage state highway rights of way according to the approved vegetation management policies and technical guidelines. WSDOT shall consult with affected tribes, local governments, and other interested parties during preparation of these procedures and standards. WSDOT shall consult with affected tribes, local governments, and other interested parties during preparation of roadside management plans. These plans, at a minimum, shall address:

(i) Goals and objectives;

(ii) Identification of sensitive areas and minimum buffer zones;

(iii) Maintenance activities;

(iv) Budget estimates; and

(v) Evaluation methods and standards.

#### NEW SECTION

WAC 173-270-050 NEW CONSTRUCTION. WSDOT shall incorporate BMPs in all new construction projects for which design is started after the effective date of this chapter. For projects that are being designed or constructed when this chapter becomes effective, WSDOT shall implement BMPs to the maximum extent practicable to protect water quality. If the cost of constructing water quality BMPs makes a project that is being designed when this chapter becomes effective impracticable, then such BMPs shall be retrofitted at a later date. WSDOT shall submit water pollution control plans to ecology for review and approval for new construction and shall obtain other appropriate authorizations prior to construction.

#### NEW SECTION

WAC 173-270-060 EXISTING FACILITIES. (1) Inventory required. WSDOT shall prepare and maintain an inventory of all state highways in the Puget Sound basin. The purpose of the inventory is to determine where water quality BMPs need to be installed, to assist identification of priority projects, and to provide a basis for the evaluation of the program. WSDOT shall begin its inventory on highways with an ADT of fifty thousand or greater. The inventory and rating of highways with an ADT of less than fifty thousand shall be sufficient to provide projects for the six-year capital improvement program plan.

(2) Contents of inventory. The inventory shall be developed for homogeneous highway segments and shall include, but not be limited to:

(a) Highway segment identification including name, location, type, traffic volume classification, local

government(s) with jurisdiction, interested tribes, and WSDOT district;

(b) Status of stormwater management as follows: (i) BMPs are present and/or a local government is receiving and/or treating the highway runoff; (ii) BMPs are feasible or the local government will receive and/or treat highway runoff; or (iii) BMPs are not practicable; and

(c) Name of any water quality project completed since the effective date of this chapter, length of project, year of construction, and cost.

(3) Priority rating and ranking.

(a) WSDOT shall establish an annual project priority list for each WSDOT district within the Puget Sound basin. For each fiscal year WSDOT shall select needed improvements for each district inventoried as required by subsection (1) of this section. WSDOT shall divide these needed improvements into projects, considering funds available but in no case less than one project per year in each district unless all needed projects are completed.

(b) Priority rating criteria. WSDOT shall develop a priority rating and ranking system and submit it to ecology for concurrence.

(c) Priority ranking. WSDOT, using the priority ratings and rankings prepared using the system required in subsection (2)(b) of this section, shall determine which projects are to be implemented in each WSDOT district during the fiscal year. WSDOT may modify this ranking for good reason including the participation in a joint project proposed by a local government or tribe.

(4) Capital improvement program plan.

(a) The capital improvement program plan is to promote efficient use of resources, to coordinate projects, to aid compliance with the long-range program targets set forth in subsection (5) of this section and to ensure that difficult projects and those that require lengthy lead time are constructed in a reasonable time.

(b) WSDOT shall prepare a biennially updated water quality capital improvement program plan. WSDOT shall consult with ecology, tribes, and local governments throughout the planning process including the inventory. The capital improvement program plan shall be for a six-year period and include the following:

(i) An inventory of potential projects for the six-year period, including fiscal, technical, work force, legislative requirements, restrictions, and an initial evaluation of their relative priority;

(ii) A schedule for potential execution of projects in a long-range program list which considers priority relationships of projects coupled with legislative, fiscal, technical, and work force restrictions;

(iii) Selection of projects for early action from this schedule; and

(iv) Formal adoption by WSDOT after public review.

(c) Ecology shall review the proposed WSDOT capital improvement program plan and submit written comments to WSDOT before public review and again before adoption by WSDOT.

(d) After a public hearing, WSDOT shall adopt the capital improvement program plan after making appropriate revisions deemed necessary by public input.

(5) Long-range program.

(a) WSDOT shall complete all practicable BMP projects or transmit highway runoff to tribes or local governments for stormwater treatment for highways with an ADT of fifty thousand and greater by December 31, 2005, and for other highways by December 31, 2015.

(b) At least every six years WSDOT and ecology shall evaluate these target dates. Ecology or WSDOT may initiate revision of the target dates. In evaluating any proposed revision of a target date, ecology and WSDOT are to consider factors including, but not limited to, the number and projected costs of the projects yet to be completed, the degree of difficulty to construct the remaining sites, the projected level of funding, any revisions to the state water quality standards and any revisions to the manual required by WAC 173-270-030(1).

(6) Negotiations. Before transmitting to or requesting treatment of highway runoff by a tribe, local government or property owner, WSDOT shall negotiate with the tribe, local government, or property owner. WSDOT shall provide relevant information that shall include, but not be limited to, existing agreements to accept highway runoff, characteristics of the highway runoff, the reasons WSDOT is not treating the runoff on its own right of way and any proposed financial considerations for quality and/or quantity control.

(7) Disposal sites. WSDOT shall prepare an inventory, by district and maintenance area, of all sites, including all known inactive sites, where WSDOT disposes highway sweepings and sediments from stormwater facilities maintenance activities. Inventory information for WSDOT owned and leased sites and sites WSDOT for which has an easement shall include a scaled map illustrating property boundaries and the extent of the fill area, and where possible, an estimate of the volume of the fill present.

#### NEW SECTION

WAC 173-270-070 MONITORING. (1) BMP effectiveness monitoring.

(a) Monitoring procedures. WSDOT shall formulate and implement monitoring procedures for each type of BMP employed. The procedures shall include a quality assurance and control plan.

(b) Waivers. After application by WSDOT, ecology may grant a waiver from monitoring a BMP if ecology determines there is adequate knowledge about the BMP's water quality performance.

(2) Pesticide monitoring. WSDOT shall formulate a pesticide monitoring policy, including but not limited to, threshold determination and frequency of monitoring. WSDOT also shall formulate procedures for monitoring pesticides, including the use of benthic organisms.

#### NEW SECTION

WAC 173-270-080 REPORTING. (1) Biennial report required. WSDOT shall prepare and submit to ecology a report by September 30 of each odd-numbered year beginning September 30, 1991.

(2) Content of report. The biennial report shall include, but is not limited to:



(a) Monitoring report for both approved and experimental BMPs and pesticides describing monitoring procedures and interpreting results. Included may be recommendations to improve monitoring procedures, findings on which BMPs are the most effective, combinations of BMPs that optimize pollution removal, and recommendations for experimental BMPs;

(b) A pesticide usage inventory, including (i) the amount of pesticides by product by pounds of active ingredient applied for shoulder residual, landscaped areas, brush control, general weed control, noxious weed control, spot treatment and broadcast application by district, area, highway segment, and if feasible, by county and (ii) an analysis and interpretation shall be included with the data;

(c) Storage, loading, and mixing area soil and ground water contamination report for the presence of pesticides, including any cleanup efforts required, proposed, or completed since the adoption of this chapter;

(d) A deicing chemicals and traction grit usage report including:

(i) Product and quantities of deicing chemicals used in the Puget Sound basin by WSDOT district and maintenance area including chemical properties and known effects upon water quality;

(ii) Stockpile locations, with quantities of traction grit abrasive and deicing chemicals used during each season;

(iii) Cleanup practices to prevent or lessen traction grit and deicing chemical entry into waters of the state;

(iv) Locations prohibiting use of deicing chemicals or specific products due to water quality considerations;

(v) Training of personnel;

(vi) Experiments conducted on new products or procedures and experiments that WSDOT proposes;

(e) BMP maintenance report. Reports that shall submit BMP maintenance reports to ecology that shall include, but are not limited to:

(i) Dates that segments of state highway BMPs are inspected and/or maintained;

(ii) The general condition of BMPs;

(iii) Maintenance accomplished;

(iv) The need to reconstruct any BMPs;

(v) Any evaluation of a BMP type;

(vi) Estimated cost to maintain a BMP;

(vii) Suggested improvements to BMPs or their maintenance procedures; and

(viii) Training of personnel;

(f) Inventory for state highways with a fifty thousand ADT or greater required by WAC 173-270-060(1);

(g) Priority list for state highways with less than fifty thousand ADT required by WAC 173-270-060(3);

(h) Capital improvement program required by WAC 173-270-060(4);

(i) Inventory of all WSDOT highway disposal sites required by WAC 173-270-060(6);

(j) Status of roadside management plans by district and maintenance area; and

(k) A summary of the negotiations required by WAC 173-270-060(6).

NEW SECTION

WAC 173-270-090 ENFORCEMENT. Water quality requirements of this chapter shall be enforced through all methods available to ecology, including, but not limited to, those described in chapter 90.48 RCW. For all nonwater quality shortfalls WSDOT shall submit written explanation to ecology, together with proposed remedies.

NEW SECTION

WAC 173-270-100 SEVERABILITY. If any provision of this chapter or its application to any person, entity, or circumstance is held invalid, the remainder of this chapter or the application of the provision to other persons, entities, or circumstances shall not be affected.

**WSR 91-11-092**  
**NOTICE OF PUBLIC MEETINGS**  
**PUGET SOUND WATER**  
**QUALITY AUTHORITY**  
 [Memorandum—May 21, 1991]

Listed below are the dates and locations for the regular meetings of the Puget Sound Water Quality Authority through June 1992. Specific locations are listed for the first four meetings. Specific locations for future meetings will be published as they are determined.

The meetings generally begin at 9:30 a.m., any variation from this starting time will result in a starting time later than 9:30 a.m. Persons interested in more information about the meetings are invited to call Jerry Boese at 493-9175 (in Lacey) or 1-800-54-SOUND.

June 19, 1991	Enumclaw	The Park Center Hotel 1000 Griffen Avenue
July 17, 1991	Seattle	The Mountaineers Skagit/Cedar Room 300 3rd Avenue
August 21, 1991	Bellingham	Port of Bellingham Harbor Center Conf. Room 1801 Roeder Avenue
September 18, 1991	Sequim	John Wayne Marina 615 W. Sequim Bay Road
October 16, 1991	Shelton	
November 20, 1991	Silverdale	
December 18, 1991	Seattle	
January 15, 1992	Tacoma	
February 19, 1992	Olympia	
March 18, 1992	Renton	
April 15, 1992	Olympia	
May 20, 1992	Anacortes	
June 17, 1992	Port Townsend	

**WSR 91-11-093**  
**PROPOSED RULES**  
**HEALTH CARE AUTHORITY**  
 [Filed May 21, 1991, 4:24 p.m.]

Original Notice.  
 Title of Rule: Advertising or promotion of SEBB-sponsored benefit plans.



Purpose: To clarify the Health Care Authority's contract oversight responsibilities and to provide greater flexibility in the promotion of SEBB-sponsored plans.

Statutory Authority for Adoption: Chapter 41.05 RCW.

Summary: This change deletes the prohibition on media announcements and advertisements from referencing state employees or the SEBB.

Name of Agency Personnel Responsible for Drafting: Kristen West, Olympia, Washington, 438-7990; Implementation: Sharon Thompson, Olympia, Washington, 438-7971; and Enforcement: Margaret T. Stanley, Olympia, Washington, 438-7979.

Name of Proponent: Health Care Authority, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This rule is changed to accurately reflect the Health Care Authority's contract responsibilities and provides greater flexibility to carriers in the promotion of SEBB-sponsored plans.

Proposal Changes the Following Existing Rules: This proposal changes WAC 182-08-220.

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

Hearing Location: Olympia Room, Tyee Motel, Tumwater, Washington, on June 27, 1991, at 1:00 p.m.

Submit Written Comments to: Kristen West, by June 26, 1991.

Date of Intended Adoption: July 1, 1991.

May 14, 1991  
Kristen West  
Rules Coordinator

AMENDATORY SECTION (Amending Resolution No. 86-3, filed 8/5/86)

WAC 182-08-220 ADVERTISING OR PROMOTION OF ~~((SEHB))~~ SEBB SPONSORED BENEFIT PLANS. In order to assure equal and unbiased representation of ~~((SEHB))~~ SEBB sponsored or approved benefit plans, any promotion of these plans ~~((by insurance representatives))~~ shall comply with the following:

(1) All materials describing plan benefits are to be prepared by or approved by the ~~((SEHB))~~ health care authority.

(2) Distribution or mailing of all plan benefit descriptions is to be performed by or under the direction of the ~~((SEHB))~~ health care authority.

(3) ~~((No))~~ All media announcements or advertising by a carrier ~~((may))~~ which include any mention of the "state employees ~~((insurance))~~ benefits board," "health care authority" or any reference to coverage for "state employees or retirees~~((-))~~" or any group of employees covered by SEBB plans, must receive the advance written approval of the HCA.

Failure to comply with these requirements may result in contract termination by the ~~((SEHB))~~ health care authority and/or ~~((SEHB))~~ health care authority refusal to consider continued or renewed contracting with the noncomplying party.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 182-08-111 MEDICAL PLAN OPTIONS BETWEEN OPEN ENROLLMENTS.

WSR 91-11-094

PROPOSED RULES

HEALTH CARE AUTHORITY

[Filed May 21, 1991, 4:26 p.m.]

Original Notice.

Title of Rule: Medical plan options between open enrollments.

Purpose: To repeal WAC 182-08-111 specifying options between open enrollments.

Statutory Authority for Adoption: Chapter 41.05 RCW.

Summary: Since the Health Care Authority has administrative responsibility, this repeals the rules governing plan changes between open enrollments.

Name of Agency Personnel Responsible for Drafting: Kristen West, Olympia, Washington, 438-7990; Implementation: Sharon Thompson, Olympia, Washington, 438-7971; and Enforcement: Margaret T. Stanley, Olympia, Washington, 438-7979.

Name of Proponent: Health Care Authority, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This repeals the rules governing options between open enrollments.

Proposal Changes the Following Existing Rules: This proposal repeals WAC 182-08-111.

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

Hearing Location: Olympia Room, Tyee Motel, Tumwater, Washington, on June 27, 1991, at 1:00 p.m.

Submit Written Comments to: Kristen West, by June 26, 1991.

Date of Intended Adoption: July 1, 1991.

May 13, 1991  
Kristen West  
Rules Coordinator

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 182-08-111 MEDICAL PLAN OPTIONS BETWEEN OPEN ENROLLMENTS.

WSR 91-11-095

PROPOSED RULES

HEALTH CARE AUTHORITY

[Filed May 21, 1991, 4:29 p.m.]

Original Notice.

Title of Rule: Medicare retirees must elect Parts A and B to be eligible for SEBB plan coverage.

Purpose: To ensure that Medicare is the primary payer for eligible retirees.

Statutory Authority for Adoption: RCW 41.05.010 and 41.05.025.

Summary: Mandates retirees eligible for Medicare to elect Parts A and B.

Name of Agency Personnel Responsible for Drafting: Kristen West, Olympia, Washington, 438-7990; Implementation: Sharon Thompson, Olympia, Washington, 438-7971; and Enforcement: Margaret T. Stanley, Olympia, Washington, 438-7979.

Name of Proponent: State Employees Benefits Board, governmental.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: Necessary to implement the state budget.

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

Explanation of Rule, its Purpose, and Anticipated Effects: As of July 1, 1991, new retirees eligible for Medicare will have to elect Parts A and B in order to be eligible for SEBB coverage.

Proposal Changes the Following Existing Rules: This proposal changes WAC 182-12-130.

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

Hearing Location: Olympia Room, Tyee Motel, Tumwater, Washington, on June 27, 1991, at 1:00 p.m.

Submit Written Comments by June 26, 1991.

Date of Intended Adoption: July 1, 1991.

May 31 [13], 1991  
 Kristen West  
 Rules Coordinator

AMENDATORY SECTION (Amending Order 2-80, filed 4/10/80)

WAC 182-12-130 RETIREES ELIGIBLE FOR MEDICARE. ((A retiree or retiree's eligible dependent who becomes covered under both Parts A and B of Medicare may enroll in the SEBB Medicare supplement at the appropriate Medicare supplement subscription rate. All other retirees and dependents must pay the full subscription rate for coverage applicable to persons not eligible for Medicare to obtain retiree medical coverage.)) After July 1, 1991, new retirees or covered dependents of a retiree who are eligible for Medicare must elect Medicare Parts A and B to be eligible for SEBB plan coverage.

**WSR 91-11-096**  
**PROPOSED RULES**  
**HEALTH CARE AUTHORITY**

[Filed May 21, 1991, 4:31 p.m.]

Original Notice.

Title of Rule: Setting maximum age limits for dependent child health coverage on SEBB plans; SEBB health coverage for dependent parents; and dual health care coverage between K-12 school system and SEBB.

Purpose: Lower maximum age limit for dependent child coverage on SEBB plan; review dependent parent eligibility; and eliminate state health insurance coverage for spouses eligible for coverage in K-12 system.

Statutory Authority for Adoption: RCW 41.05.010 and 41.05.025.

Summary: IRS eligible dependent children are eligible for SEBB coverage through age 19 if not a full-time student and through age 23 if they are a full-time student and financially supported by the employee/retiree; eliminates dependent parents as eligible dependents under the SEBB medical and dental plans; and a lawful

spouse of a state employee is not eligible for SEBB coverage if they waive coverage under the K-12 school system.

Name of Agency Personnel Responsible for Drafting: Kristen West, Olympia, Washington, 438-7990; Implementation: Sharon Thompson, Olympia, Washington, 438-7971; and Enforcement: Margaret Stanley, Olympia, Washington, 438-7979.

Name of Proponent: State Employees Benefits Board, governmental.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: This is necessary to implement the state budget.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This WAC change lowers maximum age limit for subscriber's child to be covered as a dependent by one year; this rule eliminated employer-paid SEBB coverage for dependent parents; and this rule will ensure that the state does not double-pay premiums for spouses who waive K-12 school district coverage.

Proposal Changes the Following Existing Rules: This amends WAC 182-12-115 (8)(a), (b), (c) and (d); and this proposal repeals WAC 182-12-115 (8)(e).

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

Hearing Location: Olympia Room, Tyee Motel, Tumwater, Washington, on June 27, 1991, at 1:00 p.m.

Submit Written Comments to: Kristen West, by June 26, 1991.

Date of Intended Adoption: July 1, 1991.

May 21, 1991  
 Kristen West  
 Rules Coordinator

AMENDATORY SECTION (Amending WSR 90-12-037, filed 5/31/90, effective 7/1/90)

WAC 182-12-115 ELIGIBLE EMPLOYEES, RETIREES, AND DEPENDENTS. The following definitions of eligible employees, retirees, and dependents of an eligible entity, as defined in WAC 182-12-111, shall apply for all SEBB approved plans except as otherwise stated in this chapter:

(1) "Permanent employees." Those who are scheduled to work at least half-time per month and are expected to be employed for more than six months. Such employees shall be eligible effective with their first day of employment.

(2) "Nonpermanent employees." Those who are scheduled to work at least half-time and are expected to be employed for no more than six months. Such employees shall be eligible effective the first day of the seventh calendar month of employment.

(3) "Seasonal employees." Those who work at least half-time per month during a designated season for a minimum of three months but less than nine months per year and who have an understanding of continued employment with their agency season after season. These employees become eligible on the first day of such employment, however, they are not eligible for the employer contribution during the break between seasons of employment.

(4) "Part-time faculty." Faculty who are employed on a quarter/semester to quarter/semester basis become eligible beginning with the second consecutive quarter/semester of half-time or more employment at one or more state institutions of higher education, provided that:

(a) For determining eligibility, spring and fall may be considered consecutive quarters/semesters; and

(b) "Half-time or more employment" will be determined based on each institution's definition of "full-time"; and

(c) At the beginning of each quarter/semester, the employers of part-time faculty shall notify, in writing, all current and newly hired part-time faculty of their potential right to benefits under this section. The employee shall have the responsibility, each quarter, to notify the employers, in writing, of the employee's multiple employment. In no case will there be a requirement for retroactive coverage or employer contribution if a part-time faculty member fails to inform all of his/her employing institutions about employment at all institutions within the current quarter; and

(d) Where concurrent employment at more than one state higher education institution is used to determine total part-time faculty employment of half-time or more, the employing institutions will arrange to prorate the cost of the employer insurance contribution based on the employment at each institution. However, if the part-time faculty member would be eligible by virtue of employment at one institution, that institution will pay the entire cost of the employer contribution regardless of other higher education employment. In cases where the cost of the contribution is prorated between institutions, one institution will forward the entire contribution monthly to SEBB; and

(e) Once enrolled, if a part-time faculty member does not work at least a total of half-time in one or more state institutions of higher education, eligibility for the employer contribution ceases.

(5) "Appointed and elected officials." Legislators are eligible on the date their term begins. All other elected and full-time appointed officials of the legislative and executive branches of state government are eligible on the date their term begins or they take the oath of office, whichever occurs first.

(6) "Judges." Justices of the supreme court and judges of the court of appeals and the superior courts become eligible on the date they take the oath of office.

(7) "Retirees and disabled employees." Eligible employees who terminate state service after becoming vested in a Washington state sponsored retirement system are eligible for retiree medical, dental and life coverages provided the person:

(a) Immediately begins receiving a monthly retirement income benefit from such retirement system; or

(b) If not retiring under the public employees retirement system (PERS), would have been eligible for a monthly retirement income benefit because of age and years of service had the person been employed under the provisions of PERS I or PERS II for the same period of employment; or

(c) Must take a lump sum benefit because their monthly benefit would have been under fifty dollars.

Employees who are permanently and totally disabled and eligible for a deferred monthly retirement income benefit are likewise eligible, provided they apply for retiree coverage before their SEBB active employee coverage ends. Persons retiring who do not have waiver of premium coverage from any SEBB life insurance plan are eligible for retiree life insurance, subject to the same qualifications as for retiree medical coverage. Retirees and disabled employees are not eligible for an employer premium contribution. The Federal Civil Service Retirement System shall be considered a Washington state sponsored retirement system for Washington State University cooperative extension service employees who hold a federal civil service appointment and who are covered under the SEBB program at the time of retirement or disability.

(8) "Eligible dependents." The following are eligible as dependents under the medical and dental plans:

(a) Lawful spouse except that as of November 1, 1991, a lawful spouse who is eligible for coverage as a subscriber on a plan or plans offered by a K-12 school district and who has waived that coverage is not eligible for employer-paid coverage as a dependent on a SEBB plan.

(b) Dependent children through age ((twenty)) nineteen. As used in this section, "children" includes natural children, stepchildren, legally adopted children, and married children who qualify as dependents of the employee/retiree under the Internal Revenue Code or as specified in a court order or divorce decree, and foster children approved by the health care authority. To qualify for HCA approval, a foster child must:

- (i) Be living with the subscriber in a parent-child relationship;
- (ii) Be dependent upon the subscriber for financial support;

(iii) Not be eligible for coverage under Medicare, Medicaid, or similar government entitlement programs; and

(iv) Not be a foster child for whom support payments are made to the subscriber through the state department of social and health services (DSHS) foster care program.

(c) Dependent children age ((twenty-one)) twenty through age ((twenty-four)) twenty-three who are dependent upon the employee/retiree for maintenance and support, and who are registered students in full-time attendance at an accredited secondary school, college, university, vocational school, or school of nursing. Dependent student eligibility continues year-round for those who attend three of the four school quarters and for the quarter following graduation provided the employee/retiree is covered at the same time(, provided that); the dependent limiting age has not been exceeded; and the dependent meets all other eligibility requirements.

(d) Dependent children of any age who are incapable of self-support due to developmental disability or physical handicap, provided such condition occurs prior to age ((twenty-one)) twenty or during the time the dependent was covered under a SEBB plan as a full-time student. Proof of such disability and dependency must be furnished prior to the dependent's attainment of age ((twenty-one)) twenty or loss of eligibility for student coverage, and as periodically requested thereafter.

~~((e) "Dependent parents." Parents of the employee/retiree or their spouse who qualify as dependents under the Internal Revenue Code and who were covered as dependents under SEBB medical/dental plans prior to July 1, 1990, provided that the employee/retiree is covered at the same time.))~~

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

#### WSR 91-11-097

#### NOTICE OF PUBLIC MEETINGS WASHINGTON STATE LIBRARY (Library Commission)

[Memorandum—May 21, 1991]

Thursday, June 13, 1991, the Washington State Library Commission will meet for a dinner briefing in the Window's of Seasons Restaurant, Cavannaugh's Inn at the Park, West 303 North River Drive, Spokane, WA, beginning at 6:30 p.m.

Friday, June 14, 1991, the Washington State Library Commission will hold its regular quarterly business meeting in the Finch Room, Cavannaugh's Inn at the Park, West 303 North River Drive, Spokane, WA.

#### WSR 91-11-098

#### WITHDRAWAL OF PROPOSED RULES BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS

[Filed May 22, 1991, 11:21 a.m.]

We are withdrawing WAC 196-24-097 filed under WSR 91-05-078 on February 20, 1991, and WSR 91-06-018 filed on February 25, 1991.

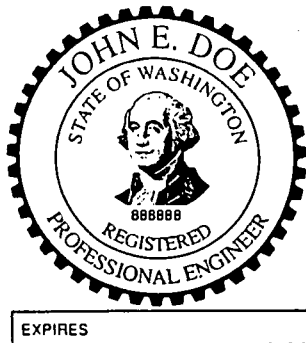
Alan E. Rathbun, P.E.  
Executive Director

**WSR 91-11-099**  
**PERMANENT RULES**  
**BOARD OF REGISTRATION**  
**FOR PROFESSIONAL ENGINEERS**  
**AND LAND SURVEYORS**  
 [Filed May 22, 1991, 11:26 a.m.]

Date of Adoption: May 3, 1991.  
 Purpose: Regulate the practice of engineering and land surveying in the state of Washington.  
 Citation of Existing Rules Affected by this Order: Amending WAC 196-24-095.  
 Statutory Authority for Adoption: RCW 18.43.035.  
 Pursuant to notice filed as WSR 91-05-078 on February 20, 1991; and WSR 91-06-018 on February 25, 1991.  
 Changes Other than Editing from Proposed to Adopted Version: WAC 196-24-097 as proposed was not adopted.  
 Effective Date of Rule: Thirty-one days after filing.  
 May 17, 1991  
 Alan E. Rathbun, P.E.  
 Executive Director

AMENDATORY SECTION (Amending Order 81-10, filed 12/18/81)

WAC 196-24-095 SEALS. The design and format of the seal and or stamp authorized by the board will conform to the following examples:  
Embossing seals or rubber stamps are equally acceptable. The impression or image of the seal/stamp shall be no smaller than one and three-quarter inches and no larger than two inches. The seal/stamp shall contain the following minimum information:



- a. State of Washington
  - b. Registered Professional Engineer or Registered Professional Land Surveyor
  - c. Certificate number
  - d. Registrant's name as shown on wall certificate
- Other than described and illustrated herein, no other form or format for professional seals/stamps is authorized by the board. All seals/stamps shall conform to this design and format by no later than April 1, 1992. When a registrant places a seal on a document, the registrant must: Sign in permanent ink across the face of said seal, place date that signature was applied immediately adjacent to said signature and indicate date of license expiration. Engineers or land surveyors shall not affix their

signature and seal to any engineering or land surveying plan or document dealing with subject matter outside their field of competence nor to any plan or document not prepared under their direct supervision.  
 "Under direct supervision" shall be construed to mean that the registrant (~~((providing))~~ who provide(s) such supervision (~~((shall have made the decisions on technical matters of policy and design. Furthermore, the registrant))~~), and who intends to affix his or her signature and seal, shall have exercised his or her professional judgment (~~((in all))~~ by way of regular participation in developing the engineering and/or land surveying matters that are embodied in the plans, designs, specifications or other documents involved in the work.

**WSR 91-11-100**  
**EMERGENCY RULES**  
**DEPARTMENT OF FISHERIES**  
 [Order 91-36—Filed May 22, 1991, 1:45 p.m.]

Date of Adoption: May 22, 1991.  
 Purpose: Commercial fishing regulations.  
 Citation of Existing Rules Affected by this Order: Amending WAC 220-33-030.  
 Statutory Authority for Adoption: RCW 75.08.080.  
 Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.  
 Reasons for this Finding: A large run of Columbia River shad is expected for 1991. The 1990 shad run was over 4 million fish and was the highest run in history. However, because of the depressed status of the upriver salmonid runs, the mainstem Columbia River (Area 2S) shad seasons must be conducted within narrow time and area restrictions. Within the Camas-Washougal Reef, more flexibility is available since shad can be taken without an incidental harvest of salmonid catch.  
 Effective Date of Rule: Immediately.

May 22, 1991  
 Judith Merchant  
 Deputy  
 for Joseph R. Blum  
 Director

NEW SECTION

WAC 220-33-03000C COMMERCIAL SHAD—COLUMBIA RIVER. *Notwithstanding the provisions of WAC 220-33-030, it is unlawful to take, fish for, or possess shad for commercial purposes except as provided for in this section:*  
 (1) *Shad Area 2S - In the area true north/south through Light #50 near Sandy River mouth upstream to boundary near Beacon Rock.*  
*Open daily 4:00 a.m. to 10:00 p.m.*  
 May 20-24  
 May 28-31

June 3-7

June 10-14

Gear: Single-wall, unslackened, floater gill net, 5-3/8 to 6-1/4 inches, 10 lb. breaking strength.

(2) Camas - Washougal Reef Area - Approximately upper Lady Island to below Reed Island.

Open weekly 4:00 a.m. Monday to 11:59 p.m. Friday.

May 20-24

May 28-31

June 3-7

June 10-14

June 17-21

June 24-28

Gear: Single-wall, unslackened, floater gill net, 5-3/8 to 6-1/4 inches, 30 lb. breaking strength.

(3) Only shad may be kept and sold. All salmon, walleye and sturgeon must be released and returned to the water immediately.

**WSR 91-11-101**

**PROPOSED RULES**

**PROFESSIONAL ATHLETIC COMMISSION**

[Filed May 22, 1991, 2:17 p.m.]

Original Notice.

Title of Rule: WAC 36-12-120 Powers of referee—Penalties for fouls, butts.

Purpose: Implement the provisions of chapter 67.08 RCW.

Statutory Authority for Adoption: Chapter 67.08 RCW.

Statute Being Implemented: Chapter 67.08 RCW.

Summary: To revise and clarify rule.

Reasons Supporting Proposal: Inconsistent application of rule.

Name of Agency Personnel Responsible for Drafting: Patti Hurn, 2626 12th Court S.W., Olympia, 753-3713; Implementation and Enforcement: Professional Athletic Commission.

Name of Proponent: Professional Athletic Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Modifies and clarifies the penalty for an intentional foul.

Proposal Changes the Following Existing Rules: Clarifies the effect of an intentional foul.

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

Hearing Location: The Dynasites Restaurant, 927-6232, 30315 Pacific Highway South, Federal Way, WA, on June 25, 1991, at 11:00 a.m.

Submit Written Comments to: Professional Athletic Commission, 2626 12th Court S.W., #2, Mailstop GT-17, Olympia, WA 98504-8321, by June 21, 1991.

Date of Intended Adoption: June 25, 1991.

May 21, 1991  
Stan Naccarato  
Chairman

AMENDATORY SECTION (Amending WSR 91-11-038, filed 5/10/91, effective 6/10/91)

WAC 36-12-120 POWERS OF REFEREE—PENALTIES FOR FOULS, BUTTS. (1) The referee shall have power to stop a contest at any time if he considers it too one-sided, or if either contestant is in such condition that to continue might subject him to serious injury, and in either case to render a decision.

(2) In cases where a boxer receives a cut eye or any other injury which the referee may believe shall incapacitate the boxer, the referee shall call into the ring the commission physician for examination of the boxer before the referee shall render his decision in the matter.

(3) The referee shall stop a contest if in his judgment there is stalling or faking by either or both contestants or if there is collusion affecting the result, in which case he shall recommend to the commission that the purse or purses of the offending boxer or boxers be forfeited and paid to the commission.

(4) The referee shall penalize any contestant who fouls his opponent during a contest, by charging such contestant with the loss of points, whether such foul or fouls be intentional or unintentional. However, the referee shall use his own discretion in determining the number of points, if any, chargeable against the contestant in each instance, depending upon the severity or harmlessness of the foul and its effect upon the opponent. The referee shall indicate on the official score card the number of points taken away from a contestant in any and all rounds in which he may find it necessary to charge the contestant with such loss. The referee shall, at the conclusion of each round notify the judges of the number of points to be deducted in accordance with his determination. Judges shall not deduct points without first receiving instruction from the referee.

(5) Persistent fouling by a contestant requiring cautioning by the referee shall be noted on the referee's score card and called to the attention of the commission for appropriate punishment.

(6) No contestant may be awarded a contest on a claim of a low-blow foul, nor may a contestant lose a decision by reason of a low-blow foul. Except where a contestant commits two fouls and after being warned each time by the referee, he commits a third foul, the referee may then within his discretion award the decision to the contestant who has been fouled.

~~(7) ((If, by reason of any other foul committed intentionally during a contest, an opponent shall be rendered incapacitated or unfit to continue, the contest shall be terminated by the referee and such incapacitated contestant shall be declared the winner if, at the termination thereof, he shall actually be ahead on points. The referee shall in such event recommend to the commission that they order the purse of the offending contestant withheld from payment, for disposition by the commission and such offender shall be subject to fine, suspension or other punishment, as may be determined by the commission upon full hearing thereof.~~

~~(8) If the incapacitated opponent referred to in the preceding paragraph shall not be ahead on points, the contest shall, nevertheless, be terminated, no decision shall be rendered by the referee and he shall order the purses of both contestants withheld from payment, a full report shall be made by the referee to the commission. A hearing shall be held by the commission and such disposition of the proceeds of the purses and such fines and penalties and other punishment may be assessed as the commission in its judgment may deem expedient. No purse ordered held for investigation can be released except by order of the commission.~~

~~(9)) Any boxer guilty of intentional foul tactics in a boxing contest may be disqualified and his purse withheld from payment, and the boxer shall be automatically suspended. Disposition of the purse and the penalty to be imposed upon the boxer shall be determined by action of the commission.~~

(8) In the event of an unintentional foul (except as provided in subsection ~~((+0))~~ (9) of this section) other than low-blow fouls, rendering an opponent incapacitated or unfit to continue (in the opinion of the referee), the contest shall be terminated, no decision shall be rendered but the referee shall order withheld from payment the purses of both contestants; the referee shall make a full report thereof, as is otherwise indicated herein, and the matter shall be heard by the commission and be disposed of as the commission may in its judgment deem expedient. Referees are hereby required to report to the commission repeated or persistent intentional or unintentional fouling by any contestant, in which connection the commission may order a hearing and subject the offending contestant to such punishment, which may include a fine or suspension, or both.

~~((+0))~~ (9) If an accidental butt occurs during any bout, the referee shall immediately warn the guilty boxer and he may penalize him by a deduction in points for the round, at the same time he shall so notify the other contestant. Should any such penalty be charged against the boxer guilty of butting it shall be charged at the end of the round in which the butting occurred and the referee's score card shall be so marked at the conclusion of the round, at which time he shall also notify the judges; the referee shall explain in writing on the back of his card the nature and circumstances surrounding the penalty.

~~((++))~~ (10) If a boxer is accidentally butted in a bout so that he cannot continue, the referee shall:

(a) Call the bout a draw if the injured boxer is behind in points, or  
 (b) Declare the injured boxer the winner on a technical decision if he has a lead in points. When judges are used the majority vote as disclosed by the score cards shall prevail in determining the decision as specified in this section and the previous section hereof. If all three score cards differ the contest shall be declared a technical draw.

(c) If any accidental butt occurs during the first three rounds of any contest the referee shall call the bout a no contest.

The provisions of (a) and (b) of this subsection do not apply in world championship matches.

This rule applies only to accidental butting. Intentional butting is a foul and shall be penalized as such.

~~((+2))~~ (11) The referee shall use his discretion in deciding any matters that may come up during a contest and are not covered by these rules.

**WSR 91-11-102**  
**PERMANENT RULES**  
**GRAYS HARBOR COLLEGE**

[Filed May 22, 1991, 2:23 p.m.]

Date of Adoption: May 20, 1991.

Purpose: To establish rules governing loss of eligibility for athletes who violate chapter 69.41 RCW; and to change references from "dean of student affairs" to "dean of student services" and "dean of instruction" to "vice-president for instruction."

Citation of Existing Rules Affected by this Order: Amending WAC 132B-120-010, 132B-120-060, 132B-120-090, 132B-120-100, 132B-120-120, 132B-120-140, 132B-120-160, 132B-120-170, 132B-120-180, and 132B-120-190; and new section WAC 132B-120-045.

Statutory Authority for Adoption: RCW 28B.50.140(13).

Other Authority: RCW 69.41.340.

Pursuant to notice filed as WSR 91-05-033 on February 12, 1991.

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

May 20, 1991  
 Jack Durney  
 Chairman  
 Board of Trustees

**AMENDATORY SECTION** (Amending Order 80-1, Resolution No. 10-80, filed 8/6/80)

WAC 132B-120-010 DEFINITIONS. As used in this document the following words and phrases shall mean:

(1) "Board" shall mean the board of trustees of Community College District No. 2, state of Washington.

(2) "College" shall mean Grays Harbor College or any additional community college hereafter established

within Community College District No. 2, state of Washington.

(3) "Liquor" shall mean the definition of liquor as contained within RCW 66.04.010(16) as now law or hereafter amended.

(4) "Drugs" shall mean and include any narcotic drug as defined in RCW 69.50.101(o), any controlled substance as defined in RCW 69.50.201 through 69.50.212 or any legend drug as defined in RCW 69.41.010(8) as now or hereafter amended.

(5) "College facilities" shall mean and include any or all real property controlled or operated by the college and shall include all buildings and appurtenances affixed thereon or attached thereto.

(6) "President" shall mean the chief executive officer of the college appointed by the board of trustees.

(7) "Disciplinary officials" shall mean the hearing committee as denominated in WAC ~~((132B-120-180))~~ 132B-120-170, the ~~((associate))~~ dean of student ~~((affairs))~~ services and/or the ~~((dean-of))~~ vice-president for instruction, and the president.

(8) "Student" shall mean and include any person who is regularly enrolled at the college.

(9) "Disciplinary action" shall mean and include the warning, probation, expulsion, suspension, or reprimand of any student pursuant to WAC 132B-120-120 for the violation of any designated rule or regulation of the rules of student conduct for which a student is subject to disciplinary action.

**NEW SECTION**

WAC 132B-120-045 LOSS OF ELIGIBILITY—STUDENT ATHLETIC PARTICIPATION. Any student found to have violated chapter 69.41 RCW, legend drugs, by virtue of a criminal conviction or by final decision of the college president shall, in lieu of or in addition to any other disciplinary action which may be imposed, be disqualified from participation in any school-sponsored athletic events or activities.

**AMENDATORY SECTION** (Amending Order 80-1, Resolution No. 10-80, filed 8/6/80)

WAC 132B-120-060 FREE MOVEMENT ON CAMPUS. The president is authorized in the instance of any event that he deems impedes the movement of persons or vehicles or which he deems to disrupt the ingress or egress of persons from the college facilities, to prohibit the entry of, or withdraw the license of, or privileges of a person or persons or any group of persons to enter onto or remain upon any portion of the college facility. The president may, in his stead, act through the ~~((associate))~~ dean of student ~~((affairs))~~ services or any other persons he may designate.

**AMENDATORY SECTION** (Amending Order 80-1, Resolution No. 10-80, filed 8/6/80)

WAC 132B-120-090 CAMPUS SPEAKERS. (1) Student organizations officially recognized by the college may invite speakers to the campus to address their own membership and other interested students and faculty providing suitable space is available and there ~~((m))~~ is

no interference with the regularly scheduled program of the college. Although properly allowed by the college, the appearance of such speakers on the campus implies neither approval nor disapproval of them or their viewpoints. In case of speakers who are candidates for political office, equal opportunities shall be available to opposing candidates if desired by them. Speakers are subject to the normal considerations for law and order and to the specific limitations imposed by the state constitution which prohibits religious worship, exercise or instruction on state property.

(2) In order to insure an atmosphere of open exchange and to insure that the educational objectives of the college are not obscured, the president, in a case attended by strong emotional feeling, may prescribe conditions for the conduct of the meeting, such as requiring a designated member of the faculty as chairman, or requiring permission for comments and questions from the floor. Likewise, the president may encourage the appearance of one or more additional speakers at any meeting or at a subsequent meeting so that other points of view may be expressed. The president may designate representatives to recommend conditions such as time, manner, and place for the conduct of particular meetings.

**AMENDATORY SECTION** (Amending Order 80-1, Resolution No. 10-80, filed 8/6/80)

**WAC 132B-120-100 DISTRIBUTION OF INFORMATION.** (1) Handbills, leaflets, newspapers and similarly related materials may be sold or distributed free of charge by any student or students, or by members of recognized student organizations, or by college employees on or in college facilities at locations specifically designated by the ((associate)) dean of student ((affairs)) services; provided such distribution or sale does not interfere with the ingress or egress of persons or interfere with the free flow of vehicular or pedestrian traffic.

(2) Such handbills, leaflets, newspapers and related matter must bear identification as to the publishing agency and distributing organization or individual.

(3) All nonstudents shall register with the ((associate)) dean of student ((affairs)) services prior to the distribution of any handbill, leaflet, newspaper or related matter. Such distribution or sale must not interfere with the free flow of vehicular or pedestrian traffic.

(4) Any person or persons who violate provisions of subparagraphs (1) and (2) above will be subject to disciplinary action.

**AMENDATORY SECTION** (Amending Order 80-1, Resolution No. 10-80, filed 8/6/80)

**WAC 132B-120-120 DISCIPLINARY PROCESS.** (1) Any infractions of college rules and regulations may be referred by any college faculty or staff member to the ((associate)) dean of student ((affairs)) services or in his absence the ((dean-of)) vice-president for instruction. That official shall then follow the appropriate procedures for any disciplinary action which he deems necessary relative to the alleged misconduct. In addition, a student may appeal disciplinary action taken

by an instructor or faculty member pursuant to the provisions in WAC 132B-120-180.

(2) The disciplinary official may take whatever action he deems appropriate within the framework of these regulations. If the student concludes that any sanctions imposed upon him are inappropriate, he may appeal to the student/faculty disciplinary committee.

(3) If a referral or an appeal is made to the student/faculty disciplinary committee, the committee shall hold a hearing, reach conclusions and may impose sanctions. If the student concludes that the action of the disciplinary committee is inappropriate, he may appeal the matter to the president of the college.

(4) The president of the college, after reviewing the case, may reverse, sustain or modify any sanctions which may have been imposed by the student/faculty disciplinary committee. The decision of the president is final.

**AMENDATORY SECTION** (Amending Order 80-1, Resolution No. 10-80, filed 8/6/80)

**WAC 132B-120-140 READMISSION AFTER SUSPENSION/EXPULSION.** Any student suspended from the college for disciplinary reasons will normally be readmitted upon expiration of the time period for which the suspension was issued. If the student has been expelled or feels that circumstances warrant reconsideration of a temporary suspension prior to its expiration, or if the student was suspended with conditions imposed for readmission, the student may be readmitted following approval of a written petition submitted to the ((associate)) dean of student ((affairs)) services. Such petition must state reasons which support a reconsideration of the matter. Before readmission may be granted, such petition must be reviewed and approved by the college president or his designee.

**AMENDATORY SECTION** (Amending Order 80-1, Resolution No. 10-80, filed 8/6/80)

**WAC 132B-120-160 DISCIPLINARY AUTHORITY OF THE ((ASSOCIATE)) DEAN OF STUDENT ((AFFAIRS)) SERVICES AND ((DEAN OF)) VICE-PRESIDENT FOR INSTRUCTION.** (1) The ((associate)) dean of student ((affairs)) services or, in his absence, the ((dean-of)) vice-president for instruction of the college is responsible for initiating disciplinary proceedings for infractions of rules and regulations as outlined in the procedures. The ((associate)) dean of student ((affairs)) services or, in his absence, the ((dean-of)) vice-president for instruction, may delegate this responsibility to members of their staff and they may also establish committees or other hearing bodies to advise or act for them in disciplinary matters.

(2) In order that any informality in disciplinary proceedings not mislead a student as to the seriousness of the matter under consideration, the student involved shall be informed at the initial conference or hearing of the several sanctions that may be involved for the misconduct.

(3) After considering the evidence in a case and interviewing the student or students involved, the ((associate)) dean of student ((affairs)) services, or in

his absence, the (~~dean of~~) vice-president for instruction, may take any of the following actions:

(a) Terminate the proceeding, exonerating the student or students.

(b) Dismiss the case after whatever counseling and advice maybe appropriate.

(c) Impose disciplinary sanctions directly, subject to the student's right of appeal as described in this procedure. The student shall be notified in writing of the action taken except that disciplinary warnings may be given verbally.

(d) Refer the matter to the student/faculty disciplinary committee on conduct and standards for appropriate action. The student shall be notified in writing that the matter has been referred to the committee.

(4) This section shall not be construed as preventing the appropriate official from summarily suspending a student. In the event of summary suspension, the student will be given oral or written notice of the charges against him, an explanation of the evidence against him if he denies the charges, and an informal opportunity to present his side of the matter. He will also be given an opportunity to invoke the formal hearing process set forth in this code.

**AMENDATORY SECTION** (Amending Order 80-1, Resolution No. 10-80, filed 8/6/80)

**WAC 132B-120-170 STUDENT/FACULTY DISCIPLINARY COMMITTEE.** (1) The student/faculty disciplinary committee, convened for that purpose, will hear, de novo, and make recommendations on all disciplinary cases referred to by the appropriate authority or appeal to it by students. The committee will be composed of the following persons:

(a) A member appointed by the president of the college

(b) Two members of the faculty, appointed by the president of the faculty association

(c) Two representatives from the student council, appointed by the student body president.

(2) None of the above-named persons shall sit on any case in which he has a complaint or witness, in which he has a direct or personal interest, or in which he has acted previously in an advisory or official capacity. Decisions in this regard, including the selection of alternates, shall be made by the disciplinary committee as a whole. The disciplinary committee chairman will be elected by the members of the disciplinary committee.

(3) The committee may decide that the student involved:

(a) Be given a disciplinary warning;

(b) Be given a reprimand;

(c) Be placed on disciplinary probation;

(d) Be given a suspension;

(e) Be expelled;

(f) Be exonerated with all proceedings terminated and with no sanctions imposed;

(g) Be disqualified from participation in any school-sponsored athletic events or activities.

**AMENDATORY SECTION** (Amending Order 80-1, Resolution No. 10-80, filed 8/6/80)

**WAC 132B-120-180 PROCEDURAL GUIDELINES.** (1) The student, if he wishes to appeal, has a right to a fair and impartial hearing before the committee on any charge of misconduct. His failure to cooperate with the hearing procedures, however, shall not preclude the committee from making its findings of fact, reaching conclusions and imposing sanctions. Failure of the student to cooperate may be taken into consideration by the committee in recommending penalties.

(2) The student shall be given notice of the date, time and place of the hearing, the charges against him, a list of witnesses who will appear, and a description of any documentary or other physical evidence that will be presented at the hearing. This notice shall be given to the student in writing and shall be provided in sufficient time to permit him to prepare a defense. The notice may be amended at any time prior to the hearing, but if such amendment is prejudicial to the student's case, the hearing shall be rescheduled to a later date if so requested in writing by the student.

(3) The student or his representative shall be entitled to hear and examine the evidence against him and be informed of the identity of its sources; he shall be entitled to present evidence in his own behalf and to question witnesses testifying against him as to factual matters. The student shall have all authority which is possessed by the college to obtain information or to request the presence of witnesses or the production of other evidence relevant to the issues at the hearing.

(4) Only those matters presented at the hearing, in the presence of the student involved, will be considered in determining whether he is guilty of the misconduct charged but the student's past record of conduct may be taken into account in formulating the committee's recommendation for disciplinary action.

(5) The student may be represented by counsel and/or accompanied by an advisor of his choice.

(6) Hearings conducted by the committee may be held in closed session at the discretion of the committee, the only exception being when the student involved invites particular persons or requests an open hearing. If at any time during the conduct of the hearing invited guests are disruptive of the proceedings, the chairman of the committee may exclude such persons from the hearing room.

(7) A majority of the committee shall set the time, place and available seating capacity for a hearing.

(8) All proceedings of the committee will be conducted with reasonable dispatch and terminated as soon as fairness to all parties involved permits.

(9) An adequate summary of the proceedings will be kept. As a minimum, such summary would include a tape recording of testimony. Such record will be available for inspection and copying in the office of student (~~affairs~~) services during regular business hours.

(10) The student will be provided with a copy of the findings of fact and with the conclusions of the committee. He will also be advised of his right to present, within ten calendar days, a written statement of appeal to the



president of the college before action is taken on the decision of the committee. In the case of an unmarried student under eighteen years of age, written notice of any action involving dismissal or disciplinary probation will be sent to the parents or guardian of the student.

(11) The committee chairman shall establish general rules of procedures for conducting hearings consistent with the foregoing procedural guidelines.

(12) The president of the college or his designated representative, after reviewing the case, including the report of the committee and any statement filed by the student, shall either indicate his approval of the conclusions of the committee by sustaining its decision, shall give directions as to what other disciplinary action shall be taken by modifying its decision, or shall nullify previous sanctions imposed by reversing its decision. He shall then notify the official who initiated the proceedings, the student and the committee chairperson.

**AMENDATORY SECTION** (Amending Order 80-1, Resolution No. 10-80, filed 8/6/80)

**WAC 132B-120-190 APPEALS.** Any disciplinary action may be appealed as described below. Notice of an appeal by a student shall be made in writing and addressed to the ~~((associate))~~ dean of student ~~((affairs))~~ services within ten calendar days of the college's giving of the notice of the disciplinary action.

(1) Disciplinary action by a faculty member or other college staff member may be appealed to, and shall be reviewed by, the ~~((associate))~~ dean of student ~~((affairs))~~ services, or in his absence, the ~~((dean-of))~~ vice-president for instruction.

(2) Disciplinary action by the appropriate disciplinary official may be appealed to, and shall be reviewed by, the student/faculty disciplinary committee.

(3) Disciplinary action by the student/faculty disciplinary committee may be appealed to, and shall be reviewed by, the college president or his designee.

(4) Disciplinary action by the president shall either indicate his approval of the conclusions by sustaining the decision or shall give directions as to what other disciplinary action shall be taken by modifying the decision, or shall nullify previous sanctions imposed by reversing its decision. All appeals to the president shall be final.

**WSR 91-11-103**  
**PROPOSED RULES**  
**DEPARTMENT OF HEALTH**  
**(Board of Health)**  
 [Filed May 22, 1991, 2:54 p.m.]

**Original Notice.**

**Title of Rule:** Immunization of day care and school children against certain vaccine-preventable diseases.

**Purpose:** To amend former WAC to be consistent with National Vaccine Recommendations.

**Statutory Authority for Adoption:** RCW 28A.31.116.

**Summary:** A second dose of measles containing vaccine is required of children prior to entry into the sixth grade and age-appropriate Hib (Haemophilus influenzae

type b) vaccine is required of children attending pre-schools and licensed day care centers. Mumps vaccine is required of all transfer students, with a "checkpoint" at the sixth grade to ensure all children have been vaccinated against mumps. Follow-up procedures on conditional status children is clarified.

**Reasons Supporting Proposal:** Amendments make WAC consistent with National Immunization Guidelines—American Academy of Pediatrics Report of the Committee of Infectious Disease, and Immunization Practices Advisory Committee (ACIP) of the United States Public Health Service.

**Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement:** Barbara Baker, Chief, Immunization and TB Services, LP-19, Olympia, (206) 753-3495.

**Name of Proponent:** Department of Health, governmental.

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

**Explanation of Rule, its Purpose, and Anticipated Effects:** This rule and amendments are the regulations for RCW 28A.31.100-[28A.31.]120. (School/Day Care Immunization Law), stating vaccine requirements for compliance, procedures for exclusion for noncompliance, and annual reporting requirements. This amendment will make vaccine requirements consistent with national immunization recommendations. These new requirements include: Second dose of measles containing vaccine for children entering sixth grade; Hib (Haemophilus influenzae type b) vaccine for children attending pre-schools and licensed day care centers; and mumps vaccine for transfer students.

**Proposal Changes the Following Existing Rules:** Changes include requiring additional vaccines for school/day care attendance consistent with national immunization guidelines, as well as specifically stating follow-up procedures for children entering school/day care centers under conditional status.

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

**Hearing Location:** Yakima County Health District Building, Conference Room, 104 North 1st Street, Yakima, WA, on July 10, 1991, at 10:00 a.m.

**Submit Written Comments to:** Office of Immunization and TB Services, LP-19, Olympia, Washington 98504, by July 8, 1991.

**Date of Intended Adoption:** July 10, 1991.

April 15, 1991  
 Sylvia Beck  
 Executive Director

**AMENDATORY SECTION** (Amending Order 124B, filed 12/27/90, effective 1/31/91)

**WAC 246-100-166 IMMUNIZATION OF DAY CARE AND SCHOOL CHILDREN AGAINST CERTAIN VACCINE-PREVENTABLE DISEASES.** (1) Definitions for purposes of this section:

(a) "Certificate of immunization status (CIS) form" means a form provided by the department labeled ~~((DSHS-13-263))~~ DOH 348-013, including data entry spaces for immunization information including:

- (i) Name of child or student,
- (ii) Birth date,
- (iii) Sex,
- (iv) Type of vaccine,

(v) Date of each dose of vaccine received specifying day, month, and year,

(vi) Signature of parent, legal guardian, or adult in loco parentis, and

(vii) Documented exemptions, if applicable and as specified in subsection (5) of this section.

(b) "Chief administrator" means:

(i) The person with the authority and responsibility for the immediate supervision of the operation of a school, day care center, or

(ii) A designee of the chief administrator assigned in writing to carry out the requirements of RCW 28A.31.118 through the statutory or corporate board of directors of the school district or school, or

(iii) Person or persons with the authority and responsibility for the general supervision of the operation of the school district or school.

(c) "Child" means any person regardless of age admitted to any day care center, preschool, kindergarten, or grades one through twelve program of education in:

(i) Any public school district, or

(ii) Any private school or private institution subject to approval by the state board of education or described in RCW 28A.04.120(4) and 28A.02.201 through 28A.02.260, or

(iii) Any licensed day care facility which regularly provides care for a group of thirteen or more children for periods of less than twenty-four hours subject to licensure by the department of social and health services as described in chapter 74.15 RCW.

(d) "Full immunization" means vaccinated in accordance with schedules and immunizing agents approved by the state board of health in WAC (~~248-100-166~~) 246-100-166 against:

(i) Diphtheria,

(ii) Tetanus,

(iii) Pertussis or whooping cough,

(iv) Measles or rubeola,

(v) Rubella,

(vi) Mumps, ~~(and)~~

(vii) Poliomyelitis, and

(viii) Haemophilus influenzae type b disease.

(e) "Immunizing agents" means any vaccine or other biologic licensed and approved by the bureau of biologics, United States Food and Drug Administration (FDA), or meeting World Health Organization (WHO) requirements, for immunization of persons against:

(i) Diphtheria, tetanus, pertussis (DTP, DT, Td);

(ii) Measles;

(iii) Mumps;

(iv) Poliomyelitis, types I, II, and III (TOPV, IPV); ~~(and)~~

(v) Rubella; and

(vi) Haemophilus influenzae type b vaccine (Hib);

(f) "National immunization guidelines" means schedules for immunization described in:

(i) ~~(1986)~~ 1991 American Academy of Pediatrics ~~((AAP))~~ Report of the Committee on Infectious Diseases (Red Book); or

(ii) Immunization Practices Advisory Committee ~~((on Immunization Practices))~~ (ACIP) on General Recommendations on Immunization, ~~((January 14, 1983))~~ April 7, 1989; and

(iii) ~~((New Recommended Schedule for Active Immunization of Normal Infants and Children, 9/19/86, Advisory Committee on Immunization Practices (ACIP), United States public health service))~~ Immunization Practices Advisory Committee (ACIP) on Haemophilus b Conjugate Vaccines for Prevention of Haemophilus Influenzae Type b Disease Among Infants and Children Two Months of Age and Older, January 11, 1991.

(g) "Parent" means a person who is:

(i) The mother, father, legal guardian, or ~~((designated caretaker))~~ any adult in loco parentis of a child seventeen years of age or younger; or

(ii) A person eighteen years of age or older; or

(iii) An emancipated minor.

(h) "Transfer student" means a student previously enrolled in grades kindergarten through twelve moving from one school district or system to another at any time during the school year, excluding students transferring within a district or system when the school transfers records within the district.

(2) Full immunization schedule. Each day care, preschool, and school shall establish and maintain requirements for full immunization of children attending day care and preschool through grade twelve.

(3) For day care and preschool children, full immunization means a child received vaccines ~~((consistent with the National Immunization~~

~~Guidelines defined in subsection (1) of this section and including))~~ as follows:

~~((i) DTP, DT, or Td;~~

~~(ii) Polio;~~

~~(iii) Measles;~~

~~(iv) Mumps; and~~

~~(v) Rubella.))~~

Age at Entry	Requirement(*)
between 2-3 months	1-DTP/DT, 1-OPV/IPV, 1-Hib
between 4-5 months	2-DTP/DT, 2-OPV/IPV, 2-Hib
between 6-14 months	3-DTP/DT, 3-OPV/IPV, 3-Hib(**)
between 15 months and kindergarten entry	4-DTP/DT, 3-OPV/IPV, 1-HIB(†), 1-MMR(††)

(\*) Children who do not meet the requirements for their age group must initiate or continue a schedule of immunization prior to day care or preschool entry and must be notified by the day care/preschool administrator of additional doses of vaccine as those doses come due.

(\*\*) Children immunized with Hib vaccine from Merck Sharp and Dohme (PedvaxHIB) should receive vaccine at 2 months, 4 months, and 12 months of age.

(†) Those children entering day care or preschool after 15 months of age must have received one dose of Hib vaccine at or after 15 months of age (not required of those receiving three doses of Merck Sharp and Dohme vaccine). Hib vaccine is not required of children 60 months (5 years) and older.

(††) Children who have had measles, rubella, or mumps disease, respectively, must show proof of past infection with the disease by providing an acceptable measles, rubella, or mumps antibody titer result and appropriate immunization against the remaining disease(s).

(4) For a child ~~((commencing school entry 1))~~ entering kindergarten or first grade ~~((attendance, on or after August 1, 1988))~~ (school entry level), full immunization means a child received vaccines as follows:

(a) A minimum of four doses of either DTP, DT, or Td ~~(not tetanus toxoid alone)~~ with last dose after four years of age ~~((and excluding tetanus toxoid only.))~~ consistent with national immunization guidelines defined in subsection (1) of this section, or

(b) Three doses of Td ~~((excluding))~~ ~~(not tetanus toxoid ((only)) alone)~~ if the series began at seven years of age or older, and

(c) A minimum of three doses of trivalent oral poliomyelitis vaccine (TOPV) or ~~((four doses of))~~ enhanced trivalent inactivated poliomyelitis vaccine (IPV) with last dose received after four years of age and consistent with national immunization guidelines defined in subsection (1) of this section, and

(d) One dose of live virus measles vaccine at or after one year of age unless a child provides proof of past infection with measles virus (an acceptable measles virus antibody titer result), and

(e) One dose of live virus rubella vaccine at or after one year of age unless a child provides proof of past infection with rubella virus (an acceptable rubella antibody titer result), and

(f) One dose of live virus mumps vaccine administered at or after one year of age ~~((for children in kindergarten or first grade, whichever is the entry level))~~ unless a child provides proof of past infection with mumps virus (an acceptable mumps virus antibody titer result).

(5) For ~~((a child who commenced))~~ transfer students and those above kindergarten or first grade ~~((school attendance before August 1, 1988, and for transfer students))~~, full immunization means a child received vaccines as follows:

(a) A minimum of three doses of either DTP, DT, or Td, ~~(not tetanus toxoid alone)~~ with the last dose after four years of age ~~((and excluding tetanus toxoid only.))~~ consistent with national immunization guidelines defined in subsection (1) of this section; or

(b) Three doses of Td, ~~((excluding))~~ ~~(not tetanus toxoid ((only.)) alone)~~ if the series began at seven years of age or older; and

(c) A minimum of three doses of trivalent oral poliomyelitis vaccine (TOPV), or ~~((four doses of))~~ enhanced trivalent inactivated poliomyelitis vaccine (IPV) with the last dose received after four years of age and consistent with national immunization guidelines defined in subsection (1) of this section ~~(not required of persons eighteen years of age and older); and~~

(d) One dose of live virus measles vaccine at or after one year of age unless a child provides ~~((written))~~ proof ~~((from a physician))~~ of past infection with measles virus ~~((documenting month and year of disease occurrence))~~ (an acceptable measles virus antibody titer result); and

(e) One dose of live virus rubella vaccine at or after one year of age unless a child provides proof of past infection with rubella virus (an acceptable rubella antibody titer result); and

~~((ff)) One dose of live virus mumps vaccine administered at or after one year of age for children in kindergarten or first grade, whichever is entry level;))~~

~~(6) For transfer students in grades 1 or 2 through 12 enrolling on or after August 1, 1991, one dose of live virus mumps vaccine administered at or after one year of age unless a child provides proof of past infection with mumps virus (an acceptable mumps virus antibody titer result).~~

~~(7) For a child entering sixth grade or reaching age thirteen years, whichever occurs first, full immunization means a child received the following vaccines (in addition to those listed in subsection (5) of this section):~~

~~(a) A second dose of live virus measles vaccine administered at or after one year of age and separated by at least one month between first and second dose, unless a child provides proof of past infection with measles virus (an acceptable measles virus antibody titer result); and~~

~~(b) One dose of live virus mumps vaccine administered at or after one year of age unless a child provides proof of past infection with mumps virus (an acceptable mumps virus antibody titer result).~~

~~(8) A second dose of measles vaccine and one dose of mumps vaccine is recommended, but not required, of currently enrolled students above sixth grade.~~

~~(9) Conditions for day care, preschool, and school attendance when a child is not fully immunized:~~

~~(a) When a child lacks full immunization, the day care, preschool, or school shall require satisfactory progress toward full immunization (conditional status) as a condition of school attendance including:~~

~~(i) Documented proof of start or continuance of child's schedule of immunization;~~

~~(ii) Assurance the scheduled immunization is consistent with the national immunization guidelines defined in subsection (1) of this section;~~

~~(iii) ((Proof of completion of the required immunization or immunizations for admission the following year, no later than the child's first day of attendance)) notification of child's parent(s) of when the schedule must be completed; and~~

~~(iv) ((Issuance of an order of exclusion as described in subsection (10) of this section if:~~

~~(A) Sufficient time for completion of required immunizations elapses, and~~

~~(B) The child has not completed the required immunizations in time.~~

~~(b) When immunization schedules are incomplete due to insufficient time, the chief administrator shall:~~

~~(i) Notify the child's parents of when the schedule must be completed, and~~

~~(ii) Issue an order of exclusion if not completed by that date.~~

~~(7)) Exclusion of child from attendance as described in subsection (13) of this section if child has not received required immunizations on schedule and if sufficient time has elapsed (one month from date due) for completion of next dose.~~

~~(10) Schools, preschools, and day care centers shall require documented proof related to immunization including:~~

~~(a) Completion of a certificate of immunization status (CIS) form by a parent as documented proof of:~~

~~(i) Full immunization, or~~

~~(ii) Initiation or continuation of a schedule (conditional status), or~~

~~(iii) Exemption.~~

~~(b) Information from a written personal immunization record, ((given to the immunized person or to his or her parent by the physician or agency administering the immunization;)) as the source of the immunization data entered on the CIS form ((and prohibiting substitution of a personal immunization record for a CIS form)) (substitution of a personal immunization record for a CIS form is prohibited);~~

~~(c) Acceptance of only the ((revised)) CIS form (no other state or local immunization forms) from new enrollees registering in kindergarten through grade twelve;~~

~~(d) In addition to current CIS form, acceptance of previous CIS forms, ((DSHS 13-263;)) or locally developed forms approved by the department indicating the month and year of each immunization as the official immunization status for children enrolled prior to September 1, 1979(, and~~

~~(e) No additional proof of immunization as a condition to attend a particular day care, preschool, or school if the school keeps the CIS or other department-approved forms for children verifying:~~

~~(i) Proof of full immunization, or~~

~~(ii) Proof of exemption from immunization)).~~

~~((ff)) (11) Schools, preschools, and day care centers shall accept medical exemptions and:~~

~~(a) Require a signature of a licensed ((physician)) medical doctor (M.D.), doctor of osteopathy (D.O.), physician assistant, or nurse practitioner practicing within the limits of the medical or nurse practice acts to certify medical reasons to defer one or more immunizations on the CIS form;~~

~~(b) Admit children and keep on file a CIS form for children with:~~

~~(i) Temporary exemption from immunization for medical reasons if the required immunizations are received upon expiration of the exemption, or~~

~~(ii) Permanent exemptions.~~

~~(c) Include a statement on the CIS form informing the parent that should an outbreak of vaccine preventable disease for which the child is exempted occur, the child may be excluded from school or day care for the duration of the outbreak by order of the local health department as described in subsection ((ff)) (13) of this section; and~~

~~(d) Keep on file a list of children so exempted and transmit the list to the local health department if requested.~~

~~((ff)) (12) Schools, preschools, and day care centers shall ((accept religious, philosophical or personal exemptions and));~~

~~(a) Allow a parent to exempt ((their)) his/her child from the required immunizations for religious, philosophical, or personal objections when the CIS form indicates:~~

~~(i) Type or exemption, and~~

~~(ii) Signature of parent.~~

~~(b) ((Admit children and)) Keep on file a CIS form for each child so enrolled;~~

~~(c) Include a statement on the CIS form informing the parent that should an outbreak of vaccine preventable disease for which the child is exempted occur, the child may be excluded from school for the duration of the outbreak by order of the local health department as described in subsection ((ff)) (13) of this section; and~~

~~(d) Keep on file a list of children so exempted and transmit the list to the local health department if requested.~~

~~((ff)) (13) Schools, preschools, and day care centers shall exclude children from school as follows:~~

~~(a) Exclude any child from school for failure to provide a completed CIS form as defined in subsection (1) of this section before or on the child's first day of attendance consistent with procedures required by the state board of education, Title 180 WAC;~~

~~(b) Exclude from attendance any child in a day care center for failure to provide a completed CIS form as defined in subsection (1) of this section before or on the child's first day of attendance;~~

~~(c) The chief administrator shall retain records on excluded children for at least three years including:~~

~~(i) Name,~~

~~(ii) Address, and~~

~~(iii) Date of exclusion.~~

~~(d) A health officer may exclude children from school, preschool, and day care attendance in the event of a child's exposure to a disease according to chapter ((248-10)) 246-110 WAC, including children presenting proof of:~~

~~(i) Initiation of a schedule of immunization,~~

~~(ii) Medical exemption,~~

~~(iii) Religious exemption,~~

~~(iv) Philosophical exemption, or~~

~~(v) Personal exemption.~~

~~((ff)) (14) Schools, preschools, and day care centers shall maintain records and require:~~

~~(a) A completed CIS form retained in the files for every child enrolled;~~

~~(b) Return of ((records)) original CIS form or a legible copy to the parent in the event of the child's withdrawal ((from school)) or transfer ((including:~~

~~(i) The original CIS form; or~~

~~(ii) A legible copy of the CIS form; and~~

~~(iii) Prohibiting withholding of a record for nonpayment of school, preschool, or day care fees or any other reason)) from school (withholding a record for any reason, including nonpayment of school, preschool, or day care fees is prohibited).~~

~~(c) Access to immunization records ((for each child enrolled)) by agents of the state or local health department for each child enrolled.~~

~~((ff)) (15) Persons or organizations administering immunizations, either public or private, shall:~~

(a) Furnish each person immunized, or his or her parent, with a written record of immunization containing information required by the state board of health; and

(b) Provide immunizations and records in accordance with chapter ~~((248-100))~~ 246-100 WAC.

~~((13))~~ (16) Chief administrators of schools, preschools, and day care centers shall ~~((report as follows:~~

~~((a) The chief administrator of each school shall forward a written annual report to the department and local health department on the immunization status of children in school:~~

~~((i) By October 15 of each year, except in the event of a late school opening when the report is due thirty days after the first day of school; and~~

~~((ii) On forms provided by the department.~~

~~((b) The chief administrator of each preschool and day care center shall forward a written annual report to the department and local health department on the immunization status of children in preschool or day care)) forward a written annual report to the department and local health department on the immunization status of children as follows:~~

~~((a) For schools: By November 1 of each year on forms provided by the department (except in the event of a late school opening when the report is due thirty days after the first day of school);~~

~~((b) For preschools and day care centers: By February 1 of each year on forms provided by the department.~~

**WSR 91-11-104**

**WITHDRAWAL OF PROPOSED RULES  
PUBLIC DISCLOSURE COMMISSION**

[Filed May 22, 1991, 2:55 p.m.]

The Public Disclosure Commission hereby withdraws the following rules filed with your office on November 8, 1990:

- |               |                |
|---------------|----------------|
| WSR 90-23-001 | WAC 390-16-308 |
| WSR 90-23-002 | WAC 390-16-312 |
| WSR 90-23-003 | WAC 390-05-210 |

Karen M. Copeland  
Administrative Officer

**WSR 91-11-105**

**PROPOSED RULES  
PUBLIC DISCLOSURE COMMISSION**

[Filed May 22, 1991, 2:57 p.m.]

**Original Notice.**

Title of Rule: New WAC 390-16-312 Handling contributions of uncertain origin; and amending WAC 390-05-210 Definition of contribution and 390-16-308 Identification of source of contribution.

Purpose: WAC 390-16-312, to instruct candidates and treasurers how to process contributions prohibited by RCW 42.17.105 and [42.17].120; WAC 390-05-210, to expand the definition of "contribution" to exclude news media stories and comment; exclude internal communications and private messages; WAC 390-16-308, to assign responsibility to the giver to provide a candidate or treasurer with the source of the contribution.

Statutory Authority for Adoption: RCW 42.17.370.

Summary: WAC 390-16-312, the rule provides guidance for reporting contributions received from uncertain

sources; WAC 390-05-210, amends definition of contribution; and WAC 390-16-308, provides necessary guidance to those subject to the campaign disclosure law.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Graham E. Johnson, Olympia, 753-1111.

Name of Proponent: Public Disclosure Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 390-16-312, the rule gives instructions to candidates and treasurers who receive excessive contributions or contributions from uncertain sources. Such contributions are to be returned to the contributor within ten days or forfeited to the state; WAC 390-05-210, amends definition of "contribution" to exclude news media, periodicals, feature and editorial articles; excludes certain communications within organizations; and excludes certain advertising on a person's own property; and WAC 390-16-308, amends existing rule which provides direction on how the source of a contribution is determined and attributed. Assigns responsibility to person who makes a contribution to inform the recipient of the true source.

Proposal does not change existing rules.

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

Hearing Location: Evergreen Plaza Building, 711 Capitol Way, 2nd Floor Conference Room, Olympia, WA, on June 25, 1991, at 9 a.m.

Submit Written Comments to: Public Disclosure Commission, 403 Evergreen Plaza Building, FJ-42, Olympia, WA 98504-3342, by June 15, 1991.

Date of Intended Adoption: June 25, 1991.

May 22, 1991  
Graham E. Johnson  
Executive Director

NEW SECTION

WAC 390-16-312 HANDLING CONTRIBUTIONS OF UNCERTAIN ORIGIN. No contribution shall be deposited by any candidate or treasurer who believes, from the face of the contribution instrument or for any other reason, the contribution was made in a fictitious name, by one person through an agent, relative, political committee, or any other person so as to conceal the source of the contribution or to exceed the contribution limits provided in RCW 42.17.105(8). The candidate or treasurer shall return such contributions within ten calendar days to the original contributor if his or her identity is known. Otherwise, the contribution instrument shall be endorsed and made payable to "Washington State Treasurer" and the contribution sent to the Public Disclosure Commission for deposit in the state's general fund.

AMENDATORY SECTION (Amending Order 88-02, filed 7/1/88)

WAC 390-05-210 DEFINITION-CONTRIBUTION. (1) The term "contribution" as defined in RCW 42.17.020(10) shall be deemed to include, among other things, furnishing services or property or rights on a discriminatory basis or at less than their fair market value as defined in WAC 390-05-235, for the purpose of assisting any candidate or political committee. When such in-kind contribution of goods or services is provided, it shall be reported at its fair market value, per WAC 390-05-235.

(2) The following activities are not considered to be contributions or independent campaign expenditures reportable under RCW 42.17.090 or .100:

(a) news, feature or editorial comment in a broadcast media program or in a regularly scheduled issue of a printed periodical (including periodicals published by businesses and organizations for their respective employees or members) to communicate ratings, evaluations, endorsements or recommendations for or against a candidate or ballot proposition,

(b) internal political communications from a corporation or similar enterprise to its officers, management staff and stockholders or from a union, association or other membership organization to its members,

(c) messages in the form of reader boards, banners, yard or window signs displayed on a person's own property or property occupied by the organization, business or union. Provided that, any person, space or property used for such political advertising for which a rental charge is normally made shall be reported as an in-kind contribution.

**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 WSR 90-20-088, filed 9/28/90)

WAC 390-16-308 IDENTIFICATION OF SOURCE OF CONTRIBUTION. Any person who makes a contribution shall inform the candidate or treasurer, at the time the contribution is made, of the true and actual source of funds from which the contribution is made. To identify the source of a contribution received by check or other written instrument in the absence of other information, a candidate or treasurer shall (~~ascertain the source of the contribution or type of business entity and~~) apply the following:

Provided, that in cases where the source of the contribution is known and differs from the guidelines set forth below, the known source of the contribution shall be reported;

Provided further, that contributions made by or through a lobbyist shall identify the true and actual source of the funds for whom the contribution was made.

(1) A contribution drawn upon a single account shall be attributed to the account holder as identified by the name printed on the face of the check or negotiable instrument.

(2) A contribution drawn upon a joint account shall be attributed in equal proportion to each of the account holders as identified by the names printed on the face of the check or negotiable instrument unless the candidate or treasurer is notified in writing that the contribution should be allocated in different proportions.

(3) A contribution made by a sole proprietor or drawn upon the account of a business which is a sole proprietorship shall be attributed to the owner of the business entity.

(4) A contribution drawn upon the account of a partnership shall be attributed to the partnership as a separate entity except that:

Any check drawn upon the partnership account but which is to be paid from the capital account of one or more individual partners shall identify at the time of transmittal to the candidate or treasurer the name(s) of the contributing partner(s) and shall be attributed to the contributing partner(s).

(5) A contribution drawn upon the account of a corporation, union, association or other similar organization shall be attributed to the corporation, union, association or other similar organization as a separate entity except that:

(a) a contribution drawn upon the account of a wholly owned or controlled subsidiary shall identify the name of the parent or controlling corporation and the contribution shall be attributed to the parent or controlling corporation;

(b) a contribution drawn upon the account of a controlled union subdivision shall identify the name of the controlling union and the contribution shall be attributed to the controlling union;

(c) a contribution drawn upon the account of a controlled subdivision of an association or other similar organization shall name the controlling association or other similar organization and the contribution shall be attributed to the controlling association.

(d) A subsidiary, union subdivision or subdivision of an association or other similar organization is "controlled" by another entity if it does not maintain executive and fiscal independence over its operations and functions as demonstrated by:

(i) Whether the corporation or organization owns a controlling interest in the voting stock or securities of the subsidiary or subdivision;

(ii) Whether the corporation or organization has the authority or ability to direct or participate in the governance of the subsidiary or

subdivision through provisions of constitutions, bylaws, contracts or other rules, or through formal or informal practices or procedures;

(iii) Whether the corporation or organization has the authority or ability to hire, appoint, demote or otherwise control the officers or other decision-making employees or members of the subsidiary or subdivision;

(iv) Whether the corporation or organization has common or overlapping membership with the subsidiary or subdivision which indicates a formal or ongoing relationship between the two entities(-);

(v) Whether the corporation or organization has common or overlapping officers or employees with the subsidiary or subdivision which indicates a formal or ongoing relationship between the two entities;

(vi) Whether the corporation or organization provides funds or goods in a significant amount or on an ongoing basis through direct or indirect payments to the subsidiary or subdivision.

(6) Contributions made by political committees established, financed, maintained, or controlled by any corporation, organization, or any other person, including any parent, subsidiary, branch, division, department, or local unit of such person, shall be considered to have been made by a single political committee.

**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 91-11-106

### PERMANENT RULES

### BOARD OF BOILER RULES

[Filed May 22, 1991, 3:10 p.m.]

Date of Adoption: May 21, 1991.

Purpose: To comply with actions taken by the Board of Boiler Rules.

Statutory Authority for Adoption: RCW 70.79.040.

Pursuant to notice filed as WSR 91-09-046 on April 16, 1991.

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

May 21, 1991

Robert E. Reid

Chairman

### NEW SECTION

WAC 296-104-801 NUCLEAR REPAIRS/REPLACEMENT. Repairs/replacement to all nuclear components, appurtenances, and their supports shall conform to the rules contained in the ASME Section XI Code. Where a repair/replacement to a pressure retaining part is performed, an NIS-2 data report, signed by the owner and the authorized nuclear inservice inspector shall be submitted to the jurisdiction, as required by ASME Section XI Code. The ASME Section XI Code year and addenda shall be as specified in the owner inservice inspection program plan.

### NEW SECTION

WAC 296-104-805 NUCLEAR REPAIRS—SAFETY DEVICES. All nuclear components shall be safe-guarded by safety devices, as specified in the ASME Section III Code.

The resetting, repair, and restamping of these safety devices shall be performed only by organizations holding a valid certificate of authorization to repair ASME Section III safety devices. Nuclear plant owners, however,

with an approved ASME Section XI program, may authorize resetting, repairing, or replacement of their safety devices. Resetting, repairing/replacement activities shall be witnessed and approved by a commissioned inspector. All repaired safety devices shall be resealed showing the identification of the organization making the repair and the date.

**WSR 91-11-107**  
**PERMANENT RULES**  
**BOARD OF BOILER RULES**  
 [Filed May 22, 1991, 3:11 p.m.]

Date of Adoption: May 21, 1991.

Purpose: To comply with actions taken by the Board of Boiler Rules.

Citation of Existing Rules Affected by this Order: Amending WAC 296-104-120 Inspection—Condemned boilers or unfired pressure vessels, 296-104-200 Standards for new construction, and 296-104-015 Board meetings.

Statutory Authority for Adoption: RCW 70.79.040.

Pursuant to notice filed as WSR 91-09-047 on April 16, 1991.

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

May 21, 1991  
 Robert E. Reid  
 Chairman

**AMENDATORY SECTION** (Amending WSR 90-07-082, filed 3/21/90, effective 4/21/90)

WAC 296-104-015 BOARD MEETINGS. The board of boiler rules shall hold its regular meetings in January, March, May, September and November of each year. The time, place, and date of each regular meeting shall be set by the chairman of the board and published annually. Special meetings may be called by the chairman when considered necessary by the board. The chief inspector will serve as secretary to the board without vote.

**AMENDATORY SECTION** (Amending Part III, filed 3/23/60)

WAC 296-104-120 INSPECTION—CONDEMNED BOILERS OR UNFIRED PRESSURE VESSEL. Any boiler or unfired pressure vessel having been inspected and declared unsafe by the inspector, shall be stamped by the inspector with an arrowhead stamp having an overall length of 1/2 inch and width of 3/8 inch on either side of the letter "X" and the letter "W," as shown by the following facsimile, which will designate a condemned boiler or unfired pressure vessel (——>XW<——). A final inspection shall be filed with the chief inspector with the word "condemned" across the report.

**AMENDATORY SECTION** (Amending WSR 90-04-009, filed 1/26/90, effective 2/26/90)

WAC 296-104-200 STANDARDS FOR NEW CONSTRUCTION. The standards for new construction are the 1989 edition, with addenda, of ASME Boiler and Pressure Vessel Code, Sections I, III, IV, VIII, and X, the 1987 edition of ASME/ANSI PVHO-1 (Standard for Pressure Vessels for Human Occupancy), the 1987 edition of ANSI B31.3 (Chemical Plant & Petroleum Refinery Piping) for oil and chemical plants, and the 1989 edition of ASME/ANSI B31.1 (Power Piping) for other nonnuclear construction with all addenda as issued and made part of the above referenced ASME/ANSI sections of the codes. These codes and standards may be used on or after the date of issue and become mandatory twelve months after adoption by the board as specified in RCW 70.79.050(2). The board recognizes that the ASME Code states that new editions of the code become mandatory on issue and that subsequent addenda become mandatory six months after the date of issue. Also, in circumstances such as nuclear systems, the time period for addenda becoming mandatory is defined in the Code of Federal Regulations.

**WSR 91-11-108**  
**NOTICE OF PUBLIC MEETINGS**  
**HUMAN RIGHTS COMMISSION**  
 [Memorandum—May 22, 1991]

There has been a change in the dates of the regular commission meeting of the Washington State Human Rights Commission being held in Richland, Washington. The dates listed in WSR 91-11-080 have been changed from June 26 and 27, to June 19 and 20, at the same location, City Hall Council Chambers, 505 Swift Boulevard, Richland. The meeting on June 19, will begin at 7:00 p.m. and will be a planning and training session only. The regular business meeting on June 20, will begin at 9:30 a.m.

**WSR 91-11-109**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**  
 [Filed May 22, 1991, 4:45 p.m.]

Original Notice.

Title of Rule: WAC 388-49-030 Filing an application.

Purpose: The Mickey Leland Memorial Domestic Hunger Relief Act, Public Law 101-624, and interim regulations issued by United States Department of Agriculture, Food and Nutrition Service require the department to amend the Washington Administrative Code to reduce citizenship or alien declaration requirements for households applying for food stamps.

Statutory Authority for Adoption: RCW 74.04.510.

Statute Being Implemented: RCW 74.04.510.

Summary: The amended rule will provide that one adult representative of the household may attest, under penalty of perjury, that all members of the household are citizens or aliens eligible for participation in the food stamp program under the alien provisions of the Food Stamp Act.

Reasons Supporting Proposal: Require only one adult representative of the household to attest, under penalty of perjury, to United States citizenship or eligible alien status of all household members at the time of application.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Mick Determan, Income Assistance, 753-4005.

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

Rule is necessary because of federal law, Mickey Leland Memorial Domestic Hunter Relief Act, Public Law 101-624.

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

Proposal Changes the Following Existing Rules: See above.

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

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on June 25, 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 June 25, 1991.

Date of Intended Adoption: July 1, 1991.

May 22, 1991

Dewey Brock

for Rosemary Carr

Acting Director

Administrative Services

AMENDATORY SECTION (Amending Order 2770, filed 3/2/89)

WAC 388-49-030 FILING AN APPLICATION. (1) The department shall:

(a) Make application forms readily available((:)); and

(b) Provide an application to any person requesting one.

(2) A person shall file an application by submitting the form to the CSO:

(a) In person((:));

(b) By mail((:)); or

(c) Through an authorized representative.

(3) A household consisting of SSI members may file an application at the Social Security Administration district office (SSADO).

(4) A person has a right to file an application on the same day he or she contacts the department.

(5) The department shall accept an incomplete application filed by a responsible household member or authorized representative who:

(a) Completes the name and address((:)); and

(b) Signs the application.

(6) The department shall require one of the following persons to sign the application attesting to ((their)) citizenship or alien status for all household members:

(a) ~~((Each))~~ An adult household member; or

(b) ~~((An adult household member for household members under eighteen years of age; and~~

(c)) The applicant, in the absence of an adult household member((: for all household members under eighteen years of age)).

WSR 91-11-110

PROPOSED RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Public Assistance)

[Filed May 22, 1991, 4:47 p.m.]

Original Notice.

Title of Rule: WAC 388-49-040 Supplemental security income households; and 388-49-120 Application disposition.

Purpose: Public Law 99-570 and regulations issued by Department of Agriculture Food and Nutrition Service require the department to establish effective timelines for receipt and approval of a food stamp application submitted by a resident of an institution through the Social Security Administration District Office prior to that resident's release.

Statutory Authority for Adoption: RCW 74.04.510.

Statute Being Implemented: RCW 74.04.510.

Summary: The amended rule will indicate that a food stamp application submitted by a resident of an institution through the Social Security Administration District Office and received by the department shall be considered filed the day the resident is released from the institution. The department shall be required to complete the certification action on the food stamp application by the 30th day from the date of release.

Reasons Supporting Proposal: Provide greater accessibility to agency service and assistance programs for a resident of an institution who is attempting to complete necessary planning for release and return to community living.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Mick Determan, Income Assistance, 753-4005.

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

Rule is necessary because of federal law, Public Law 99-570 and CFR 273.2(k).

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

Proposal Changes the Following Existing Rules: See above.

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

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on June 25, 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 June 25, 1991.

Date of Intended Adoption: July 1, 1991.

May 22, 1991

Dewey Brock

for Rosemary Carr

Acting Director

Administrative Services



AMENDATORY SECTION (Amending Order 2575, filed 12/31/87)

WAC 388-49-040 SUPPLEMENTAL SECURITY INCOME (SSI) HOUSEHOLDS. (1) The department shall complete certification of food stamp applications processed by the Social Security Administration district office (SSADO) no later than thirty days after the date ~~((a food stamp application is filed))~~:

(a) A household consisting solely of persons eligible for or applying for SSI files an application at the SSADO; or

(b) An applicant is released from a public institution when the person filed an application before release.

(2) The department shall begin the expedited service time frame on the date the:

(a) Correct community services office (CSO) receives the application of a noninstitutionalized SSI household; or

(b) Applicant is released from a public institution.

(3) The department shall complete recertification when a SSI/food stamp household files a timely request ~~((has been made))~~ through the SSADO.

AMENDATORY SECTION (Amending Order 2575, filed 12/31/87)

WAC 388-49-120 APPLICATION DISPOSITION. (1) The department shall provide a household ~~((with))~~ which completes the initial application process an opportunity to participate no later than thirty days following the date the application was filed.

(2) The department shall consider the date the application is filed as the date the:

(a) Application is received in the correct community services office (CSO) except for conditions described under subsection (2)(b) and (c) of this section; or

(b) Application is received in the Social Security Administration District Office (SSADO) from a noninstitutionalized household consisting solely of persons applying, or eligible, for Supplemental Security Income (SSI); or

(c) Applicant is released from a public institution when the person applied for SSI and food stamps through the SSADO before release.

(3) The department shall send a written approval or denial notice ~~((of approval, denial, or pending status))~~ to all applicants as soon as a determination of eligibility and benefit level is made ~~((but not))~~ based on documentary evidence provided by the applicant. Such written notice shall be issued no later than thirty days after the date ~~((of))~~ the application is filed. ~~((The thirty-day period ends))~~

(4) The department shall send a written denial notice on the thirtieth day after the date the application is filed when documentary evidence is not provided to make an eligibility determination.

(5) The department shall send the denial notice on the last working day ~~((prior to))~~ before the thirtieth day when the thirtieth day falls on a weekend or a holiday.

~~((3))~~ (6) The department shall delay the written notice until the thirtieth day when the household has been denied food stamps with an eligibility decision pending for AFDC or SSI.

~~((4))~~ (7) The household may voluntarily withdraw the application any time ~~((prior to))~~ before the eligibility determination ~~((of eligibility)).~~

**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 91-11-111**  
**PROPOSED RULES**  
**DEPARTMENT OF FISHERIES**  
 [Filed May 22, 1991, 4:50 p.m.]

Original Notice.

Title of Rule: Commercial fishing rules.

Purpose: Amend shellfish rules.

Statutory Authority for Adoption: RCW 75.08.080.

Statute Being Implemented: RCW 75.08.080.

Summary: Set sea urchin and sea cucumber seasons; change opening date for Shrimp Districts 1, 2, and 3 by one day.

Reasons Supporting Proposal: The seasons need to be set for notice to fishers.

Name of Agency Personnel Responsible for Drafting: Evan S. Jacoby, Mailstop AX-11, Olympia, Washington, 753-6585; Implementation: Judith Freeman, Mailstop AX-11, Olympia, Washington, 753-6749; and Enforcement: Dayna Matthews, Mailstop AX-11, Olympia, Washington, 753-6585.

Name of Proponent: Washington State Department of Fisheries, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This proposal sets seasons for commercial harvest of sea urchins and sea cucumbers during the period 1991 for sea urchins and 1991 through 1994 for sea cucumbers. The old seasons have expired, and there is product available for harvest. Both seasons have a phased-in fishery, which will stabilize price and allow for a complete season. The shrimp season is delayed one day to have commercial and recreational harvest begin at the same time.

Proposal Changes the Following Existing Rules: As above.

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

This proposal does not affect 10 percent of the businesses in any one three-digit industrial classification nor 20 percent of all businesses.

Hearing Location: Large Conference Room, General Administration Building, Olympia, on July 2, 1991, at 1:00 p.m.

Submit Written Comments to: Hearings Officer, Washington State Department of Fisheries, 115 General Administration Building, Olympia, WA 98504, by July 2, 1991.

Date of Intended Adoption: July 9, 1991.

May 22, 1991

Judith Merchant

Deputy

for Joseph R. Blum

Director

AMENDATORY SECTION (Amending Order 87-187, filed 11/6/87)

WAC 220-52-051 SHRIMP FISHERY—PUGET SOUND. It is unlawful to fish for or possess shrimp taken for commercial purposes from Puget Sound except as provided for in this section:

(1) SHRIMP DISTRICTS: The following areas are defined as shrimp fishing districts:

(a) Shrimp District 1 – (Protection Island, Discovery Bay) Waters south of a line from McCurdy Point on the Quimper Peninsula to the northern tip of Protection Island then to Rocky Point on the Miller Peninsula and all waters of Discovery Bay.

(b) Shrimp District 2 – (Griffin Bay) Waters south of a line projected true east-west through Turn Rock Light from San Juan Island to Lopez Island and north of a line projected true east from Cattle Point on San Juan Island to Lopez Island.

(c) Shrimp District 3 – (Port Angeles) Waters inside Ediz Hook west of a line from the tip of Ediz Hook to the ITT Rayonier Dock.

(d) Shrimp District 4 – (Sequim Bay) Waters of Sequim Bay south of a line projected true west from Travis Spit on the Miller Peninsula.



(e) Shrimp District 5 – (Hood Canal) Waters south of the Hood Canal Floating Bridge.

(f) Shrimp District 6 – (Carr Inlet) Waters of Carr Inlet north of a line projected from Penrose Point to Green Point.

(2) TRAWL GEAR:

(a) SEASONS – Open to trawl gear April 15 through October 15 except closed in:

(i) Shrimp Districts 1, 2, 3, 4, and 5.

(ii) Waters south of the Narrows Bridge.

(iii) Waters closed to trawl fishing in WAC 220-49-015.

(b) GEAR RESTRICTIONS – Otter trawl gear may not be used.

(3) SHELLFISH POT GEAR:

(a) SEASONS – Open to shellfish pot gear April 15 through October 15 except:

(i) Open in Shrimp Districts 1, 2, and 3 from May ~~((+5))~~ 16 through September 15.

(ii) Closed in Shrimp Districts 4, 5, and 6 unless opened by emergency regulation.

(b) GEAR RESTRICTIONS –

(i) In all areas, maximum 100 pots per fisherman, except:

(A) Maximum 75 pots per fisherman in Marine Fish-Shellfish Management and Catch Reporting Area 28B.

(B) Maximum 50 pots per fisherman in Shrimp Districts 1, 2, and 5.

(C) Maximum 10 pots per fisherman in Shrimp District 3.

(ii) In all shrimp districts:

(A) Buoys must be orange in color and consist of durable material that will remain floating on the surface with five pounds attached; bleach or antifreeze bottles or other containers may not be used as floats.

(B) The line attaching the pot to the buoy must be weighted sufficiently to prevent the line from floating on the surface.

(iii) In Shrimp Districts 2 and 5:

(A) The entire top, bottom, and sides of the pot, except entrance tunnels, must be constructed of mesh material having a minimum mesh of such size that a 7/8 inch square peg can pass through without changing the shape of the opening.

(B) All entrance tunnels must open into the pot from the sides.

(C) The sum of the maximum widths of all entrance tunnels must not exceed one-half of the perimeter of the bottom of the pot.

AMENDATORY SECTION (Amending Order 87-187, filed 11/6/87)

WAC 220-52-071 SEA CUCUMBERS. It is unlawful to take or possess sea cucumbers taken for commercial purposes except as provided for in this section.

(1) Sea cucumber districts:

(a) Sea Cucumber District 1 is defined as those waters of Marine Fish-Shellfish Management and Catch Reporting Areas 20A, 20B, 21A, 21B, 22A, 22B, and 23B outside of the following closed areas:

(i) San Juan Channel and Upright Channel within the following lines: North of a line from Cattle Point on San Juan Island to Davis Point on Lopez Island and south of a line projected from Flat Point on Lopez Island true west to Shaw Island; west of a line from Neck Point on Shaw Island to Steep Point on Orcas Island; south of a line from Steep Point on Orcas Island to Limestone Point on San Juan Island.

(ii) Haro Strait north of a line projected east-west one-half mile south of Eagle Point on San Juan Island and south of a line projected east-west one-quarter mile north of Lime Kiln Light on San Juan Island.

(iii) Within one-quarter mile of Green Point on Spieden Island.

(iv) Within one-quarter mile of Gull Reef, located between Spieden Island and Johns Island.

(b) Sea Cucumber District 2 is defined as those waters of Marine Fish-Shellfish Management and Catch Reporting Areas 23A, 23C, 23D, 25A, 25B, 25C, 25D, 25E, 29 and those waters west of the Bonilla-Tatoosh Line, Pacific Ocean waters, Grays Harbor, Willapa Bay, and the waters at the mouth of the Columbia River west of the Buoy 10 Line.

(c) Sea Cucumber District 3 is defined as those waters of Marine Fish-Shellfish Management and Catch Reporting Areas 24A, 24B, 24C, 24D, 26A, 26B, 26C, and 26D.

(d) Sea Cucumber District 4 is defined as those waters of Marine Fish-Shellfish Management and Catch Reporting Areas 27A, 27B, 27C, 28A, 28B, 28C, and 28D.

(2) Sea cucumber areas and seasons:

(a) District 1 open May 1 through October 31, ~~((+987))~~ 1991.

(b) District 2 open May 1 through October 31, ~~((+988))~~ 1992.

(c) District 3 open May 1 through October 31, ~~((+989))~~ 1993 except Marine Fish Shellfish Management and Catch Reporting Area 26C is closed to the harvest of sea urchins after August 31, 1993.

(d) District 4 open May 1 through October 31, ~~((+990))~~ 1994.

(e) Other areas and times as authorized by permit issued by the director.

(f) During the seasons provided for in this subsection, harvest is restricted to Monday through Wednesday May 1 through May 14, Monday through Thursday May 15 through June 30, and Monday through Friday thereafter. Divers may not take sea cucumbers from one-half hour before official sunset to official sunrise or 6:00 a.m., whichever is later.

(3) Shellfish diver gear:

(a) Divers must have a permit issued by the director to take sea cucumbers for commercial purposes.

(b) Divers operating from a vessel must have a number assigned by the department placed on both sides and the top of the vessel in such a manner that the number is clearly visible when the vessel is viewed from either side or from the air, and the letters must be black on white no less than eighteen inches in height and of proportional width.

~~(c) (Divers may not take sea cucumbers from one-half hour before official sunset to official sunrise or 6:00 a.m. whichever is later, or on Sunday:~~

~~(d))~~ Divers may not fish for or possess geoduck clams during commercial sea cucumber harvesting operations, or possess geoduck clams on a vessel that has sea cucumbers on board.

(4) Trawl gear:

(a) Trawl gear is limited to that gear and those times authorized under chapter 220-48 WAC, or otherwise as authorized by a permit issued by the director.

(b) Up to one hundred pounds of sea cucumbers may be taken without regard to other species aboard, but landings of more than one hundred pounds are lawful only if sea cucumbers represent no more than twenty percent of the total weight of fish on board. No trawl vessel may land more than two hundred fifty pounds of sea cucumbers in any one vessel trip except as authorized by permit issued by the director.

AMENDATORY SECTION (Amending Order 87-187, filed 11/6/87)

WAC 220-52-073 SEA URCHINS. It is unlawful to take or possess sea urchins taken for commercial purposes except as provided for in this section.

(1) Sea urchin districts:

(a) Sea Urchin District 1 (Northern San Juan Islands) is defined as Marine Fish-Shellfish Management and Catch Reporting Areas 20A, 20B, and those waters of Area 22A north of a line projected east-west one-quarter mile north of Lime Kiln Light on San Juan Island and west of a line projected true north from Limestone Point on San Juan Island. The following areas within Sea Urchin District 1 are closed to the harvest of sea urchins at all times:

(i) Those waters within one-quarter mile of Green Point on Spieden Island.

(ii) Those waters within one-quarter mile of Gull Reef, located between Spieden and Johns Island.

(b) Sea Urchin District 2 (Southern San Juan Islands and Port Townsend) is defined as those waters of Marine Fish-Shellfish Management and Catch Reporting Area 22A south of a line projected east-west one-quarter mile north of Lime Kiln Light on San Juan Island and east of a line projected true north from Limestone Point on San Juan Island and Areas 23B and 25A. The following areas within Sea Urchin District 2 are closed to the harvest of sea urchins at all times:

(i) Those waters of Haro Strait north of a line projected east-west one-half mile south of Eagle Point on San Juan Island and south of a line projected east-west one-quarter mile north of Lime Kiln Light on San Juan Island.

(ii) Those waters of San Juan Channel and Upright Channel within the following lines: North of a line from Cattle Point on San Juan Island to Davis Point on Lopez Island; south of a line projected from Flat Point on Lopez Island true west to Shaw Island; west of a line from Neck Point on Shaw Island to Steep Point on Orcas Island; south of a line from Steep Point on Orcas Island to Limestone Point on San Juan Island.

(c) Sea Urchin District 3 (Port Angeles) is defined as those waters of Marine Fish-Shellfish Management and Catch Reporting Area 23C east of a line projected true north from Low Point, and Area 23D.

(d) Sea Urchin District 4 (Sekiu) is defined as those waters of Marine Fish-Shellfish Management and Catch Reporting Area 23C west of a line projected true north from Low Point and those waters of Area 29 east of a line projected true north from the mouth of Rasmussen Creek (3.1 miles southeast of Sail Rock).

(e) Sea Urchin District 5 is defined as those waters of Marine Fish-Shellfish Management and Catch Reporting Area 29 west of a line projected true north from the mouth of Rasmussen Creek (3.1 miles southeast of Sail Rock) and Areas 59A and 59B. Within Sea Urchin District 5, waters within one-quarter mile of Tatoosh Island are closed to the harvest of sea urchins at all times.

(2) Sea urchin areas, seasons, species, and sizes:

Option 1

~~(a) District 2 is open October 1, 1987 through March 31, 1988 to harvest red sea urchins between 4.0 and 5.25 inches.~~

~~(b) District 5 is open October 1, 1987 through March 31, 1988 to harvest red sea urchins between 3.25 and 4.5 inches.~~

~~(c)~~ District 1 is open October ~~(+)~~ 15, ~~((+1988))~~ 1991, through ~~((March 31, 1989))~~ October 31, 1991, Monday through Wednesday only, and is open November 1, 1991, through December 31, 1991, Monday through Friday only, to harvest of red sea urchins between 4.0 and 5.25 inches in size.

~~((d))~~ (b) District 4 is open October ~~((+))~~ 15, ~~((+1988))~~ 1991, through ~~((March 31, 1989))~~ October 31, 1991, Monday through Wednesday only, and is open November 1, 1991, through January 31, 1992, seven days per week, to harvest of red sea urchins between 3.25 and 5.0 inches in size.

Option 2

(a) District 1 is open October 15, 1991, through October 31, 1991, Monday through Wednesday only, and is open November 1, 1991, through April 15, 1992, Monday through Friday only, to harvest of red sea urchins between 4.0 and 5.25 inches in size.

(b) District 4 is open October 15, 1991, through October 31, 1991, Monday through Wednesday only, and is open November 1, 1991, through April 15, 1992, seven day per week, to harvest of red sea urchins between 4.0 and 5.25 inches in size.

Option 3

(a) District 1 is open November 1, 1991, through November 15, 1991, Monday through Wednesday only, and is open November 16, 1991, through December 31, 1991, Monday through Friday only, to harvest of red sea urchins between 4.0 and 5.25 inches in size.

(b) District 4 is open November 1, 1991, through November 15, 1991, Monday through Wednesday only, and is open November 16, 1991, through December 31, 1991, seven days per week, to harvest of red sea urchins between 4.0 and 5.25 inches in size.

~~((c))~~ District 3 is open October 1, 1989 through March 31, 1990 to harvest red sea urchins between 3.25 and 5.0 inches.

~~(f))~~ (c) Otherwise as authorized by a permit issued by the director.

(g) All sizes in this subsection are shell diameter exclusive of the spines.

(3) Shellfish diver gear:

(a) Divers may only use hand-operated equipment that does not penetrate the shell.

(b) Sea urchins may not be taken from water shallower than 10 feet below mean lower low water.

(c) Green and purple sea urchins may not be taken.

(d) Divers operating from a vessel must have a number assigned by the department, placed on both sides and the top of the vessel in such a manner that the number is clearly visible when the vessel is viewed from either side or from the air and the number must be black on white no less than 18 inches high and of proportionate width.

(e) Divers may not take sea urchins from one-half hour after sunset to one-half hour before sunrise.

(f) No processing of sea urchins is permitted aboard the harvest vessel.

(g) Divers may not take sea urchins for use other than as human food.

(h) Variance from any of the provisions of this subsection is only allowed if authorized by a permit issued by the director.

**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.

**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 #
1-06-040	AMD-P	91-06-067	1-08-240	REP-P	91-06-067	1-08-490	REP-P	91-06-067
1-06-040	AMD	91-10-010	1-08-240	REP	91-10-010	1-08-490	REP	91-10-010
1-08-005	REP-P	91-06-067	1-08-250	REP-P	91-06-067	1-08-500	REP-P	91-06-067
1-08-005	REP	91-10-010	1-08-250	REP	91-10-010	1-08-500	REP	91-10-010
1-08-007	REP-P	91-06-067	1-08-260	REP-P	91-06-067	1-08-510	REP-P	91-06-067
1-08-007	REP	91-10-010	1-08-260	REP	91-10-010	1-08-510	REP	91-10-010
1-08-010	REP-P	91-06-067	1-08-270	REP-P	91-06-067	1-08-520	REP-P	91-06-067
1-08-010	REP	91-10-010	1-08-270	REP	91-10-010	1-08-520	REP	91-10-010
1-08-030	REP-P	91-06-067	1-08-280	REP-P	91-06-067	1-08-530	REP-P	91-06-067
1-08-030	REP	91-10-010	1-08-280	REP	91-10-010	1-08-530	REP	91-10-010
1-08-040	REP-P	91-06-067	1-08-290	REP-P	91-06-067	1-08-540	REP-P	91-06-067
1-08-040	REP	91-10-010	1-08-290	REP	91-10-010	1-08-540	REP	91-10-010
1-08-050	REP-P	91-06-067	1-08-300	REP-P	91-06-067	1-08-550	REP-P	91-06-067
1-08-050	REP	91-10-010	1-08-300	REP	91-10-010	1-08-550	REP	91-10-010
1-08-060	REP-P	91-06-067	1-08-310	REP-P	91-06-067	1-08-560	REP-P	91-06-067
1-08-060	REP	91-10-010	1-08-310	REP	91-10-010	1-08-560	REP	91-10-010
1-08-070	REP-P	91-06-067	1-08-320	REP-P	91-06-067	1-08-570	REP-P	91-06-067
1-08-070	REP	91-10-010	1-08-320	REP	91-10-010	1-08-570	REP	91-10-010
1-08-080	REP-P	91-06-067	1-08-330	REP-P	91-06-067	1-08-580	REP-P	91-06-067
1-08-080	REP	91-10-010	1-08-330	REP	91-10-010	1-08-580	REP	91-10-010
1-08-090	REP-P	91-06-067	1-08-340	REP-P	91-06-067	1-08-590	REP-P	91-06-067
1-08-090	REP	91-10-010	1-08-340	REP	91-10-010	1-08-590	REP	91-10-010
1-08-100	REP-P	91-06-067	1-08-350	REP-P	91-06-067	16-80-005	NEW-P	91-05-076
1-08-100	REP	91-10-010	1-08-350	REP	91-10-010	16-80-005	NEW	91-08-027
1-08-110	REP-P	91-06-067	1-08-360	REP-P	91-06-067	16-80-007	NEW-P	91-05-076
1-08-110	REP	91-10-010	1-08-360	REP	91-10-010	16-80-007	NEW	91-08-027
1-08-120	REP-P	91-06-067	1-08-370	REP-P	91-06-067	16-80-010	NEW-P	91-05-076
1-08-120	REP	91-10-010	1-08-370	REP	91-10-010	16-80-010	NEW	91-08-027
1-08-130	REP-P	91-06-067	1-08-380	REP-P	91-06-067	16-80-015	NEW-P	91-05-076
1-08-130	REP	91-10-010	1-08-380	REP	91-10-010	16-80-015	NEW	91-08-027
1-08-140	REP-P	91-06-067	1-08-390	REP-P	91-06-067	16-80-020	NEW-P	91-05-076
1-08-140	REP	91-10-010	1-08-390	REP	91-10-010	16-80-020	NEW	91-08-027
1-08-150	REP-P	91-06-067	1-08-400	REP-P	91-06-067	16-80-025	NEW-P	91-05-076
1-08-150	REP	91-10-010	1-08-400	REP	91-10-010	16-80-025	NEW	91-08-027
1-08-160	REP-P	91-06-067	1-08-410	REP-P	91-06-067	16-80-030	NEW-P	91-05-076
1-08-160	REP	91-10-010	1-08-410	REP	91-10-010	16-80-030	NEW	91-08-027
1-08-170	REP-P	91-06-067	1-08-420	REP-P	91-06-067	16-80-035	NEW-P	91-05-076
1-08-170	REP	91-10-010	1-08-420	REP	91-10-010	16-80-035	NEW	91-08-027
1-08-180	REP-P	91-06-067	1-08-430	REP-P	91-06-067	16-80-040	NEW-P	91-05-076
1-08-180	REP	91-10-010	1-08-430	REP	91-10-010	16-80-040	NEW	91-08-027
1-08-190	REP-P	91-06-067	1-08-440	REP-P	91-06-067	16-80-045	NEW-P	91-05-076
1-08-190	REP	91-10-010	1-08-440	REP	91-10-010	16-80-045	NEW	91-08-027
1-08-200	REP-P	91-06-067	1-08-450	REP-P	91-06-067	16-80-047	NEW-P	91-05-076
1-08-200	REP	91-10-010	1-08-450	REP	91-10-010	16-80-047	NEW	91-08-027
1-08-210	REP-P	91-06-067	1-08-460	REP-P	91-06-067	16-80-050	NEW-P	91-05-076
1-08-210	REP	91-10-010	1-08-460	REP	91-10-010	16-80-050	NEW	91-08-027
1-08-220	REP-P	91-06-067	1-08-470	REP-P	91-06-067	16-154	AMD-P	91-05-006
1-08-220	REP	91-10-010	1-08-470	REP	91-10-010	16-154	AMD	91-09-028
1-08-230	REP-P	91-06-067	1-08-480	REP-P	91-06-067	16-154-010	AMD-P	91-05-006
1-08-230	REP	91-10-010	1-08-480	REP	91-10-010	16-154-010	AMD	91-09-028

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
16-154-020	AMD-P	91-05-006	16-230-615	AMD-P	91-02-106	16-231-800	AMD	91-06-019
16-154-020	AMD	91-09-028	16-230-615	AMD	91-06-019	16-231-805	AMD-P	91-02-106
16-154-030	NEW-P	91-05-006	16-230-625	AMD-P	91-02-106	16-231-805	AMD	91-06-019
16-154-030	NEW	91-09-028	16-230-625	AMD	91-06-019	16-231-825	AMD-P	91-02-106
16-154-040	NEW-P	91-05-006	16-230-670	AMD-P	91-02-106	16-231-825	AMD	91-06-019
16-154-040	NEW	91-09-028	16-230-670	AMD	91-06-019	16-231-840	AMD-P	91-02-106
16-154-050	NEW-P	91-05-006	16-230-675	AMD-P	91-02-106	16-231-840	AMD	91-06-019
16-154-050	NEW	91-09-028	16-230-675	AMD	91-06-019	16-231-900	AMD-P	91-02-106
16-154-060	NEW-P	91-05-006	16-231-001	AMD-P	91-02-106	16-231-900	AMD	91-06-019
16-154-060	NEW	91-09-028	16-231-001	AMD	91-06-019	16-231-905	AMD-P	91-02-106
16-154-070	NEW-P	91-05-006	16-231-033	REP-P	91-02-106	16-231-905	AMD	91-06-019
16-154-070	NEW	91-09-028	16-231-033	REP	91-06-019	16-231-935	AMD-P	91-02-106
16-154-080	NEW-P	91-05-006	16-231-100	AMD-P	91-02-106	16-231-935	AMD	91-06-019
16-154-080	NEW	91-09-028	16-231-100	AMD	91-06-019	16-231-938	REP-P	91-02-106
16-154-090	NEW-P	91-05-006	16-231-148	REP-P	91-02-106	16-231-938	REP	91-06-019
16-154-090	NEW	91-09-028	16-231-148	REP	91-06-019	16-231-950	REP-P	91-02-106
16-154-100	NEW-P	91-05-006	16-231-200	AMD-P	91-02-106	16-231-950	REP	91-06-019
16-154-100	NEW	91-09-028	16-231-200	AMD	91-06-019	16-232-001	AMD-P	91-02-106
16-154-110	NEW-P	91-05-006	16-231-205	AMD-P	91-02-106	16-232-001	AMD	91-06-019
16-154-110	NEW	91-09-028	16-231-205	AMD	91-06-019	16-232-100	AMD-P	91-02-106
16-154-120	NEW-P	91-05-006	16-231-210	AMD-P	91-02-106	16-232-100	AMD	91-06-019
16-154-120	NEW	91-09-028	16-231-210	AMD	91-06-019	16-232-105	AMD-P	91-02-106
16-156-005	AMD-P	91-05-006	16-231-235	AMD-P	91-02-106	16-232-105	AMD	91-06-019
16-156-005	AMD	91-09-028	16-231-235	AMD	91-06-019	16-232-110	AMD-P	91-02-106
16-156-020	AMD-P	91-05-006	16-231-238	REP-P	91-02-106	16-232-110	AMD	91-06-019
16-156-020	AMD	91-09-028	16-231-238	REP	91-06-019	16-232-120	AMD-P	91-02-106
16-156-035	AMD-P	91-05-006	16-231-300	AMD-P	91-02-106	16-232-120	AMD	91-06-019
16-156-035	AMD	91-09-028	16-231-300	AMD	91-06-019	16-232-200	AMD-P	91-02-106
16-156-060	AMD-P	91-05-006	16-231-305	AMD-P	91-02-106	16-232-200	AMD	91-06-019
16-156-060	AMD	91-09-028	16-231-305	AMD	91-06-019	16-232-205	AMD-P	91-02-106
16-158-120	AMD-P	91-05-006	16-231-310	AMD-P	91-02-106	16-232-205	AMD	91-06-019
16-158-120	AMD	91-09-028	16-231-310	AMD	91-06-019	16-232-220	AMD-P	91-02-106
16-160-010	NEW	91-05-007	16-231-330	AMD-P	91-02-106	16-232-220	AMD	91-06-019
16-160-020	NEW	91-05-007	16-231-330	AMD	91-06-019	16-232-225	AMD-P	91-02-106
16-160-030	NEW	91-05-007	16-231-340	AMD-P	91-02-106	16-232-225	AMD	91-06-019
16-160-040	NEW	91-05-007	16-231-340	AMD	91-06-019	16-232-300	AMD-P	91-02-106
16-160-050	NEW	91-05-007	16-231-343	REP-P	91-02-106	16-232-300	AMD	91-06-019
16-160-060	NEW	91-05-007	16-231-343	REP	91-06-019	16-232-305	AMD-P	91-02-106
16-160-070	NEW	91-05-007	16-231-400	AMD-P	91-02-106	16-232-305	AMD	91-06-019
16-160-090	NEW	91-05-007	16-231-400	AMD	91-06-019	16-232-315	AMD-P	91-02-106
16-160-100	NEW	91-05-007	16-231-405	AMD-P	91-02-106	16-232-315	AMD	91-06-019
16-228-164	AMD-P	91-02-106	16-231-405	AMD	91-06-019	16-232-950	REP-P	91-02-106
16-228-164	AMD	91-06-019	16-231-410	AMD-P	91-02-106	16-232-950	REP	91-06-019
16-230-110	REP-P	91-02-106	16-231-410	AMD	91-06-019	16-316-280	AMD-P	91-04-066
16-230-110	REP	91-06-019	16-231-420	AMD-P	91-02-106	16-316-280	AMD	91-08-017
16-230-115	REP-P	91-02-106	16-231-420	AMD	91-06-019	16-316-285	AMD-P	91-04-066
16-230-115	REP	91-06-019	16-231-425	AMD-P	91-02-106	16-316-285	AMD	91-08-017
16-230-120	REP-P	91-02-106	16-231-425	AMD	91-06-019	16-316-290	AMD-P	91-04-066
16-230-120	REP	91-06-019	16-231-500	AMD-P	91-02-106	16-316-290	AMD	91-08-017
16-230-150	AMD-P	91-04-078	16-231-500	AMD	91-06-019	16-316-620	AMD-P	91-10-082
16-230-150	AMD	91-08-058	16-231-505	AMD-P	91-02-106	16-316-622	AMD-P	91-10-082
16-230-160	AMD-P	91-04-078	16-231-505	AMD	91-06-019	16-316-715	AMD-P	91-10-082
16-230-160	AMD	91-08-058	16-231-510	AMD-P	91-02-106	16-316-800	AMD-P	91-10-082
16-230-170	AMD-P	91-04-078	16-231-510	AMD	91-06-019	16-316-820	AMD-P	91-10-082
16-230-170	AMD	91-08-058	16-231-525	AMD-P	91-02-106	16-316-970	NEW-P	91-10-082
16-230-180	AMD-P	91-04-078	16-231-525	AMD	91-06-019	16-316-975	NEW-P	91-10-082
16-230-180	AMD	91-08-058	16-231-530	AMD-P	91-02-106	16-316-980	NEW-P	91-10-082
16-230-190	AMD-P	91-04-078	16-231-530	AMD	91-06-019	16-316-985	NEW-P	91-10-082
16-230-190	AMD	91-08-058	16-231-600	AMD-P	91-02-106	16-316-990	NEW-P	91-10-082
16-230-400	AMD-P	91-02-106	16-231-600	AMD	91-06-019	16-316-995	NEW-P	91-10-082
16-230-400	AMD	91-06-019	16-231-605	AMD-P	91-02-106	16-316-997	NEW-P	91-10-082
16-230-410	AMD-P	91-02-106	16-231-605	AMD	91-06-019	16-324-375	AMD-P	91-06-061
16-230-410	AMD	91-06-019	16-231-610	AMD-P	91-02-106	16-324-375	AMD	91-10-029
16-230-440	AMD-P	91-02-106	16-231-610	AMD	91-06-019	16-324-380	AMD-P	91-06-061
16-230-440	AMD	91-06-019	16-231-615	AMD-P	91-02-106	16-324-380	AMD	91-10-029
16-230-450	AMD-P	91-02-106	16-231-615	AMD	91-06-019	16-324-605	AMD-P	91-06-061
16-230-450	AMD	91-06-019	16-231-620	AMD-P	91-02-106	16-324-605	AMD	91-10-029
16-230-460	AMD-P	91-02-106	16-231-620	AMD	91-06-019	16-333-200	NEW-P	91-04-068
16-230-460	AMD	91-06-019	16-231-700	AMD-P	91-02-106	16-333-200	NEW	91-08-015
16-230-470	AMD-P	91-02-106	16-231-700	AMD	91-06-019	16-333-205	NEW-P	91-04-068
16-230-470	AMD	91-06-019	16-231-705	AMD-P	91-02-106	16-333-205	NEW	91-08-015
16-230-475	REP-P	91-02-106	16-231-705	AMD	91-06-019	16-333-210	NEW-P	91-04-068
16-230-475	REP	91-06-019	16-231-715	AMD-P	91-02-106	16-333-210	NEW	91-08-015
16-230-605	AMD-P	91-02-106	16-231-715	AMD	91-06-019	16-333-215	NEW-P	91-04-068
16-230-605	AMD	91-06-019	16-231-720	AMD-P	91-02-106	16-333-215	NEW	91-08-015
16-230-610	AMD-P	91-02-106	16-231-720	AMD	91-06-019	16-333-220	NEW-P	91-04-068
16-230-610	AMD	91-06-019	16-231-800	AMD-P	91-02-106	16-333-220	NEW	91-08-015

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
16-333-225	NEW-P	91-04-068	16-484-200	NEW-P	91-10-095	16-495-105	AMD-P	91-10-082
16-333-225	NEW	91-08-015	16-484-205	NEW-E	91-06-035	16-495-110	AMD-P	91-10-082
16-333-230	NEW-P	91-04-068	16-484-205	NEW-P	91-10-095	16-497-001	AMD-P	91-04-067
16-333-230	NEW	91-08-015	16-484-210	NEW-E	91-06-035	16-497-001	AMD	91-08-016
16-333-235	NEW-P	91-04-068	16-484-210	NEW-P	91-10-095	16-497-005	NEW-P	91-04-067
16-333-235	NEW	91-08-015	16-484-220	NEW-E	91-06-035	16-497-005	NEW	91-08-016
16-333-240	NEW-P	91-04-068	16-484-220	NEW-P	91-10-095	16-497-020	AMD-P	91-04-067
16-333-240	NEW	91-08-015	16-484-230	NEW-E	91-06-035	16-497-020	AMD	91-08-016
16-333-245	NEW-P	91-04-068	16-484-230	NEW-P	91-10-095	16-497-030	AMD-P	91-04-067
16-333-245	NEW	91-08-015	16-484-240	NEW-E	91-06-035	16-497-030	AMD	91-08-016
16-354-005	AMD-P	91-04-067	16-484-240	NEW-P	91-10-095	16-497-040	AMD-P	91-04-067
16-354-005	AMD	91-08-016	16-484-250	NEW-E	91-06-035	16-497-040	AMD	91-08-016
16-354-010	AMD-P	91-04-067	16-484-250	NEW-P	91-10-095	16-497-050	AMD-P	91-04-067
16-354-010	AMD	91-08-016	16-484-260	NEW-E	91-06-035	16-497-050	AMD	91-08-016
16-354-020	AMD-P	91-04-067	16-484-260	NEW-P	91-10-095	16-497-060	AMD-P	91-04-067
16-354-020	AMD	91-08-016	16-486-001	REP-P	91-07-036	16-497-060	AMD	91-08-016
16-354-030	AMD-P	91-04-067	16-486-001	REP	91-11-054	16-528-105	NEW	91-05-065
16-354-030	AMD	91-08-016	16-486-010	REP-P	91-07-036	16-528-110	AMD	91-05-065
16-354-040	AMD-P	91-04-067	16-486-010	REP	91-11-054	16-528-150	AMD	91-05-065
16-354-040	AMD	91-08-016	16-486-015	REP-P	91-07-036	16-528-170	NEW	91-05-065
16-354-070	AMD-P	91-04-067	16-486-015	REP	91-11-054	16-532-040	AMD-P	91-09-057
16-354-070	AMD	91-08-016	16-486-020	REP-P	91-07-036	16-557-010	NEW-E	91-08-021
16-354-100	AMD-P	91-04-067	16-486-020	REP	91-11-054	16-557-010	NEW	91-09-003
16-354-100	AMD	91-08-016	16-486-025	REP-P	91-07-036	16-557-020	NEW-E	91-08-021
16-403-141	AMD-P	91-03-093	16-486-025	REP	91-11-054	16-557-020	NEW	91-09-003
16-403-141	AMD-W	91-07-015	16-486-030	REP-P	91-07-036	16-557-030	NEW-E	91-08-021
16-470-100	AMD	91-03-115	16-486-030	REP	91-11-054	16-557-030	NEW	91-09-003
16-471-010	NEW	91-03-046	16-486-035	REP-P	91-07-036	16-557-040	NEW-E	91-08-021
16-471-015	NEW	91-03-046	16-486-035	REP	91-11-054	16-557-040	NEW	91-09-003
16-471-020	NEW	91-03-046	16-486-040	REP-P	91-07-036	16-557-041	NEW-E	91-08-021
16-471-030	NEW	91-03-046	16-486-040	REP	91-11-054	16-557-041	NEW	91-09-003
16-471-040	NEW	91-03-046	16-486-045	REP-P	91-07-036	16-557-050	NEW-E	91-08-021
16-471-050	NEW	91-03-046	16-486-045	REP	91-11-054	16-557-050	NEW	91-09-003
16-471-060	NEW	91-03-046	16-494-001	AMD-P	91-04-066	16-557-060	NEW-E	91-08-021
16-471-070	NEW	91-03-046	16-494-001	AMD	91-08-017	16-557-060	NEW	91-09-003
16-471-080	NEW	91-03-046	16-494-010	AMD-P	91-04-066	16-557-070	NEW-E	91-08-021
16-481	PREP	91-10-013	16-494-010	AMD	91-08-017	16-557-070	NEW	91-09-003
16-482-001	AMD-P	91-03-105	16-494-012	NEW-P	91-04-066	16-557-080	NEW-E	91-08-021
16-482-001	AMD	91-07-016	16-494-012	NEW	91-08-017	16-557-080	NEW	91-09-003
16-482-005	NEW-P	91-03-105	16-494-013	NEW-P	91-04-066	16-603-010	NEW-P	91-04-076
16-482-005	NEW	91-07-016	16-494-013	NEW	91-08-017	16-603-010	NEW-C	91-09-042
16-482-006	NEW-P	91-03-105	16-494-015	REP-P	91-04-066	16-752-300	AMD	91-03-045
16-482-006	NEW	91-07-016	16-494-015	REP	91-08-017	16-752-305	AMD	91-03-045
16-482-007	NEW-P	91-03-105	16-494-020	AMD-P	91-04-066	16-752-310	RE-AD	91-03-045
16-482-007	NEW	91-07-016	16-494-020	AMD	91-08-017	16-752-315	AMD	91-03-045
16-482-010	AMD-P	91-03-105	16-494-030	AMD-P	91-04-066	16-752-320	RE-AD	91-03-045
16-482-010	AMD	91-07-016	16-494-030	AMD	91-08-017	16-752-325	REP	91-03-045
16-482-015	NEW-P	91-03-105	16-494-042	AMD-P	91-04-066	16-752-330	AMD	91-03-045
16-482-015	NEW	91-07-016	16-494-042	AMD	91-08-017	36-12	AMD-P	91-05-032
16-482-016	NEW-P	91-03-105	16-494-043	NEW-P	91-04-066	36-12	AMD	91-11-038
16-482-016	NEW	91-07-016	16-494-043	NEW	91-08-017	36-12-010	AMD-P	91-05-032
16-482-017	NEW-P	91-03-105	16-494-044	AMD-P	91-04-066	36-12-010	AMD	91-11-038
16-482-017	NEW	91-07-016	16-494-044	AMD	91-08-017	36-12-011	AMD-P	91-05-032
16-482-020	AMD-P	91-03-105	16-494-045	NEW-P	91-04-066	36-12-011	AMD	91-11-038
16-482-020	AMD	91-07-016	16-494-045	NEW	91-08-017	36-12-020	AMD-P	91-05-032
16-482-030	REP-P	91-03-105	16-494-046	NEW-P	91-04-066	36-12-020	AMD	91-11-038
16-482-030	REP	91-07-016	16-494-046	NEW	91-08-017	36-12-030	AMD-P	91-05-032
16-482-040	REP-P	91-03-105	16-494-047	NEW-P	91-04-066	36-12-030	AMD	91-11-038
16-482-040	REP	91-07-016	16-494-047	NEW	91-08-017	36-12-040	AMD-P	91-05-032
16-483	PREP	91-10-013	16-494-062	AMD-P	91-04-066	36-12-040	AMD	91-11-038
16-484-020	REP-P	91-07-037	16-494-062	AMD	91-08-017	36-12-050	AMD-P	91-05-032
16-484-020	REP	91-11-053	16-494-063	NEW-P	91-04-066	36-12-050	AMD	91-11-038
16-484-022	REP-P	91-07-037	16-494-063	NEW	91-08-017	36-12-060	AMD-P	91-05-032
16-484-022	REP	91-11-053	16-494-064	NEW-P	91-04-066	36-12-060	AMD	91-11-038
16-484-030	REP-P	91-07-037	16-494-064	NEW	91-08-017	36-12-070	AMD-P	91-05-032
16-484-030	REP	91-11-053	16-495-004	AMD-P	91-10-082	36-12-070	AMD	91-11-038
16-484-040	REP-P	91-07-037	16-495-010	AMD-P	91-10-082	36-12-070	AMD	91-11-038
16-484-040	REP	91-11-053	16-495-020	AMD-P	91-10-082	36-12-080	AMD-P	91-05-032
16-484-050	REP-P	91-07-037	16-495-030	AMD-P	91-10-082	36-12-080	AMD	91-11-038
16-484-050	REP	91-11-053	16-495-040	AMD-P	91-10-082	36-12-090	REP-P	91-05-032
16-484-080	REP-P	91-07-037	16-495-050	AMD-P	91-10-082	36-12-100	REP	91-11-038
16-484-080	REP	91-11-053	16-495-060	AMD-P	91-10-082	36-12-100	AMD-P	91-05-032
16-484-090	REP-P	91-07-037	16-495-080	REP-P	91-10-082	36-12-110	AMD-P	91-05-032
16-484-090	REP	91-11-053	16-495-085	REP-P	91-10-082	36-12-110	AMD	91-11-038
16-484-100	REP-P	91-07-037	16-495-090	AMD-P	91-10-082	36-12-120	AMD-P	91-05-032
16-484-100	REP	91-11-053	16-495-095	AMD-P	91-10-082	36-12-120	AMD	91-11-038
16-484-200	NEW-E	91-06-035	16-495-100	AMD-P	91-10-082	36-12-120	AMD-P	91-11-101

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #	
36-12-130	AMD-P	91-05-032	36-12-450	AMD	91-11-038	
36-12-130	AMD	91-11-038	36-12-460	REP-P	91-05-032	
36-12-150	AMD-P	91-05-032	36-12-460	REP	91-11-038	
36-12-150	AMD	91-11-038	36-12-470	REP-P	91-05-032	
36-12-160	AMD-P	91-05-032	36-12-470	REP	91-11-038	
36-12-160	AMD	91-11-038	36-12-480	REP-P	91-05-032	
36-12-170	AMD-P	91-05-032	36-12-480	REP	91-11-038	
36-12-170	AMD	91-11-038	51-11-0600	NEW	91-06-065	
36-12-180	AMD-P	91-05-032	51-13-502	AMD-P	91-07-047	
36-12-180	AMD	91-11-038	51-19-470	NEW-W	91-06-064	
36-12-190	AMD-P	91-05-032	106-120-004	AMD	91-04-054	
36-12-190	AMD	91-11-038	106-120-005	AMD	91-04-054	
36-12-195	NEW-P	91-05-032	106-120-023	AMD	91-04-054	
36-12-195	NEW	91-11-038	106-120-024	AMD	91-04-054	
36-12-200	AMD-P	91-05-032	106-120-026	AMD	91-04-054	
36-12-200	AMD	91-11-038	106-120-027	AMD	91-04-054	
36-12-220	AMD-P	91-05-032	106-120-028	AMD	91-04-054	
36-12-220	AMD	91-11-038	106-120-033	AMD	91-04-054	
36-12-230	REP-P	91-05-032	106-120-131	AMD	91-04-054	
36-12-230	REP	91-11-038	106-120-132	AMD	91-04-054	
36-12-240	AMD-P	91-05-032	106-120-143	AMD	91-04-054	
36-12-240	AMD	91-11-038	113-10-010	DECOD	91-05-095	
36-12-250	AMD-P	91-05-032	113-10-020	DECOD	91-05-095	
36-12-250	AMD	91-11-038	113-10-030	DECOD	91-05-095	
36-12-260	AMD-P	91-05-032	113-10-040	DECOD	91-05-095	
36-12-260	AMD	91-11-038	113-10-050	DECOD	91-05-095	
36-12-270	AMD-P	91-05-032	113-10-060	DECOD	91-05-095	
36-12-270	AMD	91-11-038	113-10-070	DECOD	91-05-095	
36-12-280	AMD-P	91-05-032	113-10-090	DECOD	91-05-095	
36-12-280	AMD	91-11-038	113-10-100	DECOD	91-05-095	
36-12-290	AMD-P	91-05-032	113-10-110	DECOD	91-05-095	
36-12-290	AMD	91-11-038	113-12-010	DECOD	91-05-095	
36-12-300	AMD-P	91-05-032	113-12-075	DECOD	91-05-095	
36-12-300	AMD	91-11-038	113-12-080	DECOD	91-05-095	
36-12-310	AMD-P	91-05-032	113-12-085	DECOD	91-05-095	
36-12-310	AMD	91-11-038	113-12-087	DECOD	91-05-095	
36-12-320	AMD-P	91-05-032	113-12-101	DECOD	91-05-095	
36-12-320	AMD	91-11-038	113-12-101	REP-P	91-06-090	
36-12-330	AMD-P	91-05-032	113-12-103	DECOD	91-05-095	
36-12-330	AMD	91-11-038	113-12-104	DECOD	91-05-095	
36-12-340	AMD-P	91-05-032	113-12-115	DECOD	91-05-095	
36-12-340	AMD	91-11-038	113-12-120	DECOD	91-05-095	
36-12-350	AMD-P	91-05-032	113-12-150	DECOD	91-05-095	
36-12-350	AMD	91-11-038	113-12-165	DECOD	91-05-095	
36-12-360	AMD-P	91-05-032	113-12-170	DECOD	91-05-095	
36-12-360	AMD	91-11-038	113-12-175	DECOD	91-05-095	
36-12-365	NEW-P	91-05-032	113-12-180	DECOD	91-05-095	
36-12-365	NEW	91-11-038	113-12-190	DECOD	91-05-095	
36-12-367	NEW-P	91-05-032	113-12-195	DECOD	91-05-095	
36-12-367	NEW	91-11-038	113-12-197	DECOD	91-05-095	
36-12-370	AMD-P	91-05-032	113-12-200	DECOD	91-05-095	
36-12-370	AMD	91-11-038	113-12-210	DECOD	91-05-095	
36-12-380	REP-P	91-05-032	113-12-220	DECOD	91-05-095	
36-12-380	REP	91-11-038	113-12-230	DECOD	91-05-095	
36-12-385	NEW-P	91-05-032	113-12-300	DECOD	91-05-095	
36-12-385	NEW	91-11-038	113-12-310	DECOD	91-05-095	
36-12-390	REP-P	91-05-032	113-12-320	DECOD	91-05-095	
36-12-390	REP	91-11-038	113-12-330	DECOD	91-05-095	
36-12-400	AMD-P	91-05-032	113-12-340	DECOD	91-05-095	
36-12-400	AMD	91-11-038	113-12-350	DECOD	91-05-095	
36-12-410	AMD-P	91-05-032	114-12-011	DECOD	91-05-026	
36-12-410	AMD	91-11-038	114-12-021	DECOD	91-05-026	
36-12-415	NEW-P	91-05-032	114-12-031	DECOD	91-05-026	
36-12-415	NEW	91-11-038	114-12-041	DECOD	91-05-026	
36-12-420	REP-P	91-05-032	114-12-115	DECOD	91-05-026	
36-12-420	REP	91-11-038	114-12-126	DECOD	91-05-026	
36-12-425	NEW-P	91-05-032	114-12-132	DECOD	91-05-026	
36-12-425	NEW	91-11-038	114-12-136	DECOD	91-05-031	
36-12-430	REP-P	91-05-032	114-12-150	DECOD	91-05-026	
36-12-430	REP	91-11-038	114-12-155	DECOD	91-05-026	
36-12-435	NEW-P	91-05-032	114-12-164	DECOD	91-05-026	
36-12-435	NEW	91-11-038	114-12-170	DECOD	91-05-026	
36-12-440	REP-P	91-05-032	114-12-180	DECOD	91-05-026	
36-12-440	REP	91-11-038	114-12-190	DECOD	91-05-026	
36-12-445	NEW-P	91-05-032	114-12-200	DECOD	91-05-026	
36-12-445	NEW	91-11-038	131-16-005	AMD-P	91-09-036	
36-12-450	AMD-P	91-05-032	131-16-010	AMD-P	91-09-036	
				131-16-011	AMD-P	91-09-036
				131-16-015	AMD-P	91-09-036
				131-16-020	REP-E	91-06-069
				131-16-020	REP-P	91-09-036
				131-16-021	NEW-E	91-06-069
				131-16-021	AMD-E	91-09-008
				131-16-021	NEW-P	91-09-036
				131-16-030	REP-P	91-09-036
				131-16-031	NEW-P	91-09-036
				131-16-040	AMD-P	91-09-036
				131-16-050	AMD-P	91-09-036
				131-16-055	NEW-P	91-09-036
				131-16-060	AMD-P	91-09-036
				131-16-061	AMD-P	91-09-036
				131-16-062	NEW-P	91-09-036
				131-16-065	AMD-P	91-09-036
				131-16-066	AMD-P	91-09-036
				131-16-069	REP-P	91-09-036
				131-32-050	NEW-E	91-06-075
				132B-120-010	AMD-P	91-05-033
				132B-120-010	AMD	91-11-102
				132B-120-045	NEW-P	91-05-033
				132B-120-045	NEW	91-11-102
				132B-120-060	AMD-P	91-05-033
				132B-120-060	AMD	91-11-102
				132B-120-090	AMD-P	91-05-033
				132B-120-090	AMD	91-11-102
				132B-120-100	AMD-P	91-05-033
				132B-120-100	AMD	91-11-102
				132B-120-120	AMD-P	91-05-033
				132B-120-120	AMD	91-11-102
				132B-120-140	AMD-P	91-05-033
				132B-120-140	AMD	91-11-102
				132B-120-160	AMD-P	91-05-033
				132B-120-160	AMD	91-11-102
				132B-120-170	AMD-P	91-05-033
				132B-120-170	AMD	91-11-102
				132B-120-180	AMD-P	91-05-033
				132B-120-180	AMD	91-11-102
				132B-120-190	AMD-P	91-05-033
				132B-120-190	AMD	91-11-102
				132K-16-110	NEW-E	91-03-084
				132K-16-110	NEW-P	91-03-150
				132K-16-110	NEW	91-09-027
				132K-16-120	NEW-E	91-03-084
				132K-16-120	NEW-P	91-03-150
				132K-16-120	NEW	91-09-027
				132K-16-130	NEW-E	91-03-084
				132K-16-130	NEW-P	91-03-150
				132K-16-130	NEW	91-09-027
				132K-16-140	NEW-E	91-03-084
				132K-16-140	NEW-P	91-03-150
				132K-16-140	NEW	91-09-027
				132K-16-150	NEW-E	91-03-084
				132K-16-150	NEW-P	91-03-150
				132K-16-150	NEW	91-09-027
				132K-16-160	NEW-E	91-03-084
				132K-16-160	NEW-P	91-03-150
				132K-16-160	NEW	91-09-027
				132K-16-170	NEW-E	91-03-084
				132K-16-170	NEW-P	91-03-150
				132K-16-170	NEW	91-09-027
				132K-16-180	NEW-E	91-03-084
				132K-16-180	NEW-P	91-03-150
				132K-16-180	NEW	91-09-027
				132K-16-190	NEW-E	91-03-084
				132K-16-190	NEW-P	91-03-150
				132K-16-190	NEW	91-09-027
				132K-16-200	NEW-E	91-03-084
				132K-16-200	NEW-P	91-03-150
				132K-16-200	NEW	91-09-027
				132K-16-210	NEW-E	91-03-084
				132K-16-210	NEW-P	91-03-150
				132K-16-210	NEW	91-09-027
				132K-16-220	NEW-E	91-03-084
				132K-16-220	NEW-P	91-03-150
				132K-16-220	NEW	91-09-027

**Table of WAC Sections Affected**

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
132K-16-230	NEW-E	91-03-084	132K-16-480	NEW	91-09-027	173-19-360	AMD-P	91-05-063
132K-16-230	NEW-P	91-03-150	132K-16-490	NEW-E	91-03-084	173-19-360	AMD-C	91-06-094
132K-16-230	NEW	91-09-027	132K-16-490	NEW-P	91-03-150	173-19-4205	AMD-P	91-04-079
132K-16-240	NEW-E	91-03-084	132K-16-500	NEW-E	91-03-084	173-19-4205	AMD	91-09-055
132K-16-240	NEW-P	91-03-150	132K-16-500	NEW-P	91-03-150	173-160-040	AMD-E	91-04-073
132K-16-240	NEW	91-09-027	132K-16-510	NEW-E	91-03-084	173-166	AMD-C	91-02-099
132K-16-250	NEW-E	91-03-084	132K-16-510	NEW-P	91-03-150	173-166	AMD	91-03-081
132K-16-250	NEW-P	91-03-150	132K-16-520	NEW-E	91-03-084	173-166-010	AMD	91-03-081
132K-16-250	NEW	91-09-027	132K-16-520	NEW-P	91-03-150	173-166-020	AMD	91-03-081
132K-16-260	NEW-E	91-03-084	132K-16-530	NEW-E	91-03-084	173-166-030	AMD	91-03-081
132K-16-260	NEW-P	91-03-150	132K-16-530	NEW-P	91-03-150	173-166-040	AMD	91-03-081
132K-16-260	NEW	91-09-027	132K-16-540	NEW-E	91-03-084	173-166-050	AMD	91-03-081
132K-16-270	NEW-E	91-03-084	132K-16-540	NEW-P	91-03-150	173-166-060	AMD	91-03-081
132K-16-270	NEW-P	91-03-150	132K-16-550	NEW-E	91-03-084	173-166-070	AMD	91-03-081
132K-16-270	NEW	91-09-027	132K-16-550	NEW-P	91-03-150	173-166-080	NEW	91-03-081
132K-16-280	NEW-E	91-03-084	132K-16-560	NEW-E	91-03-084	173-166-090	NEW	91-03-081
132K-16-280	NEW-P	91-03-150	132K-16-560	NEW-P	91-03-150	173-166-100	NEW	91-03-081
132K-16-280	NEW	91-09-027	132S-30-036	AMD-P	91-02-101	173-166-110	NEW	91-03-081
132K-16-290	NEW-E	91-03-084	132S-30-036	AMD	91-08-001	173-166-120	NEW	91-03-081
132K-16-290	NEW-P	91-03-150	132Y-400-010	NEW	91-05-012	173-166-130	NEW	91-03-081
132K-16-290	NEW	91-09-027	132Y-400-020	NEW	91-05-012	173-166-140	NEW	91-03-081
132K-16-300	NEW-E	91-03-084	132Y-400-030	NEW	91-05-012	173-201-010	REP-P	91-09-056
132K-16-300	NEW-P	91-03-150	132Y-400-040	NEW	91-05-012	173-201-010	REP-W	91-10-048
132K-16-300	NEW	91-09-027	137-12A-010	AMD	91-10-018	173-201-010	REP-P	91-11-089
132K-16-310	NEW-E	91-03-084	137-12A-020	AMD	91-10-018	173-201-025	REP-P	91-09-056
132K-16-310	NEW-P	91-03-150	137-12A-030	AMD	91-10-018	173-201-025	REP-W	91-10-048
132K-16-310	NEW	91-09-027	137-12A-050	AMD	91-10-018	173-201-025	REP-P	91-11-089
132K-16-320	NEW-E	91-03-084	137-12A-060	AMD	91-10-018	173-201-035	REP-P	91-09-056
132K-16-320	NEW-P	91-03-150	137-12A-070	AMD	91-10-018	173-201-035	REP-W	91-10-048
132K-16-320	NEW	91-09-027	137-12A-090	AMD	91-10-018	173-201-035	REP-P	91-11-089
132K-16-330	NEW-E	91-03-084	139-05-230	AMD-P	91-10-089	173-201-045	REP-P	91-09-056
132K-16-330	NEW-P	91-03-150	139-10-212	AMD-P	91-10-088	173-201-045	REP-W	91-10-048
132K-16-330	NEW	91-09-027	143-06-130	AMD-P	91-04-090	173-201-045	REP-P	91-11-089
132K-16-340	NEW-E	91-03-084	143-06-130	AMD	91-07-033	173-201-047	REP-P	91-09-056
132K-16-340	NEW-P	91-03-150	154-300-005	NEW-P	91-02-098	173-201-047	REP-W	91-10-048
132K-16-340	NEW	91-09-027	154-300-005	NEW	91-05-084	173-201-047	REP-P	91-11-089
132K-16-350	NEW-E	91-03-084	154-300-010	NEW-P	91-02-098	173-201-070	REP-P	91-09-056
132K-16-350	NEW-P	91-03-150	154-300-010	NEW	91-05-084	173-201-070	REP-W	91-10-048
132K-16-350	NEW	91-09-027	154-300-020	NEW-P	91-02-098	173-201-070	REP-P	91-11-089
132K-16-360	NEW-E	91-03-084	154-300-020	NEW	91-05-084	173-201-080	REP-P	91-09-056
132K-16-360	NEW-P	91-03-150	154-300-030	NEW-P	91-02-098	173-201-080	REP-W	91-10-048
132K-16-360	NEW	91-09-027	154-300-030	NEW	91-05-084	173-201-080	REP-P	91-11-089
132K-16-370	NEW-E	91-03-084	154-300-040	NEW-P	91-02-098	173-201-085	REP-P	91-09-056
132K-16-370	NEW-P	91-03-150	154-300-040	NEW	91-05-084	173-201-085	REP-W	91-10-048
132K-16-370	NEW	91-09-027	154-300-050	NEW-P	91-02-098	173-201-085	REP-P	91-11-089
132K-16-380	NEW-E	91-03-084	154-300-050	NEW	91-05-084	173-201-090	REP-P	91-09-056
132K-16-380	NEW-P	91-03-150	154-300-060	NEW-P	91-02-098	173-201-090	REP-W	91-10-048
132K-16-380	NEW	91-09-027	154-300-060	NEW	91-05-084	173-201-090	REP-P	91-11-089
132K-16-390	NEW-E	91-03-084	154-300-070	NEW-P	91-02-098	173-201-100	REP-P	91-09-056
132K-16-390	NEW-P	91-03-150	154-300-070	NEW	91-05-084	173-201-100	REP-W	91-10-048
132K-16-390	NEW	91-09-027	154-300-080	NEW-P	91-02-098	173-201-100	REP-P	91-11-089
132K-16-400	NEW-E	91-03-084	154-300-080	NEW	91-05-084	173-201-110	REP-P	91-09-056
132K-16-400	NEW-P	91-03-150	154-300-090	NEW-P	91-02-098	173-201-110	REP-W	91-10-048
132K-16-400	NEW	91-09-027	154-300-090	NEW	91-05-084	173-201-110	REP-P	91-11-089
132K-16-410	NEW-E	91-03-084	154-300-100	NEW-P	91-02-098	173-201-120	REP-P	91-09-056
132K-16-410	NEW-P	91-03-150	154-300-100	NEW	91-05-084	173-201-120	REP-W	91-10-048
132K-16-410	NEW	91-09-027	154-300-110	NEW-P	91-02-098	173-201-120	REP-P	91-11-089
132K-16-420	NEW-E	91-03-084	154-300-110	NEW	91-05-084	173-203-010	NEW-P	91-09-056
132K-16-420	NEW-P	91-03-150	154-300-120	NEW-P	91-02-098	173-203-010	NEW-W	91-10-048
132K-16-420	NEW	91-09-027	154-300-120	NEW	91-05-084	173-203-010	NEW-P	91-11-089
132K-16-430	NEW-E	91-03-084	173-16-064	NEW-P	91-04-069	173-203-020	NEW-P	91-09-056
132K-16-430	NEW-P	91-03-150	173-16-064	NEW-W	91-05-042	173-203-020	NEW-W	91-10-048
132K-16-430	NEW	91-09-027	173-16-064	NEW	91-10-033	173-203-020	NEW-P	91-11-089
132K-16-440	NEW-E	91-03-084	173-19-120	AMD-W	91-02-112	173-203-030	NEW-P	91-09-056
132K-16-440	NEW-P	91-03-150	173-19-220	AMD-P	91-09-054	173-203-030	NEW-W	91-10-048
132K-16-440	NEW	91-09-027	173-19-2207	AMD-P	91-03-144	173-203-030	NEW-P	91-11-089
132K-16-450	NEW-E	91-03-084	173-19-230	AMD	91-03-145	173-203-040	NEW-P	91-09-056
132K-16-450	NEW-P	91-03-150	173-19-250	AMD	91-03-149	173-203-040	NEW-W	91-10-048
132K-16-450	NEW	91-09-027	173-19-280	AMD-P	91-03-141	173-203-040	NEW-P	91-11-089
132K-16-460	NEW-E	91-03-084	173-19-280	AMD-W	91-11-088	173-203-050	NEW-P	91-09-056
132K-16-460	NEW-P	91-03-150	173-19-3203	AMD	91-03-147	173-203-050	NEW-W	91-10-048
132K-16-460	NEW	91-09-027	173-19-3205	AMD	91-03-146	173-203-050	NEW-P	91-11-089
132K-16-470	NEW-E	91-03-084	173-19-3208	AMD	91-03-148	173-203-060	NEW-P	91-09-056
132K-16-470	NEW-P	91-03-150	173-19-3209	AMD	91-04-070	173-203-060	NEW-W	91-10-048
132K-16-470	NEW	91-09-027	173-19-3210	AMD	91-04-071	173-203-060	NEW-P	91-11-089
132K-16-480	NEW-E	91-03-084	173-19-350	AMD-P	91-03-143	173-203-070	NEW-P	91-09-056
132K-16-480	NEW-P	91-03-150	173-19-360	AMD	91-04-072	173-203-070	NEW-W	91-10-048

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
173-203-070	NEW-P 91-11-089	173-270-020	NEW-P 91-04-091	173-305-020	REP-E 91-03-139
173-203-080	NEW-P 91-09-056	173-270-020	NEW 91-11-091	173-305-020	AMD 91-08-040
173-203-080	NEW-W 91-10-048	173-270-030	NEW-P 91-04-091	173-305-02001	NEW-E 91-03-139
173-203-080	NEW-P 91-11-089	173-270-030	NEW 91-11-091	173-305-030	REP-E 91-03-139
173-203-090	NEW-P 91-09-056	173-270-040	NEW-P 91-04-091	173-305-030	AMD 91-08-040
173-203-090	NEW-W 91-10-048	173-270-040	NEW 91-11-091	173-305-03001	NEW-E 91-03-139
173-203-090	NEW-P 91-11-089	173-270-050	NEW-P 91-04-091	173-305-040	REP-E 91-03-139
173-203-100	NEW-P 91-09-056	173-270-050	NEW 91-11-091	173-305-040	AMD 91-08-040
173-203-100	NEW-W 91-10-048	173-270-060	NEW-P 91-04-091	173-305-04001	NEW-E 91-03-139
173-203-100	NEW-P 91-11-089	173-270-060	NEW 91-11-091	173-305-050	REP-E 91-03-139
173-203-110	NEW-P 91-09-056	173-270-070	NEW-P 91-04-091	173-305-050	AMD 91-08-040
173-203-110	NEW-W 91-10-048	173-270-070	NEW 91-11-091	173-305-05001	NEW-E 91-03-139
173-203-110	NEW-P 91-11-089	173-270-080	NEW-P 91-04-091	173-305-060	REP-E 91-03-139
173-203-120	NEW-P 91-09-056	173-270-080	NEW 91-11-091	173-305-06001	NEW-E 91-03-139
173-203-120	NEW-W 91-10-048	173-270-090	NEW-P 91-04-091	173-305-070	REP-E 91-03-139
173-203-120	NEW-P 91-11-089	173-270-090	NEW 91-11-091	173-305-07001	NEW-E 91-03-139
173-203-130	NEW-P 91-09-056	173-270-100	NEW-P 91-04-091	173-305-080	REP-E 91-03-139
173-203-130	NEW-W 91-10-048	173-270-100	NEW 91-11-091	173-305-090	REP-E 91-03-139
173-203-130	NEW-P 91-11-089	173-300-070	AMD-P 91-09-053	173-305-110	NEW 91-08-040
173-203-140	NEW-P 91-09-056	173-303-016	AMD 91-07-005	173-305-120	NEW 91-08-040
173-203-140	NEW-W 91-10-048	173-303-017	AMD 91-07-005	173-305-210	NEW 91-08-040
173-203-140	NEW-P 91-11-089	173-303-040	AMD 91-07-005	173-305-220	NEW 91-08-040
173-203-150	NEW-P 91-09-056	173-303-045	AMD 91-07-005	173-305-230	NEW 91-08-040
173-203-150	NEW-W 91-10-048	173-303-070	AMD 91-07-005	173-305-240	NEW 91-08-040
173-203-150	NEW-P 91-11-089	173-303-071	AMD 91-07-005	173-307-010	NEW 91-08-041
173-203-160	NEW-P 91-09-056	173-303-072	AMD 91-07-005	173-307-015	NEW 91-08-041
173-203-160	NEW-W 91-10-048	173-303-081	AMD 91-07-005	173-307-020	NEW 91-08-041
173-203-160	NEW-P 91-11-089	173-303-084	AMD 91-07-005	173-307-030	NEW 91-08-041
173-203-170	NEW-P 91-09-056	173-303-090	AMD 91-07-005	173-307-040	NEW 91-08-041
173-203-170	NEW-W 91-10-048	173-303-103	AMD 91-07-005	173-307-050	NEW 91-08-041
173-203-170	NEW-P 91-11-089	173-303-110	AMD 91-07-005	173-307-060	NEW 91-08-041
173-203-180	NEW-P 91-09-056	173-303-120	AMD 91-07-005	173-307-070	NEW 91-08-041
173-203-180	NEW-W 91-10-048	173-303-145	AMD 91-07-005	173-307-080	NEW 91-08-041
173-203-180	NEW-P 91-11-089	173-303-160	AMD 91-07-005	173-307-090	NEW 91-08-041
173-204	NEW-C 91-03-094	173-303-200	AMD 91-07-005	173-307-100	NEW 91-08-041
173-204	NEW-C 91-06-098	173-303-201	AMD 91-07-005	173-307-110	NEW 91-08-041
173-204-100	NEW 91-08-019	173-303-210	AMD 91-07-005	173-307-120	NEW 91-08-041
173-204-110	NEW 91-08-019	173-303-220	AMD 91-07-005	173-307-130	NEW 91-08-041
173-204-120	NEW 91-08-019	173-303-230	AMD 91-07-005	173-307-140	NEW 91-08-041
173-204-130	NEW 91-08-019	173-303-230	AMD 91-07-005	173-312	AMD 91-11-090
173-204-200	NEW 91-08-019	173-303-360	AMD 91-07-005	173-312-010	AMD 91-11-090
173-204-300	NEW 91-08-019	173-303-380	AMD 91-07-005	173-312-020	AMD 91-11-090
173-204-310	NEW 91-08-019	173-303-390	AMD 91-07-005	173-312-030	AMD 91-11-090
173-204-315	NEW 91-08-019	173-303-400	AMD 91-07-005	173-312-040	AMD 91-11-090
173-204-320	NEW 91-08-019	173-303-500	AMD 91-07-005	173-312-050	AMD 91-11-090
173-204-330	NEW 91-08-019	173-303-510	RE-AD 91-07-005	173-312-060	NEW 91-11-090
173-204-340	NEW 91-08-019	173-303-515	RE-AD 91-07-005	173-312-070	NEW 91-11-090
173-204-350	NEW 91-08-019	173-303-520	RE-AD 91-07-005	173-312-080	NEW 91-11-090
173-204-400	NEW 91-08-019	173-303-525	AMD 91-07-005	173-312-090	NEW 91-11-090
173-204-410	NEW 91-08-019	173-303-550	AMD 91-07-005	173-312-100	NEW 91-11-090
173-204-415	NEW 91-08-019	173-303-560	RE-AD 91-07-005	173-319	PREP 91-10-032
173-204-420	NEW 91-08-019	173-303-600	AMD 91-07-005	173-331-010	NEW 91-05-020
173-204-500	NEW 91-08-019	173-303-610	AMD 91-07-005	173-331-100	NEW 91-05-020
173-204-510	NEW 91-08-019	173-303-620	AMD 91-07-005	173-331-200	NEW 91-05-020
173-204-520	NEW 91-08-019	173-303-630	AMD 91-07-005	173-331-210	NEW 91-05-020
173-204-530	NEW 91-08-019	173-303-645	AMD 91-07-005	173-331-220	NEW 91-05-020
173-204-540	NEW 91-08-019	173-303-650	RE-AD 91-07-005	173-331-300	NEW 91-05-020
173-204-550	NEW 91-08-019	173-303-680	NEW 91-07-005	173-331-400	NEW 91-05-020
173-204-560	NEW 91-08-019	173-303-800	AMD 91-07-005	173-331-410	NEW 91-05-020
173-204-570	NEW 91-08-019	173-303-802	AMD 91-07-005	173-331-500	NEW 91-05-020
173-204-580	NEW 91-08-019	173-303-805	AMD 91-07-005	173-331-600	NEW 91-05-020
173-204-590	NEW 91-08-019	173-303-806	AMD 91-07-005	173-340-120	AMD 91-04-019
173-204-600	NEW 91-08-019	173-303-807	AMD 91-07-005	173-340-200	AMD 91-04-019
173-204-610	NEW 91-08-019	173-303-808	AMD 91-07-005	173-340-210	AMD 91-04-019
173-204-620	NEW 91-08-019	173-303-810	AMD 91-07-005	173-340-300	AMD 91-04-019
173-224-015	AMD-P 91-03-080	173-303-830	AMD 91-07-005	173-340-350	AMD 91-04-019
173-224-015	AMD-W 91-11-047	173-303-902	PREP 91-08-018	173-340-360	AMD 91-04-019
173-224-030	AMD-P 91-03-080	173-303-9903	AMD 91-07-005	173-340-420	AMD 91-04-019
173-224-030	AMD-W 91-11-047	173-303-9904	AMD 91-07-005	173-340-430	AMD 91-04-019
173-224-040	AMD-P 91-03-080	173-303-9906	AMD 91-07-005	173-340-440	NEW 91-04-019
173-224-040	AMD-W 91-11-047	173-303-9907	AMD 91-07-005	173-340-450	NEW 91-04-019
173-224-050	AMD-P 91-03-080	173-305-010	REP-E 91-03-139	173-340-700	AMD 91-04-019
173-224-050	AMD-W 91-11-047	173-305-010	AMD 91-08-040	173-340-702	NEW 91-04-019
173-224-090	AMD-P 91-03-080	173-305-01001	NEW-E 91-03-139	173-340-704	NEW 91-04-019
173-224-090	AMD-W 91-11-047	173-305-015	REP-E 91-03-139	173-340-705	NEW 91-04-019
173-270-010	NEW-P 91-04-091	173-305-015	AMD 91-08-040	173-340-706	NEW 91-04-019
173-270-010	NEW 91-11-091	173-305-01501	NEW-E 91-03-139	173-340-707	NEW 91-04-019



Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
173-340-708	NEW	91-04-019	173-410-035	AMD	91-05-064	180-55-015	AMD	91-04-015
173-340-710	NEW	91-04-019	173-410-040	AMD	91-05-064	180-79-003	AMD	91-04-016
173-340-720	NEW	91-04-019	173-410-042	REP	91-05-064	180-79-080	AMD	91-04-016
173-340-730	NEW	91-04-019	173-410-045	AMD	91-05-064	180-79-230	AMD	91-05-056
173-340-740	NEW	91-04-019	173-410-062	AMD	91-05-064	180-79-236	NEW	91-05-056
173-340-745	NEW	91-04-019	173-410-067	AMD	91-05-064	180-79-241	NEW	91-05-056
173-340-750	NEW	91-04-019	173-410-071	AMD	91-05-064	180-85-005	AMD	91-04-016
173-340-760	NEW	91-04-019	173-410-086	AMD	91-05-064	180-85-045	AMD	91-04-016
173-340-830	AMD	91-04-019	173-410-087	AMD	91-05-064	180-86-100	AMD-P	91-05-024
173-360-220	NEW-W	91-04-022	173-410-100	NEW	91-05-064	180-86-100	AMD	91-08-056
173-360-230	NEW-W	91-04-022	173-415-010	AMD	91-05-064	182-08-111	REP-P	91-11-093
173-360-620	NEW-W	91-04-022	173-415-020	AMD	91-05-064	182-08-111	REP-P	91-11-094
173-400-010	AMD	91-05-064	173-415-030	AMD	91-05-064	182-08-220	AMD-P	91-11-093
173-400-020	AMD	91-05-064	173-415-040	AMD	91-05-064	182-12-115	AMD-P	91-11-096
173-400-030	AMD	91-05-064	173-415-041	REP	91-05-064	182-12-127	REP-P	91-04-086
173-400-040	AMD	91-05-064	173-415-045	AMD	91-05-064	182-12-127	REP	91-11-010
173-400-050	AMD	91-05-064	173-415-050	AMD	91-05-064	182-12-130	AMD-P	91-11-095
173-400-060	AMD	91-05-064	173-415-051	AMD	91-05-064	182-12-210	REP-P	91-04-086
173-400-070	AMD	91-05-064	173-415-060	AMD	91-05-064	182-12-210	REP	91-11-010
173-400-075	AMD	91-05-064	173-415-070	AMD	91-05-064	182-12-215	NEW-P	91-04-086
173-400-100	AMD	91-05-064	173-415-080	AMD	91-05-064	182-12-215	NEW	91-11-010
173-400-105	AMD	91-05-064	173-433	AMD	91-07-066	182-16-010	NEW-P	91-04-087
173-400-110	AMD	91-05-064	173-433-030	AMD	91-07-066	182-16-020	NEW-P	91-04-087
173-400-115	AMD	91-05-064	173-433-100	AMD	91-07-066	182-16-030	NEW-P	91-04-087
173-400-120	AMD	91-05-064	173-433-110	AMD	91-07-066	182-16-040	NEW-P	91-04-087
173-400-131	NEW	91-05-064	173-433-120	AMD	91-07-066	182-16-050	NEW-P	91-04-087
173-400-136	NEW	91-05-064	173-433-130	AMD	91-07-066	182-18-005	NEW-P	91-05-079
173-400-141	NEW	91-05-064	173-433-140	NEW	91-07-066	182-18-010	NEW-P	91-05-079
173-400-151	NEW	91-05-064	173-433-150	AMD	91-07-066	182-18-020	NEW-P	91-05-079
173-400-161	NEW	91-05-064	173-433-170	AMD	91-07-066	182-18-030	NEW-P	91-05-079
173-400-171	NEW	91-05-064	173-490-010	AMD	91-05-064	182-18-040	NEW-P	91-05-079
173-400-180	NEW	91-05-064	173-490-020	AMD	91-05-064	182-18-050	NEW-P	91-05-079
173-400-190	NEW	91-05-064	173-490-025	AMD	91-05-064	182-18-060	NEW-P	91-05-079
173-400-200	NEW	91-05-064	173-490-030	AMD	91-05-064	182-18-070	NEW-P	91-05-079
173-400-205	NEW	91-05-064	173-490-040	AMD	91-05-064	182-18-080	NEW-P	91-05-079
173-400-210	NEW	91-05-064	173-490-070	REP	91-05-064	182-18-090	NEW-P	91-05-079
173-400-220	NEW	91-05-064	173-490-071	REP	91-05-064	182-18-100	NEW-P	91-05-079
173-400-230	NEW	91-05-064	173-490-080	AMD	91-05-064	182-18-110	NEW-P	91-05-079
173-400-240	NEW	91-05-064	173-490-090	AMD	91-05-064	182-18-120	NEW-P	91-05-079
173-400-250	NEW	91-05-064	173-490-120	REP	91-05-064	182-18-130	NEW-P	91-05-079
173-400-260	NEW	91-05-064	173-490-130	REP	91-05-064	182-18-140	NEW-P	91-05-079
173-403-010	REP	91-05-064	173-490-135	REP	91-05-064	182-18-150	NEW-P	91-05-079
173-403-020	REP	91-05-064	173-490-140	REP	91-05-064	182-18-160	NEW-P	91-05-079
173-403-030	REP	91-05-064	173-490-150	REP	91-05-064	192-12-300	AMD-E	91-03-054
173-403-050	REP	91-05-064	173-490-200	AMD	91-05-064	192-12-300	AMD-P	91-11-051
173-403-060	REP	91-05-064	173-490-201	AMD	91-05-064	192-12-300	AMD-E	91-11-052
173-403-070	REP	91-05-064	173-490-202	AMD	91-05-064	192-12-305	REP-E	91-03-054
173-403-075	REP	91-05-064	173-490-203	AMD	91-05-064	192-12-305	AMD-P	91-11-051
173-403-080	REP	91-05-064	173-490-204	AMD	91-05-064	192-12-305	AMD-E	91-11-052
173-403-090	REP	91-05-064	173-490-205	AMD	91-05-064	192-12-310	REP-E	91-03-054
173-403-100	REP	91-05-064	173-490-207	AMD	91-05-064	192-12-310	AMD-P	91-11-051
173-403-110	REP	91-05-064	173-490-208	AMD	91-05-064	192-12-320	AMD-E	91-03-054
173-403-120	REP	91-05-064	173-491-010	NEW-P	91-02-107	192-12-320	AMD-P	91-11-051
173-403-130	REP	91-05-064	173-491-015	NEW-P	91-02-107	192-12-320	AMD-E	91-11-052
173-403-141	REP	91-05-064	173-491-020	NEW-P	91-02-107	192-12-330	AMD-E	91-03-054
173-403-145	REP	91-05-064	173-491-030	NEW-P	91-02-107	192-12-330	AMD-P	91-11-051
173-403-150	REP	91-05-064	173-491-040	NEW-P	91-02-107	192-12-330	AMD-E	91-11-052
173-403-160	REP	91-05-064	173-491-050	NEW-P	91-02-107	192-12-370	NEW-E	91-03-054
173-403-170	REP	91-05-064	173-500-080	NEW-E	91-04-080	192-12-370	NEW-P	91-11-051
173-403-180	REP	91-05-064	173-548-050	AMD-E	91-04-073	192-12-370	NEW-E	91-11-052
173-403-190	REP	91-05-064	180-25-025	AMD-P	91-08-070	196-24-060	AMD-P	91-07-064
173-405-012	AMD	91-05-064	180-26-020	AMD-P	91-08-071	196-24-060	AMD	91-11-075
173-405-021	AMD	91-05-064	180-26-060	AMD-P	91-08-067	196-24-095	AMD-P	91-05-078
173-405-033	AMD	91-05-064	180-27-018	AMD-P	91-08-068	196-24-095	AMD-C	91-06-018
173-405-035	AMD	91-05-064	180-27-032	NEW-P	91-08-069	196-24-095	AMD	91-11-099
173-405-040	AMD	91-05-064	180-27-058	AMD-P	91-08-068	196-24-097	NEW-P	91-05-078
173-405-041	REP	91-05-064	180-27-115	AMD-P	91-08-068	196-24-097	NEW-C	91-06-018
173-405-045	AMD	91-05-064	180-29-107	AMD-P	91-08-067	196-24-097	NEW-W	91-11-098
173-405-061	AMD	91-05-064	180-33-013	NEW-P	91-08-070	196-24-098	PREP	91-05-041
173-405-072	AMD	91-05-064	180-33-015	AMD-P	91-08-070	196-26-020	AMD-P	91-07-065
173-405-077	AMD	91-05-064	180-33-020	AMD-P	91-08-070	196-26-020	AMD	91-10-046
173-405-078	AMD	91-05-064	180-33-023	NEW-P	91-08-070	196-26-030	AMD-P	91-07-065
173-405-086	AMD	91-05-064	180-33-035	AMD-P	91-08-070	196-26-030	AMD	91-10-046
173-405-087	AMD	91-05-064	180-44-050	AMD-P	91-05-068	204-24-050	AMD-P	91-10-053
173-405-091	AMD	91-05-064	180-44-050	AMD	91-08-055	204-53-010	NEW	91-05-019
173-410-012	AMD	91-05-064	180-51-085	AMD	91-11-018	204-88-030	AMD-P	91-10-015
173-410-021	AMD	91-05-064	180-55-005	AMD	91-04-015	212-12-010	AMD-W	91-05-043



Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
212-80-060	NEW-P	91-10-083	220-48-011	AMD-P	91-09-064	220-56-240	AMD	91-08-054
212-80-060	NEW-E	91-10-084	220-48-015	AMD-P	91-09-064	220-56-250	AMD-P	91-03-153
212-80-065	NEW-P	91-10-083	220-48-01500E	NEW-E	91-05-037	220-56-250	AMD	91-08-054
212-80-065	NEW-E	91-10-084	220-48-017	AMD-P	91-09-064	220-56-282	AMD-P	91-03-153
212-80-070	NEW-P	91-10-083	220-48-029	AMD-P	91-09-064	220-56-282	AMD	91-08-054
212-80-070	NEW-E	91-10-084	220-49-02300A	NEW-E	91-10-014	220-56-32500S	NEW-E	91-10-094
212-80-075	NEW-P	91-10-083	220-49-056	AMD-P	91-09-064	220-56-350	AMD-P	91-03-153
212-80-075	NEW-E	91-10-084	220-49-063	AMD-P	91-02-108	220-56-350	AMD	91-08-054
212-80-080	NEW-P	91-10-083	220-49-063	AMD	91-05-016	220-56-36000W	NEW-E	91-06-057
212-80-080	NEW-E	91-10-084	220-52-020	AMD-P	91-05-102	220-56-36000W	REP-E	91-10-049
212-80-085	NEW-P	91-10-083	220-52-020	AMD	91-10-024	220-56-36000X	NEW-E	91-10-049
212-80-085	NEW-E	91-10-084	220-52-030	AMD-P	91-05-102	220-56-380	AMD-P	91-03-153
212-80-090	NEW-P	91-10-083	220-52-030	AMD	91-10-024	220-56-380	AMD	91-08-054
212-80-090	NEW-E	91-10-084	220-52-03000G	NEW-E	91-08-024	220-57-14000N	NEW-E	91-11-045
212-80-095	NEW-P	91-10-083	220-52-040	AMD-P	91-05-102	220-57-16000H	NEW-E	91-08-002
212-80-095	NEW-E	91-10-084	220-52-040	AMD	91-10-024	220-57-195	AMD-P	91-03-151
212-80-100	NEW-P	91-10-083	220-52-046	AMD-P	91-05-102	220-57-195	AMD-C	91-08-052
212-80-100	NEW-E	91-10-084	220-52-046	AMD	91-10-024	220-57-205	AMD-P	91-03-151
212-80-105	NEW-P	91-10-083	220-52-051	AMD-P	91-11-111	220-57-205	AMD-C	91-08-052
212-80-105	NEW-E	91-10-084	220-52-05100G	NEW-E	91-10-094	220-57-210	AMD-P	91-03-151
212-80-110	NEW-P	91-10-083	220-52-05100H	NEW-E	91-11-044	220-57-210	AMD-C	91-08-052
212-80-110	NEW-E	91-10-084	220-52-060	AMD-P	91-05-102	220-57-265	AMD-P	91-03-151
212-80-115	NEW-P	91-10-083	220-52-060	AMD	91-10-024	220-57-265	AMD-C	91-08-052
212-80-115	NEW-E	91-10-084	220-52-069	AMD-P	91-05-102	220-57-290	AMD-P	91-03-153
212-80-120	NEW-P	91-10-083	220-52-069	AMD	91-10-024	220-57-290	AMD	91-08-054
212-80-120	NEW-E	91-10-084	220-52-071	AMD-P	91-05-102	220-57-313	NEW-P	91-03-153
212-80-125	NEW-P	91-10-083	220-52-071	AMD	91-10-024	220-57-313	NEW	91-08-054
212-80-125	NEW-E	91-10-084	220-52-071	AMD-P	91-11-111	220-57-31500U	NEW-E	91-08-025
212-80-130	NEW-P	91-10-083	220-52-07100I	NEW-E	91-11-015	220-57-340	AMD-P	91-03-153
212-80-130	NEW-E	91-10-084	220-52-07100I	REP-E	91-11-055	220-57-340	AMD	91-08-054
212-80-135	NEW-P	91-10-083	220-52-07100J	NEW-E	91-11-055	220-57-385	AMD-P	91-03-153
212-80-135	NEW-E	91-10-084	220-52-07100J	AMD-P	91-05-102	220-57-385	AMD	91-08-054
220-12-020	AMD-P	91-05-102	220-52-073	AMD	91-10-024	220-57-425	AMD-P	91-03-153
220-12-020	AMD	91-10-024	220-52-073	AMD-P	91-11-111	220-57-425	AMD-C	91-08-052
220-16-055	REP-P	91-03-151	220-52-07300I	REP-E	91-04-029	220-57-425	AMD-P	91-03-151
220-16-055	REP	91-08-053	220-52-07300J	NEW-E	91-04-029	220-57-425	AMD-C	91-08-051
220-16-220	AMD-P	91-03-153	220-52-075	AMD-P	91-05-102	220-57-430	AMD-P	91-03-151
220-16-220	AMD	91-08-054	220-52-075	AMD	91-10-024	220-57-430	AMD-C	91-08-052
220-16-257	AMD-P	91-03-153	220-55-055	AMD-P	91-03-153	220-57-435	AMD-P	91-03-151
220-16-257	AMD	91-08-054	220-55-055	AMD	91-08-054	220-57-435	AMD-C	91-08-052
220-20-010	AMD-P	91-03-153	220-55-065	AMD-P	91-03-153	220-57-450	AMD-P	91-03-153
220-20-010	AMD	91-08-054	220-55-065	AMD	91-08-054	220-57-450	AMD-P	91-03-151
220-20-017	AMD-P	91-11-056	220-55-070	AMD-P	91-03-153	220-57-450	AMD-C	91-08-052
220-20-01700A	NEW-E	91-03-108	220-55-070	AMD	91-08-054	220-57-455	AMD-P	91-03-151
220-20-01700A	REP-E	91-10-071	220-55-075	AMD-P	91-03-153	220-57-455	AMD-C	91-08-052
220-20-01700B	NEW-E	91-10-071	220-55-075	AMD	91-08-054	220-57-460	AMD-P	91-03-153
220-24-02000D	NEW-E	91-10-058	220-55-080	AMD-P	91-03-153	220-57-460	AMD	91-08-054
220-32-05100D	REP-E	91-04-031	220-55-080	AMD	91-08-054	220-57-465	AMD-P	91-03-151
220-32-05100E	NEW-E	91-04-031	220-55-086	AMD-P	91-03-153	220-57-465	AMD-C	91-08-052
220-32-05500W	NEW-E	91-10-011	220-55-086	AMD	91-08-054	220-57-470	AMD-P	91-03-151
220-32-05500W	REP-E	91-11-014	220-55-125	AMD-P	91-03-153	220-57-470	AMD-C	91-08-052
220-32-05500X	NEW-E	91-11-014	220-55-125	AMD	91-08-054	220-57-490	AMD-P	91-03-151
220-32-05500X	REP-E	91-11-076	220-56-100	AMD-P	91-03-153	220-57-490	AMD-C	91-08-052
220-32-05500Y	NEW-E	91-11-076	220-56-100	AMD	91-08-054	220-57-497	AMD-P	91-03-153
220-32-05700F	NEW-E	91-03-083	220-56-105	AMD-P	91-03-153	220-57-497	AMD	91-08-054
220-32-05700F	REP-E	91-10-058	220-56-105	AMD	91-08-054	220-57-49700F	NEW-E	91-08-025
220-32-05700G	NEW-E	91-08-065	220-56-115	AMD-P	91-03-153	220-57-50500S	NEW-E	91-08-025
220-32-05700G	REP-E	91-11-013	220-56-115	AMD	91-08-054	220-57-51500G	NEW-E	91-08-025
220-32-05700H	NEW-E	91-11-013	220-56-128	AMD-P	91-03-153	220-57A-035	AMD-P	91-03-153
220-33-01000V	NEW-E	91-05-005	220-56-128	AMD	91-08-054	220-57A-035	AMD	91-08-054
220-33-01000V	REP-E	91-05-036	220-56-175	AMD-P	91-03-153	220-69-260	AMD	91-05-015
220-33-01000W	NEW-E	91-05-036	220-56-175	AMD	91-08-054	220-69-262	AMD	91-05-015
220-33-03000C	NEW-E	91-11-100	220-56-180	AMD-P	91-03-153	220-69-264	AMD	91-05-015
220-40-030	AMD-P	91-03-153	220-56-180	AMD-C	91-08-051	220-69-2640I	AMD	91-05-015
220-40-030	AMD	91-08-054	220-56-180	AMD	91-08-054	222-16-045	NEW-E	91-07-034
220-40-031	AMD-P	91-03-153	220-56-185	AMD-P	91-03-153	222-16-050	AMD-E	91-07-034
220-40-031	AMD	91-08-054	220-56-185	AMD	91-08-054	230-02-240	NEW-P	91-03-062
220-44-030	AMD-W	91-11-027	220-56-190	AMD-P	91-03-153	230-02-240	NEW	91-07-021
220-44-050	AMD-P	91-03-152	220-56-190	AMD	91-08-054	230-02-418	AMD-P	91-10-006
220-44-050	AMD	91-07-050	220-56-205	AMD-P	91-03-153	230-02-505	NEW-P	91-03-062
220-44-050	AMD-W	91-11-027	220-56-205	AMD	91-08-054	230-02-505	NEW-C	91-07-019
220-44-05000I	REP-E	91-08-023	220-56-232	NEW-P	91-03-152	230-04-022	AMD-P	91-03-062
220-44-05000J	NEW-E	91-08-023	220-56-235	AMD-P	91-03-153	230-04-022	AMD-C	91-07-042
220-44-05000J	REP-E	91-10-012	220-56-235	AMD-C	91-08-051	230-04-022	AMD-W	91-10-005
220-44-05000K	NEW-E	91-10-012	220-56-235	AMD	91-08-054	230-04-120	AMD-P	91-03-062
220-44-05000K	REP-E	91-11-077	220-56-23500F	NEW-E	91-04-030	230-04-120	AMD-C	91-07-019
220-44-05000L	NEW-E	91-11-077	220-56-240	AMD-P	91-03-153	230-04-187	NEW-P	91-03-062

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
230-04-187	NEW-C	91-07-019	232-28-61818	NEW-E	91-08-009	240-15-035	AMD	91-02-111
230-04-190	AMD-P	91-03-062	232-28-713	REP	91-06-015	240-15-035	AMD-P	91-10-106
230-04-190	AMD-C	91-07-019	232-28-714	NEW	91-06-015	244-12-010	NEW-P	91-11-034
230-04-201	AMD-P	91-03-062	236-12-290	AMD-P	91-04-081	244-12-020	NEW-P	91-11-034
230-04-201	AMD-C	91-07-019	236-12-300	AMD-P	91-04-081	244-12-030	NEW-P	91-11-034
230-08-010	AMD-P	91-10-006	236-48-002	AMD	91-09-035	244-12-040	NEW-P	91-11-034
230-08-095	AMD-P	91-10-006	236-48-003	AMD	91-09-035	244-12-050	NEW-P	91-11-034
230-12-020	AMD-P	91-10-006	236-48-004	AMD	91-09-035	244-12-060	NEW-P	91-11-034
230-12-100	NEW-P	91-03-062	236-48-005	AMD	91-09-035	244-12-070	NEW-P	91-11-034
230-12-100	NEW-C	91-07-019	236-48-009	AMD	91-09-035	244-12-080	NEW-P	91-11-034
230-12-100	NEW-W	91-10-005	236-48-012	AMD	91-09-035	244-12-090	NEW-P	91-11-034
230-12-200	AMD-W	91-09-045	236-48-013	AMD	91-09-035	246-100-166	AMD-P	91-11-103
230-12-305	AMD-P	91-03-062	236-48-021	AMD	91-09-035	246-205-001	NEW	91-04-007
230-12-305	AMD	91-07-021	236-48-023	AMD	91-09-035	246-205-010	NEW	91-04-007
230-20-380	AMD-C	91-03-049	236-48-035	AMD	91-09-035	246-205-020	NEW	91-04-007
230-20-380	AMD-W	91-05-044	236-48-036	AMD	91-09-035	246-205-030	NEW	91-04-007
230-20-699	REP	91-03-063	236-48-052	AMD	91-09-035	246-205-040	NEW	91-04-007
230-25-110	AMD-P	91-03-062	236-48-061	AMD	91-09-035	246-205-050	NEW	91-04-007
230-25-110	AMD-C	91-07-019	236-48-071	AMD	91-09-035	246-205-060	NEW	91-04-007
230-25-265	AMD-C	91-03-049	236-48-079	AMD	91-09-035	246-205-070	NEW	91-04-007
230-25-265	AMD	91-05-047	236-48-081	AMD	91-09-035	246-205-080	NEW	91-04-007
230-25-265	AMD	91-06-008	236-48-082	AMD	91-09-035	246-205-090	NEW	91-04-007
230-25-330	NEW-P	91-03-062	236-48-083	AMD	91-09-035	246-205-100	NEW	91-04-007
230-25-330	NEW-C	91-07-019	236-48-084	AMD	91-09-035	246-205-110	NEW	91-04-007
230-30-075	AMD-C	91-03-049	236-48-093	AMD	91-09-035	246-205-120	NEW	91-04-007
230-30-075	AMD-C	91-05-046	236-48-094	AMD	91-09-035	246-205-990	NEW	91-04-007
230-30-075	AMD-W	91-06-039	236-48-095	AMD	91-09-035	246-220-007	AMD-P	91-11-081
230-30-075	AMD-P	91-07-018	236-48-096	AMD	91-09-035	246-220-010	AMD-P	91-11-081
230-30-075	AMD-S	91-07-051	236-48-098	AMD	91-09-035	246-220-050	AMD-P	91-11-081
230-30-080	AMD-C	91-03-049	236-48-099	AMD	91-09-035	246-220-090	AMD-P	91-11-081
230-30-080	AMD-P	91-05-045	236-48-101	AMD	91-09-035	246-220-130	AMD-P	91-11-081
230-30-080	AMD	91-05-047	236-48-121	AMD	91-09-035	246-221-001	AMD-P	91-11-081
230-30-080	AMD	91-10-004	236-48-123	AMD	91-09-035	246-221-010	AMD-P	91-11-081
230-30-200	AMD-W	91-09-045	236-48-124	AMD	91-09-035	246-221-020	AMD-P	91-11-081
230-30-220	AMD-W	91-09-045	236-48-131	AMD	91-09-035	246-221-030	AMD-P	91-11-081
230-40-125	AMD-C	91-03-049	236-48-132	AMD	91-09-035	246-221-040	AMD-P	91-11-081
230-40-125	AMD	91-05-047	236-48-141	AMD	91-09-035	246-221-050	AMD-P	91-11-081
230-50-030	AMD	91-03-063	236-48-151	AMD	91-09-035	246-221-060	AMD-P	91-11-081
232-12-004	AMD-P	91-03-131	236-48-152	AMD	91-09-035	246-221-070	AMD-P	91-11-081
232-12-004	AMD	91-11-006	236-48-153	AMD	91-09-035	246-221-080	AMD-P	91-11-081
232-12-007	AMD-P	91-03-133	236-48-165	AMD	91-09-035	246-221-110	AMD-P	91-11-081
232-12-007	AMD	91-11-007	236-48-166	AMD	91-09-035	246-221-120	AMD-P	91-11-081
232-12-017	AMD	91-03-082	236-48-167	AMD	91-09-035	246-221-130	AMD-P	91-11-081
232-12-024	AMD-P	91-06-082	236-48-198	AMD	91-09-035	246-221-140	AMD-P	91-11-081
232-12-055	AMD-P	91-03-137	236-48-230	AMD	91-09-035	246-221-160	AMD-P	91-11-081
232-12-055	AMD	91-08-075	236-49-010	AMD	91-09-034	246-221-170	AMD-P	91-11-081
232-12-244	REP-P	91-06-081	236-49-020	AMD	91-09-034	246-221-190	AMD-P	91-11-081
232-12-245	NEW-P	91-06-081	236-49-030	AMD	91-09-034	246-221-200	AMD-P	91-11-081
232-12-267	AMD-P	91-06-080	236-49-040	AMD	91-09-034	246-221-210	AMD-P	91-11-081
232-12-831	NEW-P	91-06-083	236-100-001	NEW-P	91-05-101	246-221-220	AMD-P	91-11-081
232-28-022	AMD-P	91-03-130	236-100-001	NEW	91-08-057	246-221-230	AMD-P	91-11-081
232-28-022	AMD	91-11-059	236-100-010	NEW-P	91-05-101	246-221-240	AMD-P	91-11-081
232-28-215	REP-W	91-02-113	236-100-010	NEW	91-08-057	246-221-250	AMD-P	91-11-081
232-28-219	REP-P	91-06-084	236-100-011	NEW-P	91-05-101	246-221-260	AMD-P	91-11-081
232-28-220	REP-P	91-06-084	236-100-011	NEW	91-08-057	246-221-280	AMD-P	91-11-081
232-28-221	REP-P	91-06-084	236-100-012	NEW-P	91-05-101	246-221-300	AMD-P	91-11-081
232-28-222	REP-P	91-06-084	236-100-012	NEW	91-08-057	246-222-001	AMD-P	91-11-081
232-28-223	REP-P	91-06-084	236-100-013	NEW-P	91-05-101	246-222-020	AMD-P	91-11-081
232-28-224	NEW-W	91-02-113	236-100-013	NEW	91-08-057	246-222-030	AMD-P	91-11-081
232-28-225	NEW	91-06-016	236-100-014	NEW-P	91-05-101	246-222-040	AMD-P	91-11-081
232-28-226	NEW-P	91-03-138	236-100-014	NEW	91-08-057	246-222-050	AMD-P	91-11-081
232-28-226	NEW	91-11-009	236-100-015	NEW-P	91-05-101	246-222-060	AMD-P	91-11-081
232-28-227	NEW-P	91-03-135	236-100-015	NEW	91-08-057	246-222-070	AMD-P	91-11-081
232-28-227	NEW	91-11-008	236-100-016	NEW-P	91-05-101	246-222-080	AMD-P	91-11-081
232-28-228	NEW-P	91-03-134	236-100-016	NEW	91-08-057	246-224-001	AMD-P	91-11-082
232-28-228	NEW	91-08-061	240-15-005	AMD	91-02-111	246-224-020	AMD-P	91-11-082
232-28-228	AMD-P	91-08-076	240-15-005	AMD-P	91-10-106	246-224-030	AMD-P	91-11-082
232-28-229	NEW-P	91-06-086	240-15-010	AMD	91-02-111	246-224-040	AMD-P	91-11-082
232-28-230	NEW-P	91-06-087	240-15-010	AMD-P	91-10-106	246-224-050	AMD-P	91-11-082
232-28-231	NEW-P	91-06-085	240-15-015	AMD	91-02-111	246-224-060	AMD-P	91-11-082
232-28-61810	REP-P	91-03-136	240-15-015	AMD-P	91-10-106	246-224-070	AMD-P	91-11-082
232-28-61810	REP	91-08-074	240-15-020	AMD	91-02-111	246-224-080	AMD-P	91-11-082
232-28-61811	NEW-W	91-03-066	240-15-020	AMD-P	91-10-106	246-224-090	AMD-P	91-11-082
232-28-61813	NEW	91-05-002	240-15-025	AMD	91-02-111	246-224-100	AMD-P	91-11-082
232-28-61815	NEW	91-05-001	240-15-025	AMD-P	91-10-106	246-225-010	AMD-P	91-11-082
232-28-61817	NEW-P	91-03-136	240-15-030	AMD	91-02-111	246-225-020	AMD-P	91-11-082
232-28-61817	NEW	91-08-074	240-15-030	AMD-P	91-10-106	246-225-030	AMD-P	91-11-082

**Table of WAC Sections Affected**

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
246-225-040	AMD-P 91-11-082	246-243-220	AMD-P 91-11-081	246-806-050	RECOD 91-05-026
246-225-050	AMD-P 91-11-082	246-244-001	AMD-P 91-11-081	246-806-060	RECOD 91-05-026
246-225-060	AMD-P 91-11-082	246-244-030	AMD-P 91-11-081	246-806-070	RECOD 91-05-026
246-225-070	AMD-P 91-11-082	246-244-040	AMD-P 91-11-081	246-806-080	RECOD 91-05-026
246-225-090	AMD-P 91-11-082	246-244-060	AMD-P 91-11-081	246-806-090	RECOD 91-05-026
246-225-110	AMD-P 91-11-082	246-244-080	AMD-P 91-11-081	246-806-100	RECOD 91-05-026
246-225-120	AMD-P 91-11-082	246-244-140	AMD-P 91-11-081	246-806-110	RECOD 91-05-026
246-225-130	AMD-P 91-11-082	246-244-150	AMD-P 91-11-081	246-806-120	RECOD 91-05-026
246-225-140	AMD-P 91-11-082	246-244-160	AMD-P 91-11-081	246-806-130	RECOD 91-05-026
246-225-150	AMD-P 91-11-082	246-244-180	AMD-P 91-11-081	246-806-140	RECOD 91-05-026
246-225-99910	AMD-P 91-11-082	246-244-220	AMD-P 91-11-081	246-806-990	RECOD 91-05-031
246-225-99920	AMD-P 91-11-082	246-244-230	AMD-P 91-11-081	246-807-020	RECOD 91-05-095
246-225-99930	AMD-P 91-11-082	246-244-240	AMD-P 91-11-081	246-807-030	RECOD 91-05-095
246-228-030	AMD-P 91-11-082	246-249-001	AMD-P 91-11-083	246-807-040	RECOD 91-05-095
246-228-040	AMD-P 91-11-082	246-249-010	AMD-P 91-11-083	246-807-050	RECOD 91-05-095
246-228-050	AMD-P 91-11-082	246-249-020	AMD-P 91-11-083	246-807-060	RECOD 91-05-095
246-229-001	AMD-P 91-11-082	246-249-030	AMD-P 91-11-083	246-807-070	RECOD 91-05-095
246-229-010	AMD-P 91-11-082	246-249-040	AMD-P 91-11-083	246-807-080	RECOD 91-05-095
246-229-020	AMD-P 91-11-082	246-249-050	AMD-P 91-11-083	246-807-090	RECOD 91-05-095
246-229-030	AMD-P 91-11-082	246-249-060	AMD-P 91-11-083	246-807-100	RECOD 91-05-095
246-229-050	AMD-P 91-11-082	246-249-070	AMD-P 91-11-083	246-807-110	RECOD 91-05-095
246-229-060	AMD-P 91-11-082	246-249-080	AMD-P 91-11-083	246-807-120	RECOD 91-05-095
246-229-080	AMD-P 91-11-082	246-249-090	NEW-P 91-11-083	246-807-130	RECOD 91-05-095
246-229-090	AMD-P 91-11-082	246-250-001	AMD-P 91-11-083	246-807-140	RECOD 91-05-095
246-229-110	AMD-P 91-11-082	246-250-010	AMD-P 91-11-083	246-807-150	RECOD 91-05-095
246-232-001	AMD-P 91-11-081	246-250-020	AMD-P 91-11-083	246-807-160	RECOD 91-05-095
246-232-010	AMD-P 91-11-081	246-250-030	AMD-P 91-11-083	246-807-170	RECOD 91-05-095
246-232-020	AMD-P 91-11-081	246-250-050	AMD-P 91-11-083	246-807-170	REP 91-10-051
246-232-040	AMD-P 91-11-081	246-250-060	AMD-P 91-11-083	246-807-171	NEW-P 91-06-090
246-232-060	AMD-P 91-11-081	246-250-070	AMD-P 91-11-083	246-807-171	NEW 91-10-051
246-232-080	AMD-P 91-11-081	246-250-090	AMD-P 91-11-083	246-807-173	NEW-P 91-06-090
246-232-090	AMD-P 91-11-081	246-250-110	AMD-P 91-11-083	246-807-173	NEW 91-10-051
246-232-100	REP-P 91-11-081	246-250-120	AMD-P 91-11-083	246-807-180	RECOD 91-05-095
246-232-110	REP-P 91-11-081	246-250-130	AMD-P 91-11-083	246-807-190	RECOD 91-05-095
246-232-120	AMD-P 91-11-081	246-250-140	AMD-P 91-11-083	246-807-200	RECOD 91-05-095
246-232-130	AMD-P 91-11-081	246-250-150	AMD-P 91-11-083	246-807-210	RECOD 91-05-095
246-232-990	AMD-P 91-11-081	246-250-160	AMD-P 91-11-083	246-807-220	RECOD 91-05-095
246-233-001	AMD-P 91-11-081	246-250-190	AMD-P 91-11-083	246-807-230	RECOD 91-05-095
246-233-010	AMD-P 91-11-081	246-250-330	AMD-P 91-11-083	246-807-240	RECOD 91-05-095
246-233-020	AMD-P 91-11-081	246-250-350	AMD-P 91-11-083	246-807-250	RECOD 91-05-095
246-235-001	AMD-P 91-11-081	246-250-600	AMD-P 91-11-083	246-807-260	RECOD 91-05-095
246-235-020	AMD-P 91-11-081	246-252-001	AMD-P 91-11-083	246-807-270	RECOD 91-05-095
246-235-040	AMD-P 91-11-081	246-252-010	AMD-P 91-11-083	246-807-280	RECOD 91-05-095
246-235-050	AMD-P 91-11-081	246-252-030	AMD-P 91-11-083	246-807-290	RECOD 91-05-095
246-235-060	AMD-P 91-11-081	246-290-010	AMD 91-07-031	246-807-300	RECOD 91-05-095
246-235-080	AMD-P 91-11-081	246-290-130	AMD 91-07-031	246-807-310	RECOD 91-05-095
246-235-090	AMD-P 91-11-081	246-290-300	AMD 91-07-031	246-807-320	RECOD 91-05-095
246-235-100	AMD-P 91-11-081	246-290-310	AMD 91-07-031	246-807-330	RECOD 91-05-095
246-235-110	AMD-P 91-11-081	246-290-320	AMD 91-07-031	246-807-340	RECOD 91-05-095
246-235-120	AMD-P 91-11-081	246-290-330	AMD 91-07-031	246-807-350	RECOD 91-05-095
246-235-130	AMD-P 91-11-081	246-310-131	NEW-P 91-10-102	246-807-360	RECOD 91-05-095
246-235-140	AMD-P 91-11-081	246-310-131	NEW-E 91-10-103	246-807-370	RECOD 91-05-095
246-239-010	AMD-P 91-11-081	246-310-132	NEW-P 91-10-102	246-807-380	RECOD 91-05-095
246-239-020	AMD-P 91-11-081	246-310-500	AMD 91-05-093	246-807-390	RECOD 91-05-095
246-239-030	AMD-P 91-11-081	246-338-010	AMD-E 91-11-039	246-807-400	NEW-P 91-06-090
246-239-040	AMD-P 91-11-081	246-338-030	AMD-E 91-11-039	246-807-400	NEW-W 91-10-050
246-239-060	AMD-P 91-11-081	246-338-990	AMD-E 91-11-039	246-807-410	NEW-P 91-06-090
246-239-080	AMD-P 91-11-081	246-453-001	AMD 91-05-048	246-807-410	NEW 91-10-051
246-239-090	AMD-P 91-11-081	246-453-010	AMD 91-05-048	246-815-031	NEW-P 91-08-077
246-239-100	AMD-P 91-11-081	246-453-020	NEW 91-05-048	246-815-031	NEW 91-11-065
246-240-020	AMD-P 91-11-081	246-453-030	NEW 91-05-048	246-815-990	AMD-P 91-08-078
246-240-030	AMD-P 91-11-081	246-453-040	NEW 91-05-048	246-816-075	NEW 91-03-109
246-240-040	AMD-P 91-11-081	246-453-050	NEW 91-05-048	246-818-050	AMD-P 91-10-093
246-243-020	AMD-P 91-11-081	246-453-060	NEW 91-05-048	246-822-990	AMD-P 91-08-078
246-243-060	AMD-P 91-11-081	246-453-070	AMD 91-05-048	246-824-020	AMD-P 91-05-087
246-243-080	AMD-P 91-11-081	246-453-080	AMD 91-05-048	246-824-020	AMD 91-09-024
246-243-090	AMD-P 91-11-081	246-453-085	REP 91-05-048	246-824-050	AMD-P 91-05-087
246-243-110	AMD-P 91-11-081	246-453-090	AMD 91-05-048	246-824-050	AMD-W 91-09-023
246-243-120	AMD-P 91-11-081	246-790-070	AMD 91-06-029	246-824-075	NEW-P 91-05-087
246-243-130	AMD-P 91-11-081	246-802-090	AMD-E 91-10-069	246-824-075	NEW 91-09-024
246-243-140	AMD-P 91-11-081	246-802-130	AMD-E 91-10-069	246-824-080	AMD-P 91-05-087
246-243-150	AMD-P 91-11-081	246-802-150	REP-E 91-10-069	246-824-080	AMD 91-09-024
246-243-160	AMD-P 91-11-081	246-802-990	AMD-P 91-08-078	246-826-990	AMD-P 91-08-078
246-243-170	AMD-P 91-11-081	246-806-010	RECOD 91-05-026	246-828-020	RECOD-P 91-07-058
246-243-180	AMD-P 91-11-081	246-806-020	RECOD 91-05-026	246-828-020	RECOD 91-11-031
246-243-200	AMD-P 91-11-081	246-806-030	RECOD 91-05-026	246-828-030	RECOD-P 91-07-058
246-243-210	AMD-P 91-11-081	246-806-040	RECOD 91-05-026	246-828-030	RECOD 91-11-031



### Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
246-851	RECOD-C 91-03-116	246-875	RECOD-W 91-06-037	246-918-140	RECOD 91-06-030
246-851-020	RECOD 91-06-025	246-877	RECOD-W 91-06-037	246-918-150	RECOD 91-06-030
246-851-030	RECOD 91-06-025	246-879	RECOD-W 91-06-037	246-918-160	RECOD 91-06-030
246-851-040	RECOD 91-06-025	246-881	RECOD-W 91-06-037	246-918-170	RECOD 91-06-030
246-851-050	RECOD 91-06-025	246-883	RECOD-W 91-06-037	246-918-180	RECOD 91-06-030
246-851-060	RECOD 91-06-025	246-885	RECOD-W 91-06-037	246-918-190	RECOD 91-06-030
246-851-070	RECOD 91-06-025	246-887	RECOD-W 91-06-037	246-918-200	RECOD 91-06-030
246-851-080	RECOD 91-06-025	246-889	RECOD-W 91-06-037	246-918-210	RECOD 91-06-030
246-851-090	RECOD 91-06-025	246-891	RECOD-W 91-06-037	246-918-220	RECOD 91-06-030
246-851-100	RECOD 91-06-025	246-893	RECOD-W 91-06-037	246-918-230	RECOD 91-06-030
246-851-110	RECOD 91-06-025	246-895	RECOD-W 91-06-037	246-918-240	RECOD 91-06-030
246-851-120	RECOD 91-06-025	246-897	RECOD-W 91-06-037	246-918-250	RECOD 91-06-030
246-851-130	RECOD 91-06-025	246-899	RECOD-W 91-06-037	246-918-260	RECOD 91-06-030
246-851-140	RECOD 91-06-025	246-901	RECOD-W 91-06-037	246-918-270	RECOD 91-06-030
246-851-150	RECOD 91-06-025	246-903	RECOD-W 91-06-037	246-918-280	RECOD 91-06-030
246-851-160	RECOD 91-06-025	246-905	RECOD-W 91-06-037	246-918-290	RECOD 91-06-030
246-851-170	RECOD 91-06-025	246-907	RECOD-W 91-06-037	246-918-300	RECOD 91-06-030
246-851-180	RECOD 91-06-025	246-915-010	AMD 91-05-094	246-918-310	RECOD 91-06-030
246-851-190	RECOD 91-06-025	246-915-015	NEW 91-05-094	246-918-320	RECOD 91-06-030
246-851-200	RECOD 91-06-025	246-915-030	AMD 91-05-094	246-918-330	RECOD 91-06-030
246-851-210	RECOD 91-06-025	246-915-030	AMD-E 91-09-033	246-918-340	RECOD 91-06-030
246-851-220	RECOD 91-06-025	246-915-030	AMD-P 91-09-063	246-918-350	RECOD 91-06-030
246-851-230	RECOD 91-06-025	246-915-040	AMD 91-05-094	246-918-360	RECOD 91-06-030
246-851-240	RECOD 91-06-025	246-915-050	AMD 91-05-094	246-918-370	RECOD 91-06-030
246-851-250	RECOD 91-06-025	246-915-080	AMD 91-05-094	246-918-990	NEW 91-06-027
246-851-260	RECOD 91-06-025	246-915-110	AMD 91-05-094	246-920-730	AMD-P 91-10-040
246-851-270	RECOD 91-06-025	246-915-130	AMD 91-05-094	246-920-730	AMD-E 91-10-042
246-851-280	RECOD 91-06-025	246-915-140	AMD 91-05-094	246-922-001	RECOD 91-03-095
246-851-290	RECOD 91-06-025	246-915-150	AMD 91-05-094	246-922-001	AMD 91-10-041
246-851-300	RECOD 91-06-025	246-915-160	AMD 91-05-094	246-922-010	RECOD 91-03-095
246-851-310	RECOD 91-06-025	246-915-170	AMD 91-05-094	246-922-010	AMD 91-10-041
246-851-320	RECOD 91-06-025	246-915-180	AMD 91-05-094	246-922-020	RECOD 91-03-095
246-851-330	RECOD 91-06-025	246-915-210	AMD 91-05-094	246-922-030	RECOD 91-03-095
246-851-340	RECOD 91-06-025	246-915-300	NEW-E 91-09-033	246-922-030	AMD 91-10-041
246-851-350	RECOD 91-06-025	246-915-300	NEW-P 91-09-063	246-922-040	RECOD 91-03-095
246-851-360	RECOD 91-06-025	246-915-310	NEW-E 91-09-033	246-922-040	AMD 91-10-041
246-851-370	RECOD 91-06-025	246-915-310	NEW-P 91-09-063	246-922-045	NEW-P 91-05-089
246-851-380	RECOD 91-06-025	246-915-320	NEW-E 91-09-033	246-922-045	NEW 91-10-041
246-851-390	RECOD 91-06-025	246-915-320	NEW-P 91-09-063	246-922-050	RECOD 91-03-095
246-851-400	RECOD 91-06-025	246-915-330	NEW-E 91-09-033	246-922-050	AMD 91-10-041
246-851-410	RECOD 91-06-025	246-915-330	NEW-P 91-09-063	246-922-055	NEW-P 91-05-089
246-851-420	RECOD 91-06-025	246-915-390	AMD-P 91-08-078	246-922-055	NEW 91-10-041
246-851-430	RECOD 91-06-025	246-917-020	RECOD 91-06-030	246-922-060	RECOD 91-03-095
246-851-990	RECOD 91-06-028	246-917-030	RECOD 91-06-030	246-922-060	AMD 91-10-041
246-851-990	AMD-P 91-08-078	246-917-040	RECOD 91-06-030	246-922-070	RECOD 91-03-095
246-853-020	AMD 91-10-043	246-917-050	RECOD 91-06-030	246-922-070	AMD 91-10-041
246-853-250	NEW-P 91-03-117	246-917-060	RECOD 91-06-030	246-922-080	RECOD 91-03-095
246-853-260	NEW-P 91-03-117	246-917-070	RECOD 91-06-030	246-922-080	AMD 91-10-041
246-853-260	NEW 91-10-043	246-917-080	RECOD 91-06-030	246-922-090	RECOD 91-03-095
246-853-270	NEW-P 91-03-117	246-917-090	RECOD 91-06-030	246-922-090	AMD 91-10-041
246-853-270	NEW 91-10-043	246-917-100	RECOD 91-06-030	246-922-100	RECOD 91-03-095
246-853-280	NEW-P 91-03-117	246-917-110	RECOD 91-06-030	246-922-100	AMD 91-10-041
246-853-280	NEW-W 91-10-039	246-917-120	RECOD 91-06-030	246-922-110	RECOD 91-03-095
246-853-290	NEW-P 91-03-117	246-917-130	RECOD 91-06-030	246-922-110	AMD 91-10-041
246-853-290	NEW 91-10-043	246-917-140	RECOD 91-06-030	246-922-120	RECOD 91-03-095
246-853-300	NEW-P 91-03-117	246-917-150	RECOD 91-06-030	246-922-120	AMD 91-10-041
246-853-300	NEW 91-10-043	246-917-160	RECOD 91-06-030	246-922-130	RECOD 91-03-095
246-853-310	NEW-P 91-03-117	246-917-170	RECOD 91-06-030	246-922-130	AMD 91-10-041
246-853-310	NEW 91-10-043	246-917-180	RECOD 91-06-030	246-922-140	RECOD 91-03-095
246-853-320	NEW-P 91-03-117	246-917-190	RECOD 91-06-030	246-922-140	AMD 91-10-041
246-853-320	NEW 91-10-043	246-917-200	RECOD 91-06-030	246-922-150	RECOD 91-03-095
246-853-330	NEW-P 91-03-117	246-917-990	NEW 91-06-027	246-922-150	AMD 91-10-041
246-853-330	NEW 91-10-043	246-918-020	RECOD 91-06-030	246-922-160	RECOD 91-03-095
246-853-340	NEW-P 91-03-117	246-918-030	RECOD 91-06-030	246-922-160	AMD 91-10-041
246-853-340	NEW 91-10-043	246-918-030	AMD 91-08-007	246-922-170	RECOD 91-03-095
246-853-350	NEW-P 91-03-117	246-918-035	NEW-P 91-04-055	246-922-170	AMD 91-10-041
246-853-350	NEW 91-10-043	246-918-035	NEW 91-08-007	246-922-180	RECOD 91-03-095
246-853-990	AMD-P 91-08-078	246-918-040	RECOD 91-06-030	246-922-180	AMD 91-10-041
246-857	RECOD-W 91-06-037	246-918-050	RECOD 91-06-030	246-922-190	RECOD 91-03-095
246-858	RECOD-W 91-06-037	246-918-060	RECOD 91-06-030	246-922-190	AMD 91-10-041
246-861	RECOD-W 91-06-037	246-918-070	RECOD 91-06-030	246-922-200	RECOD 91-03-095
246-863	RECOD-W 91-06-037	246-918-080	RECOD 91-06-030	246-922-200	AMD 91-10-041
246-865	RECOD-W 91-06-037	246-918-090	RECOD 91-06-030	246-922-210	RECOD 91-03-095
246-867	RECOD-W 91-06-037	246-918-100	RECOD 91-06-030	246-922-210	AMD 91-10-041
246-869	RECOD-W 91-06-037	246-918-110	RECOD 91-06-030	246-922-220	RECOD 91-03-095
246-871	RECOD-W 91-06-037	246-918-120	RECOD 91-06-030	246-922-220	AMD 91-10-041
246-873	RECOD-W 91-06-037	246-918-130	RECOD 91-06-030	246-922-230	RECOD 91-03-095



Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
246-922-230	AMD	91-10-041	246-930-020	NEW	91-11-063	251-19-158	NEW	91-10-001
246-922-240	RECOD	91-03-095	246-930-030	NEW-P	91-06-091	251-19-160	AMD-C	91-05-055
246-922-240	AMD	91-10-041	246-930-030	NEW	91-11-063	251-19-160	AMD-C	91-05-060
246-922-250	RECOD	91-03-095	246-930-040	NEW-P	91-06-091	251-19-160	AMD	91-10-002
246-922-250	AMD	91-10-041	246-930-040	NEW	91-11-063	251-22-112	AMD-P	91-10-060
246-922-260	RECOD	91-03-095	246-930-050	NEW-P	91-06-091	251-22-215	NEW-P	91-10-059
246-922-260	AMD	91-10-041	246-930-050	NEW	91-11-063	251-22-250	AMD-P	91-10-060
246-922-270	RECOD	91-03-095	246-930-060	NEW-P	91-06-091	251-24-030	AMD-C	91-05-054
246-922-270	AMD	91-10-041	246-930-060	NEW	91-11-063	251-24-030	AMD-C	91-05-059
246-922-280	NEW-P	91-05-089	246-930-070	NEW-P	91-06-091	251-24-030	AMD	91-10-001
246-922-280	NEW	91-10-041	246-930-070	NEW	91-11-063	260-20-080	REP-P	91-08-073
246-922-290	NEW-P	91-05-089	246-930-075	NEW-E	91-11-062	260-32-190	AMD-P	91-08-073
246-922-290	NEW	91-10-041	246-930-200	NEW-P	91-06-091	260-36-190	NEW	91-03-033
246-922-295	NEW-P	91-05-089	246-930-200	NEW	91-11-063	260-36-200	NEW	91-03-033
246-922-295	NEW	91-10-041	246-930-210	NEW-P	91-06-091	260-60-060	AMD-W	91-03-064
246-922-300	NEW-P	91-05-089	246-930-210	NEW	91-11-063	260-75-010	NEW-P	91-08-073
246-922-300	NEW	91-10-041	246-930-220	NEW-P	91-06-091	263-12-005	AMD-P	91-09-062
246-922-310	NEW-P	91-05-089	246-930-220	NEW	91-11-063	263-12-007	AMD-P	91-09-062
246-922-310	NEW	91-10-041	246-930-300	NEW-P	91-06-091	263-12-010	AMD-P	91-09-062
246-922-320	NEW-P	91-05-089	246-930-300	NEW	91-11-063	263-12-015	AMD-P	91-09-062
246-922-320	NEW	91-10-041	246-930-400	NEW-P	91-06-091	263-12-01501	NEW-P	91-09-062
246-922-990	RECOD	91-05-029	246-930-400	NEW	91-11-063	263-12-016	AMD-P	91-09-062
246-922-990	AMD-P	91-08-078	246-930-499	NEW-P	91-06-091	263-12-017	AMD-P	91-09-062
246-924-001	RECOD	91-04-020	246-930-499	NEW	91-11-063	263-12-020	AMD-P	91-09-062
246-924-010	RECOD	91-04-020	246-930-990	NEW-P	91-06-091	263-12-045	AMD-P	91-09-062
246-924-020	RECOD	91-04-020	246-930-990	NEW	91-11-063	263-12-050	AMD-P	91-09-062
246-924-030	RECOD	91-04-020	246-975-160	AMD	91-06-026	263-12-051	NEW-P	91-09-062
246-924-040	RECOD	91-04-020	246-975-180	AMD	91-06-026	263-12-053	AMD-P	91-09-062
246-924-050	RECOD	91-04-020	246-975-200	AMD	91-06-026	263-12-056	AMD-P	91-09-062
246-924-060	RECOD	91-04-020	246-975-210	AMD	91-06-026	263-12-057	NEW-P	91-09-062
246-924-070	RECOD	91-04-020	246-975-220	AMD	91-06-026	263-12-058	NEW-P	91-09-062
246-924-080	RECOD	91-04-020	246-975-240	AMD	91-06-026	263-12-060	AMD-P	91-09-062
246-924-090	RECOD	91-04-020	246-975-250	AMD	91-06-026	263-12-065	AMD-P	91-09-062
246-924-100	RECOD	91-04-020	248-106-030	NEW-W	91-11-024	263-12-070	AMD-P	91-09-062
246-924-110	RECOD	91-04-020	250-44-050	AMD-E	91-04-045	263-12-075	AMD-P	91-09-062
246-924-120	RECOD	91-04-020	250-44-110	AMD-E	91-04-045	263-12-080	AMD-P	91-09-062
246-924-130	RECOD	91-04-020	250-44-130	AMD-E	91-04-045	263-12-090	AMD-P	91-09-062
246-924-140	RECOD	91-04-020	250-76	NEW-C	91-03-087	263-12-091	NEW-P	91-09-062
246-924-150	RECOD	91-04-020	250-76-010	NEW-W	91-11-073	263-12-093	AMD-P	91-09-062
246-924-160	RECOD	91-04-020	250-76-020	NEW-W	91-11-073	263-12-095	AMD-P	91-09-062
246-924-170	RECOD	91-04-020	250-76-030	NEW-W	91-11-073	263-12-115	AMD-P	91-09-062
246-924-180	NEW	91-04-021	250-76-040	NEW-W	91-11-073	263-12-125	AMD-P	91-09-062
246-924-190	NEW	91-04-021	250-76-050	NEW-W	91-11-073	263-12-145	AMD-P	91-09-062
246-924-200	RECOD	91-04-020	250-76-060	NEW-W	91-11-073	263-12-150	AMD-P	91-09-062
246-924-210	RECOD	91-04-020	250-77-010	NEW-P	91-09-061	263-12-160	AMD-P	91-09-062
246-924-220	NEW	91-04-021	250-77-015	NEW-P	91-09-061	263-12-165	AMD-P	91-09-062
246-924-230	RECOD	91-04-020	250-77-020	NEW-P	91-09-061	263-12-170	AMD-P	91-09-062
246-924-240	RECOD	91-04-020	250-77-025	NEW-P	91-09-061	263-12-171	NEW-P	91-09-062
246-924-250	RECOD	91-04-020	250-77-030	NEW-P	91-09-061	263-12-195	NEW-P	91-09-062
246-924-260	RECOD	91-04-020	250-77-035	NEW-P	91-09-061	275-16-030	AMD-P	91-04-034
246-924-270	RECOD	91-04-020	250-77-040	NEW-P	91-09-061	275-16-030	AMD-E	91-04-037
246-924-280	RECOD	91-04-020	250-77-045	NEW-P	91-09-061	275-16-030	AMD	91-08-014
246-924-290	RECOD	91-04-020	250-77-050	NEW-P	91-09-061	275-25-010	AMD-P	91-10-035
246-924-300	NEW	91-04-021	251-04-160	NEW-P	91-10-059	275-25-015	NEW-P	91-10-035
246-924-310	NEW	91-04-021	251-08-112	AMD-E	91-05-052	275-25-030	AMD-P	91-10-035
246-924-320	NEW	91-04-021	251-08-112	AMD-P	91-06-077	275-25-520	AMD-P	91-10-035
246-924-330	NEW	91-04-021	251-08-112	AMD	91-10-003	275-25-530	AMD-P	91-10-035
246-924-340	NEW	91-04-021	251-08-112	AMD-P	91-10-061	275-26-005	AMD-P	91-10-035
246-924-350	RECOD	91-04-020	251-09-020	AMD-P	91-07-060	275-26-010	AMD-P	91-10-035
246-924-360	RECOD	91-04-020	251-12-085	AMD-C	91-05-055	275-26-012	REP-P	91-10-035
246-924-370	RECOD	91-04-020	251-12-085	AMD-C	91-05-060	275-26-015	REP-P	91-10-035
246-924-380	RECOD	91-04-020	251-12-085	AMD	91-10-002	275-26-019	NEW-P	91-10-035
246-924-390	RECOD	91-04-020	251-12-600	AMD-P	91-10-060	275-26-020	AMD-P	91-10-035
246-924-400	RECOD	91-04-020	251-19-120	AMD-C	91-05-055	275-26-021	NEW-P	91-10-035
246-924-410	RECOD	91-04-020	251-19-120	AMD-C	91-05-060	275-26-022	AMD-P	91-10-035
246-924-420	RECOD	91-04-020	251-19-120	AMD	91-10-002	275-26-025	AMD-P	91-10-035
246-924-430	RECOD	91-04-020	251-19-155	NEW-C	91-05-054	275-26-030	REP-P	91-10-035
246-924-440	RECOD	91-04-020	251-19-155	NEW-C	91-05-059	275-26-032	REP-P	91-10-035
246-924-450	RECOD	91-04-020	251-19-155	NEW	91-10-001	275-26-050	AMD-P	91-10-035
246-924-460	RECOD	91-04-020	251-19-156	NEW-C	91-05-054	275-26-055	AMD-P	91-10-035
246-924-470	RECOD	91-04-020	251-19-156	NEW-C	91-05-059	275-26-060	AMD-P	91-10-035
246-924-480	RECOD	91-04-020	251-19-156	NEW	91-10-001	275-26-065	AMD-P	91-10-035
246-924-990	RECOD	91-05-028	251-19-157	NEW-C	91-05-054	275-26-070	AMD-P	91-10-035
246-924-990	AMD-P	91-08-078	251-19-157	NEW-C	91-05-059	275-26-071	NEW-P	91-10-035
246-930-010	NEW-P	91-06-091	251-19-157	NEW	91-10-001	275-26-072	NEW-P	91-10-035
246-930-010	NEW	91-11-063	251-19-158	NEW-C	91-05-054	275-26-073	NEW-P	91-10-035
246-930-020	NEW-P	91-06-091	251-19-158	NEW-C	91-05-059	275-26-075	AMD-P	91-10-035



**Table of WAC Sections Affected**

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
275-26-080	REP-P	91-10-035	284-17-515	AMD-P	91-09-048	296-22-053	AMD	91-07-008
275-26-085	REP-P	91-10-035	284-17-551	AMD-P	91-09-049	296-22-061	AMD	91-07-008
275-26-087	NEW-P	91-10-035	284-17-552	AMD-P	91-09-049	296-22-063	AMD	91-07-008
275-26-090	REP-P	91-10-035	284-17-553	AMD-P	91-09-049	296-22-067	AMD	91-07-008
275-26-095	AMD-P	91-10-035	284-17-554	AMD-P	91-09-049	296-22-071	AMD	91-07-008
275-26-100	NEW-P	91-10-035	284-17-555	AMD-P	91-09-049	296-22-073	AMD	91-07-008
275-26-107	NEW-P	91-10-035	284-30-600	AMD	91-03-073	296-22-079	AMD	91-07-008
275-26-110	NEW-P	91-10-035	284-30-610	NEW	91-03-073	296-22-082	AMD-W	91-02-114
275-26-115	NEW-P	91-10-035	284-44-400	REP-P	91-04-057	296-22-082	AMD	91-07-008
275-26-500	REP-P	91-10-035	284-44-400	REP	91-07-053	296-22-087	AMD	91-07-008
275-26-520	REP-P	91-10-035	284-46-010	REP-P	91-04-057	296-22-091	AMD	91-07-008
275-26-530	REP-P	91-10-035	284-46-010	REP	91-07-053	296-22-095	AMD	91-07-008
275-26-540	REP-P	91-10-035	292-10-010	NEW	91-04-060	296-22-097	AMD	91-07-008
275-26-550	REP-P	91-10-035	292-10-020	NEW	91-04-060	296-22-100	AMD	91-07-008
275-26-560	REP-P	91-10-035	292-10-030	NEW	91-04-060	296-22-105	AMD	91-07-008
275-26-570	REP-P	91-10-035	292-10-040	NEW	91-04-060	296-22-110	AMD	91-07-008
275-27-020	AMD-P	91-10-035	292-10-050	NEW	91-04-060	296-22-115	AMD	91-07-008
275-27-023	NEW-P	91-10-035	292-10-060	NEW	91-04-060	296-22-116	AMD	91-07-008
275-27-060	AMD-P	91-10-035	292-10-070	NEW	91-04-060	296-22-120	AMD	91-07-008
275-27-230	AMD-P	91-10-035	296-17-310	AMD-P	91-07-061	296-22-125	AMD	91-07-008
275-27-300	REP-P	91-10-035	296-17-320	AMD-P	91-07-061	296-22-130	AMD	91-07-008
275-27-310	REP-P	91-10-035	296-17-420	AMD-P	91-07-061	296-22-132	AMD	91-07-008
275-27-320	REP-P	91-10-035	296-17-440	AMD-P	91-07-061	296-22-135	AMD	91-07-008
275-27-500	AMD-P	91-10-035	296-17-512	AMD-P	91-07-061	296-22-140	AMD	91-07-008
275-27-820	AMD-P	91-10-035	296-17-544	AMD-P	91-07-061	296-22-141	AMD	91-07-008
275-36-010	REP-P	91-10-035	296-17-567	AMD-P	91-07-061	296-22-146	AMD	91-07-008
275-36-020	REP-P	91-10-035	296-17-57001	AMD-P	91-07-061	296-22-147	AMD	91-07-008
275-36-030	REP-P	91-10-035	296-17-579	AMD-P	91-07-061	296-22-150	AMD	91-07-008
275-36-040	REP-P	91-10-035	296-17-592	REP-P	91-07-061	296-22-155	AMD	91-07-008
275-36-050	REP-P	91-10-035	296-17-59202	AMD-P	91-07-061	296-22-160	AMD	91-07-008
275-36-061	REP-P	91-10-035	296-17-59203	NEW-P	91-07-061	296-22-165	AMD	91-07-008
275-36-065	REP-P	91-10-035	296-17-59204	NEW-P	91-07-061	296-22-170	AMD	91-07-008
275-36-071	REP-P	91-10-035	296-17-603	REP-P	91-07-061	296-22-180	AMD	91-07-008
275-36-081	REP-P	91-10-035	296-17-604	AMD-P	91-07-061	296-22-190	AMD	91-07-008
275-36-091	REP-P	91-10-035	296-17-605	AMD-P	91-07-061	296-22-195	AMD	91-07-008
275-36-101	REP-P	91-10-035	296-17-606	AMD-P	91-07-061	296-22-200	AMD	91-07-008
275-36-110	REP-P	91-10-035	296-17-634	AMD-P	91-07-061	296-22-205	AMD-W	91-02-114
275-36-120	REP-P	91-10-035	296-17-643	AMD-P	91-07-061	296-22-205	AMD	91-07-008
275-36-130	REP-P	91-10-035	296-17-64905	NEW-P	91-07-061	296-22-210	AMD	91-07-008
275-36-140	REP-P	91-10-035	296-17-669	AMD-P	91-07-061	296-22-215	AMD	91-07-008
275-36-150	REP-P	91-10-035	296-17-709	AMD-P	91-07-061	296-22-220	AMD	91-07-008
275-36-153	REP-P	91-10-035	296-17-71301	NEW-P	91-07-061	296-22-225	AMD	91-07-008
275-36-160	REP-P	91-10-035	296-17-722	AMD-P	91-07-061	296-22-230	AMD	91-07-008
275-36-170	REP-P	91-10-035	296-17-753	AMD-P	91-07-061	296-22-235	AMD	91-07-008
275-36-180	REP-P	91-10-035	296-17-885	AMD-P	91-07-061	296-22-245	AMD	91-07-008
275-36-190	REP-P	91-10-035	296-17-895	AMD-P	91-07-061	296-22-250	AMD	91-07-008
275-36-200	REP-P	91-10-035	296-20-1103	AMD-P	91-03-114	296-22-255	AMD	91-07-008
275-36-211	REP-P	91-10-035	296-20-200	AMD	91-07-008	296-22-260	AMD	91-07-008
275-36-260	REP-P	91-10-035	296-21-013	AMD-W	91-02-114	296-22-265	AMD	91-07-008
275-36-270	REP-P	91-10-035	296-21-013	AMD	91-07-008	296-22-270	AMD	91-07-008
275-36-275	REP-P	91-10-035	296-21-015	AMD	91-07-008	296-22-275	AMD	91-07-008
275-36-280	REP-P	91-10-035	296-21-027	AMD	91-07-008	296-22-280	AMD	91-07-008
275-36-285	REP-P	91-10-035	296-21-047	AMD	91-07-008	296-22-285	AMD	91-07-008
275-36-290	REP-P	91-10-035	296-21-050	AMD	91-07-008	296-22-290	AMD	91-07-008
275-36-295	REP-P	91-10-035	296-21-0501	AMD	91-07-008	296-22-295	AMD	91-07-008
275-36-300	REP-P	91-10-035	296-21-066	AMD	91-07-008	296-22-300	AMD	91-07-008
275-36-305	REP-P	91-10-035	296-21-075	AMD	91-07-008	296-22-305	AMD	91-07-008
275-36-310	REP-P	91-10-035	296-21-086	AMD	91-07-008	296-22-307	AMD	91-07-008
275-38-001	AMD-P	91-10-035	296-22-020	AMD	91-07-008	296-22-310	AMD	91-07-008
275-38-003	NEW-P	91-10-035	296-22-021	AMD	91-07-008	296-22-315	AMD	91-07-008
275-38-005	AMD-P	91-10-035	296-22-022	AMD	91-07-008	296-22-325	AMD	91-07-008
275-38-007	REP-P	91-10-035	296-22-023	AMD	91-07-008	296-22-330	AMD	91-07-008
275-38-027	NEW-P	91-10-035	296-22-024	AMD	91-07-008	296-22-333	AMD	91-07-008
275-38-040	REP-P	91-10-035	296-22-025	AMD	91-07-008	296-22-337	AMD	91-07-008
275-38-045	AMD-P	91-10-035	296-22-026	AMD	91-07-008	296-22-340	AMD	91-07-008
275-38-050	AMD-P	91-10-035	296-22-027	AMD	91-07-008	296-22-350	AMD	91-07-008
275-38-055	AMD-P	91-10-035	296-22-030	AMD	91-07-008	296-22-355	AMD	91-07-008
275-38-060	AMD-P	91-10-035	296-22-031	AMD	91-07-008	296-22-365	AMD	91-07-008
275-38-065	AMD-P	91-10-035	296-22-036	AMD	91-07-008	296-22-370	AMD	91-07-008
275-38-075	AMD-P	91-10-035	296-22-037	AMD	91-07-008	296-22-375	AMD	91-07-008
275-38-090	NEW-P	91-10-035	296-22-038	AMD	91-07-008	296-22-405	AMD	91-07-008
275-41-005	NEW-P	91-10-035	296-22-039	AMD	91-07-008	296-22-410	AMD	91-07-008
275-41-010	NEW-P	91-10-035	296-22-040	AMD	91-07-008	296-22-413	AMD	91-07-008
275-41-015	NEW-P	91-10-035	296-22-042	AMD	91-07-008	296-22-415	AMD	91-07-008
275-41-020	NEW-P	91-10-035	296-22-051	AMD	91-07-008	296-22-420	AMD	91-07-008
275-41-025	NEW-P	91-10-035	296-22-052	AMD	91-07-008	296-22-425	AMD	91-07-008
284-14-010	REP-P	91-04-057	296-22-053	AMD-W	91-02-114	296-22-427	AMD	91-07-008

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
296-22-430	AMD	91-07-008	296-24-11011	AMD-P	91-04-077	296-81-090	REP-P	91-10-091
296-22-435	AMD	91-07-008	296-24-11011	AMD	91-11-070	296-81-100	REP-P	91-10-091
296-22-440	AMD	91-07-008	296-24-11013	AMD-P	91-04-077	296-81-110	REP-P	91-10-091
296-22-445	AMD	91-07-008	296-24-11013	AMD	91-11-070	296-81-120	REP-P	91-10-091
296-22-450	AMD	91-07-008	296-24-11015	AMD-P	91-04-077	296-81-130	REP-P	91-10-091
296-22-455	AMD	91-07-008	296-24-11015	AMD	91-11-070	296-81-140	REP-P	91-10-091
296-22-465	AMD	91-07-008	296-24-11017	AMD-P	91-04-077	296-81-150	REP-P	91-10-091
296-22-470	AMD	91-07-008	296-24-11017	AMD	91-11-070	296-81-160	REP-P	91-10-091
296-22-475	AMD	91-07-008	296-24-119	AMD-P	91-04-077	296-81-170	REP-P	91-10-091
296-23-015	AMD	91-07-008	296-24-119	AMD	91-11-070	296-81-180	REP-P	91-10-091
296-23-020	AMD	91-07-008	296-24-12002	AMD-P	91-04-077	296-81-190	REP-P	91-10-091
296-23-025	AMD	91-07-008	296-24-12002	AMD	91-11-070	296-81-220	REP-P	91-10-091
296-23-030	AMD	91-07-008	296-24-150	AMD	91-03-044	296-81-240	AMD-P	91-10-091
296-23-035	AMD	91-07-008	296-24-15001	AMD	91-03-044	296-81-260	REP-P	91-10-091
296-23-040	AMD	91-07-008	296-24-15003	AMD	91-03-044	296-81-270	REP-P	91-10-091
296-23-045	AMD	91-07-008	296-24-16531	AMD	91-03-044	296-81-275	AMD-P	91-10-091
296-23-050	AMD	91-07-008	296-24-19505	AMD	91-03-044	296-81-280	NEW-P	91-10-091
296-23-055	AMD	91-07-008	296-24-19509	AMD	91-03-044	296-81-290	NEW-P	91-10-091
296-23-065	AMD	91-07-008	296-24-200	AMD	91-03-044	296-81-370	AMD-P	91-10-091
296-23-079	AMD	91-07-008	296-24-23023	AMD	91-03-044	296-95-101	NEW-P	91-10-091
296-23-07902	AMD	91-07-008	296-24-23027	AMD	91-03-044	296-95-110	NEW-P	91-10-091
296-23-07903	AMD	91-07-008	296-24-233	AMD-C	91-03-043	296-95-111	NEW-P	91-10-091
296-23-07905	AMD	91-07-008	296-24-233	AMD-W	91-09-004	296-95-113	NEW-P	91-10-091
296-23-07906	AMD	91-07-008	296-24-23303	NEW-C	91-03-043	296-95-115	NEW-P	91-10-091
296-23-07907	AMD-W	91-02-114	296-24-23303	NEW-W	91-09-004	296-95-116	NEW-P	91-10-091
296-23-07907	AMD	91-07-008	296-24-23533	NEW	91-03-044	296-95-120	NEW-P	91-10-091
296-23-07908	AMD	91-07-008	296-24-450	AMD	91-03-044	296-95-121	NEW-P	91-10-091
296-23-080	AMD	91-07-008	296-24-68203	AMD	91-03-044	296-95-122	NEW-P	91-10-091
296-23-125	AMD	91-07-008	296-24-75009	AMD	91-03-044	296-95-123	NEW-P	91-10-091
296-23-130	AMD	91-07-008	296-24-75011	AMD	91-03-044	296-95-124	NEW-P	91-10-091
296-23-204	AMD	91-07-008	296-24-76555	AMD	91-03-044	296-95-125	NEW-P	91-10-091
296-23-208	AMD	91-07-008	296-24-87035	NEW	91-03-044	296-95-126	NEW-P	91-10-091
296-23-212	AMD	91-07-008	296-24-95611	AMD	91-03-044	296-95-130	NEW-P	91-10-091
296-23-216	AMD	91-07-008	296-30-190	NEW-W	91-04-027	296-95-131	NEW-P	91-10-091
296-23-221	AMD	91-07-008	296-52-417	AMD	91-03-044	296-95-132	NEW-P	91-10-091
296-23-224	AMD	91-07-008	296-52-465	AMD	91-03-044	296-95-133	NEW-P	91-10-091
296-23-228	AMD	91-07-008	296-52-489	AMD	91-03-044	296-95-140	NEW-P	91-10-091
296-23-231	AMD	91-07-008	296-52-493	AMD	91-03-044	296-95-150	NEW-P	91-10-091
296-23-232	AMD	91-07-008	296-52-497	AMD	91-03-044	296-95-151	NEW-P	91-10-091
296-23-50002	AMD	91-07-008	296-56-60073	AMD-P	91-04-077	296-95-152	NEW-P	91-10-091
296-23A-240	AMD	91-07-008	296-56-60073	AMD	91-11-070	296-95-153	NEW-P	91-10-091
296-23A-242	AMD	91-07-008	296-56-60229	AMD-P	91-04-077	296-95-154	NEW-P	91-10-091
296-23A-244	AMD	91-07-008	296-56-60229	AMD	91-11-070	296-95-155	NEW-P	91-10-091
296-23A-246	AMD	91-07-008	296-62-07314	AMD	91-03-044	296-95-156	NEW-P	91-10-091
296-23A-248	AMD	91-07-008	296-62-07329	AMD	91-03-044	296-95-157	NEW-P	91-10-091
296-23A-250	AMD	91-07-008	296-62-07515	AMD-P	91-04-077	296-95-158	NEW-P	91-10-091
296-23A-252	AMD	91-07-008	296-62-07515	AMD	91-11-070	296-95-160	NEW-P	91-10-091
296-23A-254	AMD	91-07-008	296-62-07540	AMD-P	91-04-077	296-95-161	NEW-P	91-10-091
296-23A-256	AMD	91-07-008	296-62-07540	AMD	91-11-070	296-95-162	NEW-P	91-10-091
296-23A-258	AMD	91-07-008	296-62-07544	AMD-P	91-04-077	296-95-163	NEW-P	91-10-091
296-23A-260	AMD	91-07-008	296-62-07544	AMD	91-11-070	296-95-165	NEW-P	91-10-091
296-23A-262	AMD	91-07-008	296-62-07715	AMD	91-03-044	296-95-166	NEW-P	91-10-091
296-23A-264	AMD	91-07-008	296-62-07719	AMD	91-03-044	296-95-200	NEW-P	91-10-091
296-23A-266	AMD	91-07-008	296-62-07721	AMD	91-03-044	296-95-203	NEW-P	91-10-091
296-23A-268	AMD	91-07-008	296-62-07725	AMD	91-03-044	296-95-205	NEW-P	91-10-091
296-23A-325	AMD	91-07-008	296-62-07731	AMD	91-03-044	296-95-206	NEW-P	91-10-091
296-23A-330	AMD	91-07-008	296-62-07733	AMD	91-03-044	296-95-207	NEW-P	91-10-091
296-23A-335	AMD	91-07-008	296-62-07755	NEW	91-03-044	296-95-208	NEW-P	91-10-091
296-23A-340	AMD-W	91-02-114	296-62-09007	AMD-P	91-04-077	296-95-209	NEW-P	91-10-091
296-23A-340	AMD	91-07-008	296-62-09007	AMD	91-11-070	296-95-215	NEW-P	91-10-091
296-23A-345	AMD	91-07-008	296-62-11011	AMD-P	91-04-077	296-95-216	NEW-P	91-10-091
296-23A-350	AMD	91-07-008	296-62-11011	AMD	91-11-070	296-95-220	NEW-P	91-10-091
296-23A-355	AMD	91-07-008	296-62-14503	AMD-P	91-04-077	296-95-221	NEW-P	91-10-091
296-23A-360	AMD	91-07-008	296-62-14503	AMD	91-11-070	296-95-222	NEW-P	91-10-091
296-24-020	AMD	91-03-044	296-62-3050	AMD-P	91-04-077	296-95-225	NEW-P	91-10-091
296-24-065	AMD	91-03-044	296-62-3050	AMD	91-11-070	296-95-226	NEW-P	91-10-091
296-24-084	AMD	91-03-044	296-62-3090	AMD-P	91-04-077	296-95-227	NEW-P	91-10-091
296-24-11001	AMD-P	91-04-077	296-62-3090	AMD	91-11-070	296-95-228	NEW-P	91-10-091
296-24-11001	AMD	91-11-070	296-81-008	AMD-P	91-10-091	296-95-229	NEW-P	91-10-091
296-24-11003	AMD-P	91-04-077	296-81-010	REP-P	91-10-091	296-95-235	NEW-P	91-10-091
296-24-11003	AMD	91-11-070	296-81-020	REP-P	91-10-091	296-95-236	NEW-P	91-10-091
296-24-11005	AMD-P	91-04-077	296-81-030	REP-P	91-10-091	296-95-240	NEW-P	91-10-091
296-24-11005	AMD	91-11-070	296-81-040	REP-P	91-10-091	296-95-241	NEW-P	91-10-091
296-24-11007	AMD-P	91-04-077	296-81-050	REP-P	91-10-091	296-95-243	NEW-P	91-10-091
296-24-11007	AMD	91-11-070	296-81-060	REP-P	91-10-091	296-95-244	NEW-P	91-10-091
296-24-11009	AMD-P	91-04-077	296-81-070	REP-P	91-10-091	296-95-245	NEW-P	91-10-091
296-24-11009	AMD	91-11-070	296-81-080	REP-P	91-10-091	296-95-250	NEW-P	91-10-091

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
296-95-255	NEW-P	91-10-091	296-95-600	NEW-P	91-10-091	296-155-625	AMD	91-03-044
296-95-256	NEW-P	91-10-091	296-95-610	NEW-P	91-10-091	296-155-650	AMD	91-03-044
296-95-260	NEW-P	91-10-091	296-95-620	NEW-P	91-10-091	296-155-655	AMD	91-03-044
296-95-261	NEW-P	91-10-091	296-95-630	NEW-P	91-10-091	296-155-65505	REP	91-03-044
296-95-262	NEW-P	91-10-091	296-95-700	NEW-P	91-10-091	296-155-657	NEW	91-03-044
296-95-264	NEW-P	91-10-091	296-95-710	NEW-P	91-10-091	296-155-660	REP	91-03-044
296-95-266	NEW-P	91-10-091	296-95-800	NEW-P	91-10-091	296-155-66005	REP	91-03-044
296-95-268	NEW-P	91-10-091	296-95-810	NEW-P	91-10-091	296-155-66103	NEW	91-03-044
296-95-269	NEW-P	91-10-091	296-99-050	AMD-P	91-04-077	296-155-66105	NEW	91-03-044
296-95-270	NEW-P	91-10-091	296-99-050	AMD	91-11-070	296-155-66109	NEW	91-03-044
296-95-272	NEW-P	91-10-091	296-104-015	AMD-P	91-09-047	296-155-664	NEW	91-03-044
296-95-274	NEW-P	91-10-091	296-104-015	AMD	91-11-107	296-155-665	REP	91-03-044
296-95-276	NEW-P	91-10-091	296-104-120	AMD-P	91-09-047	296-155-66501	REP	91-03-044
296-95-277	NEW-P	91-10-091	296-104-120	AMD	91-11-107	296-155-66502	REP	91-03-044
296-95-278	NEW-P	91-10-091	296-104-200	AMD-P	91-09-047	296-155-66503	REP	91-03-044
296-95-279	NEW-P	91-10-091	296-104-200	AMD	91-11-107	296-155-66504	REP	91-03-044
296-95-280	NEW-P	91-10-091	296-104-801	NEW-P	91-09-046	296-155-66505	REP	91-03-044
296-95-282	NEW-P	91-10-091	296-104-801	NEW	91-11-106	296-155-675	AMD-P	91-04-077
296-95-283	NEW-P	91-10-091	296-104-805	NEW-P	91-09-046	296-155-675	AMD	91-11-070
296-95-284	NEW-P	91-10-091	296-104-805	NEW	91-11-106	296-155-682	AMD	91-03-044
296-95-285	NEW-P	91-10-091	296-115-005	AMD	91-03-044	296-155-688	AMD	91-03-044
296-95-287	NEW-P	91-10-091	296-115-010	AMD	91-03-044	296-155-689	AMD	91-03-044
296-95-288	NEW-P	91-10-091	296-115-015	AMD	91-03-044	296-155-694	AMD-P	91-04-077
296-95-289	NEW-P	91-10-091	296-115-025	AMD	91-03-044	296-155-694	AMD	91-11-070
296-95-290	NEW-P	91-10-091	296-115-035	AMD	91-03-044	296-155-700	AMD	91-03-044
296-95-291	NEW-P	91-10-091	296-115-060	AMD	91-03-044	296-155-705	AMD	91-03-044
296-95-300	NEW-P	91-10-091	296-115-070	AMD	91-03-044	296-155-720	AMD	91-03-044
296-95-302	NEW-P	91-10-091	296-115-100	AMD	91-03-044	296-155-730	AMD-P	91-04-077
296-95-304	NEW-P	91-10-091	296-116-185	AMD-P	91-03-075	296-155-730	AMD	91-11-070
296-95-307	NEW-P	91-10-091	296-116-185	AMD-E	91-08-004	296-155-950	AMD	91-03-044
296-95-309	NEW-P	91-10-091	296-116-185	AMD	91-08-008	296-305-06009	AMD-P	91-04-077
296-95-311	NEW-P	91-10-091	296-116-300	AMD-P	91-08-003	296-305-06009	AMD	91-11-070
296-95-313	NEW-P	91-10-091	296-116-300	AMD	91-11-074	296-305-110	AMD	91-03-044
296-95-316	NEW-P	91-10-091	296-116-315	NEW	91-06-033	296-306-260	AMD-P	91-04-077
296-95-318	NEW-P	91-10-091	296-127	AMD-C	91-03-113	296-306-260	AMD	91-11-070
296-95-321	NEW-P	91-10-091	296-127-010	AMD-W	91-10-092	296-306-265	AMD-P	91-04-077
296-95-322	NEW-P	91-10-091	296-127-011	AMD-W	91-10-092	296-306-265	AMD	91-11-070
296-95-323	NEW-P	91-10-091	296-127-013	AMD-W	91-10-092	296-306-27095	AMD-P	91-04-077
296-95-324	NEW-P	91-10-091	296-127-014	AMD-W	91-10-092	296-306-27095	AMD	91-11-070
296-95-325	NEW-P	91-10-091	296-127-015	AMD-W	91-10-092	296-306-310	AMD-P	91-04-077
296-95-326	NEW-P	91-10-091	296-127-016	REP-W	91-10-092	296-306-310	AMD	91-11-070
296-95-328	NEW-P	91-10-091	296-127-017	AMD-W	91-10-092	296-306-320	AMD-P	91-04-077
296-95-330	NEW-P	91-10-091	296-127-018	NEW-W	91-10-092	296-306-320	AMD	91-11-070
296-95-332	NEW-P	91-10-091	296-127-019	AMD-W	91-10-092	308-10-067	NEW-P	91-07-028
296-95-334	NEW-P	91-10-091	296-127-020	AMD-W	91-10-092	308-12-115	AMD-P	91-06-012
296-95-336	NEW-P	91-10-091	296-127-025	AMD-W	91-10-092	308-12-115	AMD-P	91-09-041
296-95-338	NEW-P	91-10-091	296-127-990	NEW-W	91-10-092	308-12-326	AMD-P	91-09-020
296-95-340	NEW-P	91-10-091	296-155-205	AMD-P	91-04-077	308-14-135	NEW-W	91-03-065
296-95-342	NEW-P	91-10-091	296-155-205	AMD	91-11-070	308-20-010	AMD-P	91-05-080
296-95-344	NEW-P	91-10-091	296-155-225	REP	91-03-044	308-20-010	AMD	91-11-042
296-95-400	NEW-P	91-10-091	296-155-230	REP	91-03-044	308-20-020	AMD-P	91-05-080
296-95-405	NEW-P	91-10-091	296-155-24501	NEW	91-03-044	308-20-020	AMD	91-11-042
296-95-408	NEW-P	91-10-091	296-155-24503	NEW	91-03-044	308-20-030	AMD-P	91-05-080
296-95-410	NEW-P	91-10-091	296-155-24505	NEW	91-03-044	308-20-030	AMD	91-11-042
296-95-412	NEW-P	91-10-091	296-155-24510	NEW	91-03-044	308-20-040	AMD-P	91-05-080
296-95-414	NEW-P	91-10-091	296-155-24515	NEW	91-03-044	308-20-040	AMD	91-11-042
296-95-416	NEW-P	91-10-091	296-155-24520	NEW	91-03-044	308-20-050	AMD-P	91-05-080
296-95-418	NEW-P	91-10-091	296-155-24521	NEW	91-03-044	308-20-050	AMD	91-11-042
296-95-420	NEW-P	91-10-091	296-155-24525	NEW	91-03-044	308-20-070	AMD-P	91-05-080
296-95-422	NEW-P	91-10-091	296-155-363	AMD-P	91-04-077	308-20-070	AMD	91-11-042
296-95-424	NEW-P	91-10-091	296-155-363	AMD	91-11-070	308-20-080	AMD-P	91-05-080
296-95-427	NEW-P	91-10-091	296-155-36313	AMD-P	91-04-077	308-20-080	AMD	91-11-042
296-95-429	NEW-P	91-10-091	296-155-36313	AMD	91-11-070	308-20-090	AMD-P	91-05-080
296-95-431	NEW-P	91-10-091	296-155-375	AMD-P	91-04-077	308-20-090	AMD	91-11-042
296-95-432	NEW-P	91-10-091	296-155-375	AMD	91-11-070	308-20-095	NEW-P	91-05-080
296-95-434	NEW-P	91-10-091	296-155-480	AMD	91-03-044	308-20-095	NEW	91-11-042
296-95-436	NEW-P	91-10-091	296-155-485	AMD	91-03-044	308-20-105	AMD-P	91-05-080
296-95-438	NEW-P	91-10-091	296-155-48529	AMD	91-03-044	308-20-105	AMD	91-11-042
296-95-440	NEW-P	91-10-091	296-155-48531	AMD	91-03-044	308-20-110	AMD-P	91-05-080
296-95-442	NEW-P	91-10-091	296-155-48533	AMD	91-03-044	308-20-110	AMD	91-11-042
296-95-444	NEW-P	91-10-091	296-155-500	AMD	91-03-044	308-20-140	AMD-P	91-05-080
296-95-446	NEW-P	91-10-091	296-155-505	AMD	91-03-044	308-20-140	AMD	91-11-042
296-95-448	NEW-P	91-10-091	296-155-50501	REP	91-03-044	308-20-175	NEW-P	91-05-080
296-95-450	NEW-P	91-10-091	296-155-50503	AMD	91-03-044	308-20-175	NEW	91-11-042
296-95-500	NEW-P	91-10-091	296-155-525	AMD	91-03-044	308-31-001	DECOD	91-03-095
296-95-510	NEW-P	91-10-091	296-155-530	AMD	91-03-044	308-31-010	DECOD	91-03-095
296-95-540	NEW-P	91-10-091	296-155-620	AMD	91-03-044	308-31-010	AMD-P	91-05-089



**Table of WAC Sections Affected**

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
308-53-165	DECOD	91-06-025	308-58-010	AMD	91-04-025	308-120-525	DECOD	91-07-049
308-53-170	DECOD	91-06-025	308-58-020	AMD	91-04-025	308-120-530	DECOD	91-07-049
308-53-175	DECOD	91-06-025	308-66-152	AMD	91-03-019	308-120-535	DECOD	91-07-049
308-53-180	DECOD	91-06-025	308-66-156	NEW	91-03-092	308-120-540	DECOD	91-07-049
308-53-200	DECOD	91-06-025	308-77-080	REP	91-03-018	308-120-545	DECOD	91-07-049
308-53-205	DECOD	91-06-025	308-77-100	AMD	91-03-018	308-120-550	DECOD	91-07-049
308-53-210	DECOD	91-06-025	308-77-250	AMD	91-03-017	308-120-555	DECOD	91-07-049
308-53-215	DECOD	91-06-025	308-91-030	AMD-E	91-02-109	308-120-560	DECOD	91-07-049
308-53-220	DECOD	91-06-025	308-91-030	AMD-P	91-02-110	308-120-565	DECOD	91-07-049
308-53-230	DECOD	91-06-025	308-91-030	AMD	91-06-093	308-120-565	AMD	91-07-067
308-53-235	DECOD	91-06-025	308-91-090	AMD-E	91-02-109	308-120-570	DECOD	91-07-049
308-53-240	DECOD	91-06-025	308-91-090	AMD-P	91-02-110	308-120-575	DECOD	91-07-049
308-53-245	DECOD	91-06-025	308-91-090	AMD	91-06-093	308-120-610	AMD	91-07-032
308-53-250	DECOD	91-06-025	308-91-095	NEW-E	91-02-109	308-120-620	DECOD	91-07-049
308-53-260	DECOD	91-06-025	308-91-095	NEW-P	91-02-110	308-120-700	DECOD	91-07-049
308-53-265	DECOD	91-06-025	308-91-095	NEW	91-06-093	308-120-710	DECOD	91-07-049
308-53-270	DECOD	91-06-025	308-91-150	AMD-E	91-02-109	308-120-720	DECOD	91-07-049
308-53-275	DECOD	91-06-025	308-91-150	AMD-P	91-02-110	308-120-730	DECOD	91-07-049
308-53-280	DECOD	91-06-025	308-91-150	AMD	91-06-093	308-120-740	DECOD	91-07-049
308-53-320	DECOD	91-06-025	308-93-670	NEW	91-03-089	308-120-750	DECOD	91-07-049
308-53-330	DECOD	91-06-025	308-94-035	AMD-P	91-03-142	308-120-760	DECOD	91-07-049
308-53-340	DECOD	91-06-025	308-94-035	AMD	91-09-001	308-120-770	DECOD	91-07-049
308-53-350	DECOD	91-06-025	308-96A-005	AMD-P	91-11-084	308-120-780	DECOD	91-07-049
308-53-400	DECOD	91-06-025	308-96A-046	AMD	91-04-025	308-120-800	DECOD	91-07-049
308-54-010	DECOD	91-06-060	308-96A-056	AMD	91-04-025	308-120-810	DECOD	91-07-049
308-54-020	DECOD	91-06-060	308-96A-057	NEW-P	91-11-084	308-121-110	DECOD	91-07-049
308-54-030	DECOD	91-06-060	308-96A-065	AMD-P	91-11-084	308-121-120	DECOD	91-07-049
308-54-040	DECOD	91-06-060	308-96A-070	AMD	91-04-025	308-121-130	DECOD	91-07-049
308-54-050	DECOD	91-06-060	308-96A-071	NEW-P	91-11-084	308-121-140	DECOD	91-07-049
308-54-060	DECOD	91-06-060	308-96A-073	NEW	91-04-025	308-121-145	DECOD	91-07-049
308-54-070	DECOD	91-06-060	308-96A-074	NEW	91-04-025	308-121-150	DECOD	91-07-049
308-54-080	DECOD	91-06-060	308-96A-075	AMD	91-04-025	308-121-155	DECOD	91-07-049
308-54-090	DECOD	91-06-060	308-96A-161	NEW-P	91-11-084	308-121-160	DECOD	91-07-049
308-54-095	DECOD	91-06-060	308-96A-162	NEW-P	91-11-084	308-121-165	DECOD	91-07-049
308-54-100	DECOD	91-06-060	308-96A-345	AMD	91-04-024	308-121-170	DECOD	91-07-049
308-54-110	DECOD	91-06-060	308-96A-350	AMD	91-04-024	308-121-175	DECOD	91-07-049
308-54-120	DECOD	91-06-060	308-96A-380	AMD	91-04-024	308-121-180	DECOD	91-07-049
308-54-125	DECOD	91-06-060	308-96A-505	NEW	91-03-091	308-122-001	DECOD	91-04-020
308-54-130	DECOD	91-06-060	308-96A-510	NEW	91-03-091	308-122-005	DECOD	91-04-020
308-54-150	DECOD	91-06-060	308-96A-520	NEW	91-03-091	308-122-006	DECOD	91-04-020
308-54-155	DECOD	91-06-060	308-96A-530	NEW	91-03-091	308-122-060	DECOD	91-04-020
308-54-160	DECOD	91-06-060	308-96A-540	NEW	91-03-091	308-122-200	DECOD	91-04-020
308-54-162	DECOD	91-06-060	308-96A-550	NEW	91-03-091	308-122-200	AMD	91-04-021
308-54-170	DECOD	91-06-060	308-96A-560	NEW	91-03-091	308-122-211	DECOD	91-04-020
308-54-180	DECOD	91-06-060	308-120-100	DECOD	91-07-049	308-122-215	DECOD	91-04-020
308-54-200	DECOD	91-06-060	308-120-100	AMD	91-07-067	308-122-220	DECOD	91-04-020
308-54-205	DECOD	91-06-060	308-120-161	DECOD	91-07-049	308-122-225	DECOD	91-04-020
308-54-220	DECOD	91-06-060	308-120-162	DECOD	91-07-049	308-122-230	DECOD	91-04-020
308-54-225	DECOD	91-06-060	308-120-163	DECOD	91-07-049	308-122-235	DECOD	91-04-020
308-54-230	DECOD	91-06-060	308-120-164	DECOD	91-07-049	308-122-275	DECOD	91-05-028
308-54-240	DECOD	91-06-060	308-120-165	DECOD	91-07-049	308-122-280	DECOD	91-04-020
308-54-250	DECOD	91-06-060	308-120-166	DECOD	91-07-049	308-122-350	DECOD	91-04-020
308-54-315	AMD-P	91-05-025	308-120-168	AMD	91-07-032	308-122-360	DECOD	91-04-020
308-54-315	DECOD	91-06-058	308-120-168	DECOD	91-07-049	308-122-360	AMD	91-04-021
308-54-320	DECOD	91-06-060	308-120-170	DECOD	91-07-049	308-122-370	DECOD	91-04-020
308-56A-090	NEW	91-03-088	308-120-180	DECOD	91-07-049	308-122-380	REP	91-04-021
308-56A-120	REP-P	91-11-084	308-120-185	DECOD	91-07-049	308-122-390	REP	91-04-021
308-56A-150	AMD	91-04-024	308-120-186	DECOD	91-07-049	308-122-400	REP	91-04-021
308-56A-460	AMD	91-04-025	308-120-270	DECOD	91-07-049	308-122-410	REP	91-04-021
308-57-005	NEW	91-04-026	308-120-275	DECOD	91-07-048	308-122-420	REP	91-04-021
308-57-010	NEW	91-04-026	308-120-300	DECOD	91-07-049	308-122-430	DECOD	91-04-020
308-57-020	NEW	91-04-026	308-120-305	DECOD	91-07-049	308-122-440	DECOD	91-04-020
308-57-030	NEW	91-04-026	308-120-315	DECOD	91-07-049	308-122-450	DECOD	91-04-020
308-57-110	NEW	91-04-026	308-120-325	DECOD	91-07-049	308-122-500	REP	91-04-021
308-57-120	NEW	91-04-026	308-120-335	DECOD	91-07-049	308-122-505	DECOD	91-04-020
308-57-130	NEW	91-04-026	308-120-338	DECOD	91-07-049	308-122-510	DECOD	91-04-020
308-57-140	NEW	91-04-026	308-120-345	DECOD	91-07-049	308-122-515	DECOD	91-04-020
308-57-210	NEW	91-04-026	308-120-360	DECOD	91-07-049	308-122-515	AMD	91-04-021
308-57-220	NEW	91-04-026	308-120-365	REP	91-07-049	308-122-520	DECOD	91-04-020
308-57-230	NEW	91-04-026	308-120-400	DECOD	91-07-049	308-122-520	AMD	91-04-021
308-57-240	NEW	91-04-026	308-120-410	DECOD	91-07-049	308-122-525	DECOD	91-04-020
308-57-310	NEW	91-04-026	308-120-420	DECOD	91-07-049	308-122-530	DECOD	91-04-020
308-57-320	NEW	91-04-026	308-120-430	DECOD	91-07-049	308-122-535	DECOD	91-04-020
308-57-410	NEW	91-04-026	308-120-440	DECOD	91-07-049	308-122-540	DECOD	91-04-020
308-57-420	NEW	91-04-026	308-120-450	DECOD	91-07-049	308-122-545	DECOD	91-04-020
308-57-430	NEW	91-04-026	308-120-505	DECOD	91-07-049	308-122-600	DECOD	91-04-020
308-57-440	NEW	91-04-026	308-120-506	DECOD	91-07-049	308-122-610	DECOD	91-04-020

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
308-122-620	DECOD	91-04-020	308-173-220	DECOD	91-07-049	315-11-382	REP	91-03-034
308-122-630	DECOD	91-04-020	308-173-230	DECOD	91-07-049	315-11-390	REP	91-03-034
308-122-640	DECOD	91-04-020	308-173-240	DECOD	91-07-049	315-11-391	REP	91-03-034
308-122-650	DECOD	91-04-020	308-173-245	DECOD	91-07-049	315-11-392	REP	91-03-034
308-122-660	DECOD	91-04-020	308-173-250	DECOD	91-07-049	315-11-590	AMD	91-03-036
308-122-660	AMD	91-04-021	308-173-255	DECOD	91-07-049	315-11-591	AMD	91-03-036
308-122-670	DECOD	91-04-020	308-173-260	DECOD	91-07-049	315-11-610	NEW	91-03-036
308-122-670	AMD	91-04-021	308-173-265	DECOD	91-07-049	315-11-611	NEW	91-03-036
308-122-680	DECOD	91-04-020	308-173-270	DECOD	91-07-049	315-11-611	AMD-P	91-03-112
308-122-690	DECOD	91-04-020	308-173-275	DECOD	91-07-049	315-11-611	AMD	91-06-074
308-122-695	DECOD	91-04-020	308-173-280	DECOD	91-07-049	315-11-612	NEW	91-03-036
308-122-700	DECOD	91-04-020	314-16-125	AMD-P	91-05-085	315-11-620	NEW-P	91-03-112
308-122-710	DECOD	91-04-020	314-16-125	AMD-C	91-09-005	315-11-620	NEW	91-06-074
308-122-720	DECOD	91-04-020	314-16-125	AMD-W	91-10-045	315-11-621	NEW-P	91-03-112
308-124A-430	AMD-P	91-03-047	314-20-020	AMD-P	91-05-086	315-11-621	NEW	91-06-074
308-124A-430	AMD	91-07-029	314-20-020	AMD	91-08-022	315-11-622	NEW-P	91-03-112
308-124E-012	AMD-P	91-09-013	314-52-015	AMD-C	91-03-007	315-11-622	NEW	91-06-074
308-124H-010	AMD-P	91-03-047	314-52-015	AMD-W	91-04-085	315-11-630	NEW-P	91-03-112
308-124H-010	AMD	91-07-029	315-04-205	NEW-P	91-07-070	315-11-630	NEW	91-06-074
308-124H-025	AMD-P	91-03-047	315-04-205	NEW	91-11-033	315-11-631	NEW-P	91-03-112
308-124H-025	AMD	91-07-029	315-06-120	AMD	91-03-036	315-11-631	NEW	91-06-074
308-124H-520	AMD-P	91-09-065	315-11-200	REP	91-03-034	315-11-632	NEW-P	91-03-112
308-124H-540	AMD-P	91-03-047	315-11-201	REP	91-03-034	315-11-632	NEW	91-06-074
308-124H-540	AMD	91-07-029	315-11-202	REP	91-03-034	315-11-640	NEW-P	91-07-070
308-124H-800	NEW-P	91-09-013	315-11-210	REP	91-03-034	315-11-640	NEW	91-11-033
308-125-010	NEW	91-04-074	315-11-211	REP	91-03-034	315-11-641	NEW-P	91-07-070
308-125-020	NEW	91-04-074	315-11-212	REP	91-03-034	315-11-641	NEW	91-11-033
308-125-030	NEW	91-04-074	315-11-220	REP	91-03-034	315-11-642	NEW-P	91-07-070
308-125-040	NEW	91-04-074	315-11-221	REP	91-03-034	315-11-642	NEW	91-11-033
308-125-050	NEW	91-04-074	315-11-222	REP	91-03-034	315-11-650	NEW-P	91-07-070
308-125-060	NEW	91-04-074	315-11-230	REP	91-03-034	315-11-650	NEW	91-11-033
308-125-070	NEW	91-04-074	315-11-231	REP	91-03-034	315-11-651	NEW-P	91-07-070
308-125-080	NEW	91-04-074	315-11-232	REP	91-03-034	315-11-651	NEW	91-11-033
308-125-090	NEW	91-04-074	315-11-240	REP	91-03-034	315-11-652	NEW-P	91-07-070
308-125-100	NEW	91-04-074	315-11-241	REP	91-03-034	315-11-652	NEW	91-11-033
308-125-110	NEW	91-04-074	315-11-242	REP	91-03-034	315-11-660	NEW-P	91-07-070
308-125-120	NEW	91-04-074	315-11-250	REP	91-03-034	315-11-660	NEW	91-11-033
308-125-130	NEW	91-04-074	315-11-251	REP	91-03-034	315-11-661	NEW-P	91-07-070
308-125-140	NEW	91-04-074	315-11-252	REP	91-03-034	315-11-661	NEW	91-11-033
308-125-150	NEW	91-04-074	315-11-260	REP	91-03-034	315-11-662	NEW-P	91-07-070
308-125-160	NEW	91-04-074	315-11-261	REP	91-03-034	315-11-662	NEW	91-11-033
308-125-170	NEW	91-04-074	315-11-262	REP	91-03-034	315-12-140	REP	91-03-035
308-125-180	NEW	91-04-074	315-11-270	REP	91-03-034	315-12-145	NEW	91-03-036
308-125-190	NEW	91-04-074	315-11-271	REP	91-03-034	332-08-005	NEW-P	91-08-066
308-125-200	NEW	91-04-074	315-11-272	REP	91-03-034	332-08-010	REP-P	91-08-066
308-125-210	NEW	91-04-074	315-11-280	REP	91-03-034	332-08-015	NEW-P	91-08-066
308-128B-080	AMD-P	91-08-049	315-11-281	REP	91-03-034	332-08-020	REP-P	91-08-066
308-128B-080	AMD	91-11-066	315-11-282	REP	91-03-034	332-08-025	NEW-P	91-08-066
308-138-055	REP-P	91-03-117	315-11-290	REP	91-03-034	332-08-040	REP-P	91-08-066
308-171-001	DECOD	91-05-027	315-11-291	REP	91-03-034	332-08-050	REP-P	91-08-066
308-171-001	AMD-P	91-05-088	315-11-292	REP	91-03-034	332-08-060	REP-P	91-08-066
308-171-002	DECOD	91-05-027	315-11-300	REP	91-03-034	332-08-070	REP-P	91-08-066
308-171-003	DECOD	91-05-027	315-11-301	REP	91-03-034	332-08-080	REP-P	91-08-066
308-171-010	DECOD	91-05-027	315-11-302	REP	91-03-034	332-08-090	REP-P	91-08-066
308-171-010	AMD-P	91-05-088	315-11-310	REP	91-03-034	332-08-100	REP-P	91-08-066
308-171-020	DECOD	91-05-027	315-11-311	REP	91-03-034	332-08-105	NEW-P	91-08-066
308-171-020	AMD-P	91-05-088	315-11-312	REP	91-03-034	332-08-110	REP-P	91-08-066
308-171-040	DECOD	91-05-027	315-11-320	REP	91-03-034	332-08-115	NEW-P	91-08-066
308-171-041	DECOD	91-05-027	315-11-321	REP	91-03-034	332-08-120	REP-P	91-08-066
308-171-041	AMD-P	91-05-088	315-11-322	REP	91-03-034	332-08-125	NEW-P	91-08-066
308-171-045	DECOD	91-05-027	315-11-330	REP	91-03-034	332-08-130	REP-P	91-08-066
308-171-100	DECOD	91-05-027	315-11-331	REP	91-03-034	332-08-140	REP-P	91-08-066
308-171-101	DECOD	91-05-027	315-11-332	REP	91-03-034	332-08-150	REP-P	91-08-066
308-171-102	DECOD	91-05-027	315-11-340	REP	91-03-034	332-08-160	REP-P	91-08-066
308-171-103	DECOD	91-05-027	315-11-341	REP	91-03-034	332-08-170	REP-P	91-08-066
308-171-103	AMD-P	91-05-088	315-11-342	REP	91-03-034	332-08-180	REP-P	91-08-066
308-171-104	DECOD	91-05-027	315-11-350	REP	91-03-034	332-08-190	REP-P	91-08-066
308-171-200	DECOD	91-05-027	315-11-351	REP	91-03-034	332-08-200	REP-P	91-08-066
308-171-201	DECOD	91-05-027	315-11-352	REP	91-03-034	332-08-210	REP-P	91-08-066
308-171-202	DECOD	91-05-027	315-11-360	REP	91-03-034	332-08-220	REP-P	91-08-066
308-171-300	DECOD	91-05-027	315-11-361	REP	91-03-034	332-08-230	REP-P	91-08-066
308-171-301	DECOD	91-05-027	315-11-362	REP	91-03-034	332-08-240	REP-P	91-08-066
308-171-302	DECOD	91-05-027	315-11-370	REP	91-03-034	332-08-250	REP-P	91-08-066
308-171-310	DECOD	91-05-030	315-11-371	REP	91-03-034	332-08-260	REP-P	91-08-066
308-171-320	DECOD	91-05-027	315-11-372	REP	91-03-034	332-08-270	REP-P	91-08-066
308-171-330	DECOD	91-05-027	315-11-380	REP	91-03-034	332-08-280	REP-P	91-08-066
308-173-210	DECOD	91-07-049	315-11-381	REP	91-03-034	332-08-290	REP-P	91-08-066

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
332-08-300	REP-P	91-08-066	352-75-020	AMD-P	91-11-058	360-46	DECOD-W	91-06-037
332-08-305	NEW-P	91-08-066	352-75-030	AMD-P	91-11-058	360-47	DECOD-W	91-06-037
332-08-310	REP-P	91-08-066	352-75-040	AMD-P	91-11-058	360-48	DECOD-W	91-06-037
332-08-315	NEW-P	91-08-066	352-75-050	AMD-P	91-11-058	360-49	DECOD-W	91-06-037
332-08-320	REP-P	91-08-066	352-75-060	AMD-P	91-11-058	360-49-050	NEW-P	91-05-090
332-08-330	REP-P	91-08-066	352-75-070	AMD-P	91-11-058	360-52	DECOD-W	91-06-037
332-08-340	REP-P	91-08-066	352-75-080	AMD-P	91-11-058	360-52-120	NEW-P	91-05-092
332-08-350	REP-P	91-08-066	352-75-090	AMD-P	91-11-058	360-52-120	NEW	91-11-040
332-08-360	REP-P	91-08-066	356-06-040	AMD-C	91-03-068	360-54	DECOD-W	91-06-037
332-08-370	REP-P	91-08-066	356-06-040	AMD-W	91-05-081	360-60	DECOD-W	91-06-037
332-08-380	REP-P	91-08-066	356-06-110	NEW-P	91-10-062	365-90-010	AMD	91-04-017
332-08-390	REP-P	91-08-066	356-10-050	AMD	91-03-070	365-90-020	AMD	91-04-017
332-08-400	REP-P	91-08-066	356-15-020	AMD-P	91-04-046	365-90-030	REP	91-04-017
332-08-405	NEW-P	91-08-066	356-15-020	AMD-C	91-07-054	365-90-040	AMD	91-04-017
332-08-410	REP-P	91-08-066	356-15-020	AMD-W	91-09-037	365-90-050	REP	91-04-017
332-08-420	REP-P	91-08-066	356-15-080	AMD	91-03-069	365-90-070	AMD	91-04-017
332-08-430	REP-P	91-08-066	356-15-130	AMD	91-05-083	365-90-080	AMD	91-04-017
332-08-440	REP-P	91-08-066	356-15-130	AMD-P	91-10-063	365-90-090	AMD	91-04-017
332-08-450	REP-P	91-08-066	356-18-112	AMD-C	91-05-082	365-190-010	NEW	91-07-041
332-08-460	REP-P	91-08-066	356-18-112	AMD	91-07-055	365-190-020	NEW	91-07-041
332-08-470	REP-P	91-08-066	356-18-230	NEW-P	91-10-066	365-190-030	NEW	91-07-041
332-08-480	REP-P	91-08-066	356-18-230	NEW-E	91-11-043	365-190-040	NEW	91-07-041
332-08-500	REP-P	91-08-066	356-22-130	AMD	91-03-071	365-190-050	NEW	91-07-041
332-08-505	NEW-P	91-08-066	356-22-230	AMD-C	91-03-068	365-190-060	NEW	91-07-041
332-08-510	REP-P	91-08-066	356-22-230	AMD-W	91-05-081	365-190-070	NEW	91-07-041
332-08-515	NEW-P	91-08-066	356-26-040	AMD-P	91-10-064	365-190-080	NEW	91-07-041
332-08-520	REP-P	91-08-066	356-30-260	AMD-C	91-05-082	371-08	AMD-C	91-03-027
332-08-525	NEW-P	91-08-066	356-30-260	AMD	91-07-055	371-08-001	NEW	91-03-028
332-08-530	REP-P	91-08-066	356-30-305	AMD-C	91-05-082	371-08-002	NEW	91-03-028
332-08-535	NEW-P	91-08-066	356-30-305	AMD	91-07-055	371-08-005	AMD	91-03-028
332-08-540	REP-P	91-08-066	356-30-320	AMD-P	91-10-065	371-08-010	AMD	91-03-028
332-08-545	NEW-P	91-08-066	360-08	DECOD-W	91-06-037	371-08-015	REP	91-03-028
332-08-550	REP-P	91-08-066	360-10	DECOD-W	91-06-037	371-08-020	AMD	91-03-028
332-08-560	REP-P	91-08-066	360-10-030	AMD-P	91-05-091	371-08-030	AMD	91-03-028
332-08-570	REP-P	91-08-066	360-10-030	AMD	91-11-041	371-08-031	REP	91-03-028
332-08-580	REP-P	91-08-066	360-10-050	AMD-P	91-05-091	371-08-032	AMD	91-03-028
332-08-590	REP-P	91-08-066	360-10-050	AMD	91-11-041	371-08-033	NEW	91-03-028
332-10-020	AMD-P	91-09-060	360-10-060	AMD-P	91-05-091	371-08-035	AMD	91-03-028
332-10-030	AMD-P	91-09-060	360-10-060	AMD	91-11-041	371-08-040	AMD	91-03-028
332-10-035	REP-P	91-09-060	360-11	DECOD-W	91-06-037	371-08-045	REP	91-03-028
332-10-040	AMD-P	91-09-060	360-12	DECOD-W	91-06-037	371-08-065	AMD	91-03-028
332-10-045	REP-P	91-09-060	360-12-128	AMD-P	91-08-078	371-08-071	AMD	91-03-028
332-10-050	AMD-P	91-09-060	360-13	DECOD-W	91-06-037	371-08-075	AMD	91-03-028
332-10-060	AMD-P	91-09-060	360-15	DECOD-W	91-06-037	371-08-080	AMD	91-03-028
332-10-070	AMD-P	91-09-060	360-16	DECOD-W	91-06-037	371-08-085	AMD	91-03-028
332-10-080	AMD-P	91-09-060	360-16A	DECOD-W	91-06-037	371-08-095	REP	91-03-028
332-10-100	AMD-P	91-09-060	360-17	DECOD-W	91-06-037	371-08-100	AMD	91-03-028
332-10-120	AMD-P	91-09-060	360-17-010	AMD-W	91-05-049	371-08-102	REP	91-03-028
332-10-130	AMD-P	91-09-060	360-17-040	AMD-W	91-05-049	371-08-104	AMD	91-03-028
332-10-135	REP-P	91-09-060	360-17-070	AMD-W	91-05-049	371-08-105	REP	91-03-028
332-10-140	AMD-P	91-09-060	360-17-075	NEW-W	91-05-049	371-08-106	NEW	91-03-028
332-10-145	NEW-P	91-09-060	360-17-095	NEW-W	91-05-049	371-08-110	REP	91-03-028
332-26-080	NEW-E	91-09-029	360-17-100	AMD-W	91-05-049	371-08-115	REP	91-03-028
332-26-081	NEW-E	91-10-067	360-18	DECOD-W	91-06-037	371-08-120	REP	91-03-028
352-12-010	AMD-P	91-03-142	360-18-020	AMD-P	91-08-078	371-08-125	AMD	91-03-028
352-12-020	AMD-P	91-03-142	360-19	DECOD-W	91-06-037	371-08-130	AMD	91-03-028
352-12-020	AMD	91-09-001	360-20	DECOD-W	91-06-037	371-08-131	REP	91-03-028
352-12-030	AMD-P	91-03-142	360-20-220	NEW-P	91-07-056	371-08-132	REP	91-03-028
352-12-030	AMD	91-09-001	360-21	DECOD-W	91-06-037	371-08-135	REP	91-03-028
352-32-010	AMD-P	91-03-142	360-23	DECOD-W	91-06-037	371-08-140	AMD	91-03-028
352-32-010	AMD	91-09-001	360-32	DECOD-W	91-06-037	371-08-144	AMD	91-03-028
352-32-035	AMD-P	91-03-142	360-33	DECOD-W	91-06-037	371-08-146	NEW	91-03-028
352-32-035	AMD	91-09-001	360-35-010	NEW	91-04-056	371-08-147	NEW	91-03-028
352-32-045	AMD-P	91-03-142	360-35-020	NEW	91-04-056	371-08-148	NEW	91-03-028
352-32-045	AMD	91-09-001	360-35-030	NEW	91-04-056	371-08-155	AMD	91-03-028
352-32-200	AMD-P	91-03-140	360-35-040	NEW	91-04-056	371-08-156	AMD	91-03-028
352-32-200	AMD	91-07-014	360-35-050	NEW	91-04-056	371-08-160	REP	91-03-028
352-32-210	AMD-P	91-03-140	360-35-060	NEW	91-04-056	371-08-162	NEW	91-03-028
352-32-210	AMD	91-07-014	360-35-070	NEW	91-04-056	371-08-163	REP	91-03-028
352-32-250	AMD-P	91-03-142	360-35-080	NEW	91-04-056	371-08-165	AMD	91-03-028
352-32-250	AMD	91-09-001	360-35-090	NEW	91-04-056	371-08-175	REP	91-03-028
352-32-252	AMD-P	91-03-142	360-35-100	NEW	91-04-056	371-08-180	AMD	91-03-028
352-32-252	AMD	91-09-001	360-35-110	NEW	91-04-056	371-08-183	AMD	91-03-028
352-32-270	AMD-P	91-03-142	360-36	DECOD-W	91-06-037	371-08-184	NEW	91-03-028
352-32-270	AMD	91-09-001	360-38	DECOD-W	91-06-037	371-08-186	AMD	91-03-028
352-75	AMD-P	91-11-058	360-40	DECOD-W	91-06-037	371-08-187	AMD	91-03-028
352-75-010	AMD-P	91-11-058	360-44	DECOD-W	91-06-037	371-08-188	AMD	91-03-028



Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
371-08-189	AMD	91-03-028	388-14-415	AMD	91-09-018
371-08-190	REP	91-03-028	388-14-435	NEW-P	91-04-002
371-08-195	AMD	91-03-028	388-14-435	NEW-E	91-04-003
371-08-196	AMD	91-03-028	388-14-435	NEW	91-09-018
371-08-200	AMD	91-03-028	388-14-440	NEW-P	91-04-002
371-08-201	REP	91-03-028	388-14-440	NEW-E	91-04-003
371-08-205	REP	91-03-028	388-14-440	NEW	91-09-018
371-08-210	REP	91-03-028	388-14-445	NEW-P	91-04-002
371-08-215	AMD	91-03-028	388-14-445	NEW-E	91-04-003
371-08-220	AMD	91-03-028	388-14-445	NEW	91-09-018
371-08-230	AMD	91-03-028	388-14-450	NEW-P	91-04-002
371-08-240	AMD	91-03-028	388-14-450	NEW-E	91-04-003
371-08-245	REP	91-03-028	388-14-450	NEW	91-09-018
371-12	REP-C	91-03-027	388-15-208	AMD-S	91-04-039
371-12-010	REP	91-03-028	388-15-208	AMD	91-08-011
371-12-020	REP	91-03-028	388-15-209	AMD-S	91-04-039
371-12-030	REP	91-03-028	388-15-209	AMD	91-08-011
371-12-040	REP	91-03-028	388-15-212	AMD-S	91-04-039
371-12-050	REP	91-03-028	388-15-212	AMD	91-08-011
371-12-060	REP	91-03-028	388-15-215	AMD-S	91-04-039
371-12-070	REP	91-03-028	388-15-215	AMD	91-08-011
371-12-080	REP	91-03-028	388-15-216	AMD-S	91-04-039
371-12-090	REP	91-03-028	388-15-216	AMD	91-08-011
371-12-100	REP	91-03-028	388-24-050	AMD-E	91-04-042
371-12-110	REP	91-03-028	388-24-050	AMD-P	91-04-043
371-12-120	REP	91-03-028	388-24-050	AMD-C	91-08-010
371-12-130	REP	91-03-028	388-24-050	AMD-W	91-08-063
374-50-010	NEW-P	91-08-033	388-24-050	AMD-P	91-09-068
374-50-020	NEW-P	91-08-033	388-24-050	AMD-E	91-09-069
374-50-030	NEW-P	91-08-033	388-28-435	AMD-P	91-10-074
374-50-040	NEW-P	91-08-033	388-28-435	AMD-E	91-10-078
374-50-050	NEW-P	91-08-033	388-28-482	AMD-P	91-10-075
374-50-060	NEW-P	91-08-033	388-28-482	AMD-E	91-10-076
374-50-070	NEW-P	91-08-033	388-28-575	AMD	91-06-007
374-50-080	NEW-P	91-08-033	388-28-575	AMD-P	91-10-072
374-50-090	NEW-P	91-08-033	388-28-575	AMD-E	91-10-077
381-10-010	NEW-P	91-10-009	388-29-125	AMD-P	91-06-041
381-10-020	NEW-P	91-10-009	388-29-125	AMD-E	91-06-045
381-10-030	NEW-P	91-10-009	388-29-125	AMD	91-10-028
381-10-040	NEW-P	91-10-009	388-33-376	AMD-P	91-07-068
381-10-050	NEW-P	91-10-009	388-33-376	AMD	91-11-020
381-10-060	NEW-P	91-10-009	388-42-150	AMD	91-06-005
381-10-070	NEW-P	91-10-009	388-44-145	AMD-C	91-03-039
381-10-080	NEW-P	91-10-009	388-44-145	AMD-C	91-04-047
381-10-090	NEW-P	91-10-009	388-44-145	AMD-C	91-06-055
381-10-100	NEW-P	91-10-009	388-44-145	AMD	91-09-070
381-10-110	NEW-P	91-10-009	388-49-020	AMD-P	91-05-074
381-10-120	NEW-P	91-10-009	388-49-020	AMD	91-10-096
381-10-130	NEW-P	91-10-009	388-49-030	AMD-P	91-11-109
381-10-140	NEW-P	91-10-009	388-49-040	AMD-P	91-11-110
381-10-150	NEW-P	91-10-009	388-49-080	AMD-P	91-09-031
381-10-160	NEW-P	91-10-009	388-49-080	AMD-E	91-09-032
381-10-170	NEW-P	91-10-009	388-49-120	AMD-P	91-11-110
381-20-010	NEW-P	91-10-009	388-49-190	AMD-P	91-05-073
381-20-020	NEW-P	91-10-009	388-49-190	AMD	91-10-098
381-20-030	NEW-P	91-10-009	388-49-310	AMD-P	91-07-069
381-20-040	NEW-P	91-10-009	388-49-310	AMD	91-11-019
381-20-050	NEW-P	91-10-009	388-49-330	AMD-P	91-05-075
381-20-060	NEW-P	91-10-009	388-49-330	AMD	91-10-099
381-20-070	NEW-P	91-10-009	388-49-410	AMD-P	91-05-071
381-20-080	NEW-P	91-10-009	388-49-410	AMD	91-10-097
381-20-090	NEW-P	91-10-009	388-49-420	AMD-P	91-05-071
381-20-100	NEW-P	91-10-009	388-49-420	AMD	91-10-097
381-20-110	NEW-P	91-10-009	388-49-470	AMD	91-06-004
381-20-120	NEW-P	91-10-009	388-49-480	AMD-P	91-05-072
381-20-130	NEW-P	91-10-009	388-49-480	AMD-W	91-10-034
381-20-140	NEW-P	91-10-009	388-49-505	AMD-P	91-04-035
388-11-220	AMD-P	91-06-040	388-49-505	AMD-E	91-04-036
388-11-220	AMD-E	91-06-048	388-49-505	AMD	91-08-013
388-11-220	AMD	91-10-027	388-49-520	AMD-P	91-09-067
388-14-275	AMD-P	91-06-097	388-49-530	AMD-P	91-09-067
388-14-275	AMD	91-10-026	388-49-535	AMD-P	91-09-067
388-14-385	AMD-P	91-04-002	388-49-600	AMD-P	91-08-064
388-14-385	AMD-E	91-04-003	388-49-600	AMD	91-11-087
388-14-385	AMD	91-09-018	388-53	AMD	91-06-006
388-14-415	AMD-P	91-04-002	388-53-010	AMD	91-06-006
388-14-415	AMD-E	91-04-003	388-53-050	AMD	91-06-006
388-76-030	AMD-P	91-05-070			
388-76-030	AMD	91-09-016			
388-76-040	AMD-P	91-05-070			
388-76-040	AMD	91-09-016			
388-76-087	AMD-P	91-05-070			
388-76-087	AMD	91-09-016			
388-77-010	AMD	91-04-041			
388-77-010	AMD	91-05-010			
388-77-010	AMD	91-05-058			
388-77-010	AMD	91-08-050			
388-77-230	REP	91-04-041			
388-77-230	REP	91-05-010			
388-77-230	REP	91-05-058			
388-77-230	REP	91-08-050			
388-77-320	AMD	91-04-041			
388-77-320	AMD	91-05-010			
388-77-320	AMD	91-05-058			
388-77-320	AMD	91-08-050			
388-77-500	AMD	91-04-041			
388-77-500	AMD	91-05-010			
388-77-500	AMD	91-05-058			
388-77-500	AMD	91-08-050			
388-77-515	AMD	91-04-041			
388-77-515	AMD	91-05-010			
388-77-515	AMD	91-05-058			
388-77-515	AMD	91-08-050			
388-77-520	AMD	91-04-041			
388-77-520	AMD	91-05-010			
388-77-520	AMD	91-05-058			
388-77-520	AMD	91-08-050			
388-77-530	REP	91-04-041			
388-77-530	REP	91-05-010			
388-77-530	REP	91-05-058			
388-77-530	REP	91-08-050			
388-77-555	AMD	91-04-041			
388-77-555	AMD	91-05-010			
388-77-555	AMD	91-05-058			
388-77-555	AMD	91-08-050			
388-77-600	AMD	91-04-041			
388-77-600	AMD	91-05-010			
388-77-600	AMD	91-05-058			
388-77-600	AMD	91-08-050			
388-77-610	AMD	91-04-041			
388-77-610	AMD	91-05-010			
388-77-610	AMD	91-05-058			
388-77-610	AMD	91-08-050			
388-77-610	AMD-P	91-10-073			
388-77-610	AMD-E	91-10-079			
388-77-615	AMD	91-04-041			
388-77-615	AMD	91-05-010			
388-77-615	AMD	91-05-058			
388-77-615	AMD	91-08-050			
388-81-030	AMD	91-07-011			
388-82-010	AMD	91-06-003			
388-82-010	AMD-E	91-11-016			
388-82-010	AMD-P	91-11-017			
388-82-140	AMD	91-07-011			
388-82-160	AMD-P	91-08-035			
388-82-160	AMD-E	91-08-036			
388-82-160	AMD	91-11-086			
388-83-013	AMD-P	91-06-042			
388-83-013	AMD-E	91-06-046			
388-83-013	AMD	91-10-101			
388-83-032	AMD-P	91-06-043			
388-83-032	AMD-E	91-06-047			
388-83-032	AMD	91-10-100			
388-83-033	AMD-P	91-08-034			
388-83-033	AMD-E	91-08-037			
388-83-033	AMD-E	91-10-036			
388-83-033	AMD	91-11-085			
388-83-041	NEW-P	91-05-008			
388-83-041	NEW-E	91-05-009			
388-83-041	NEW	91-09-017			
388-83-130	AMD-P	91-06-043			
388-83-130	AMD-E	91-06-047			
388-83-130	AMD	91-10-100			
388-84-105	AMD	91-05-011			



Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
388-85-115	AMD-E	91-11-016	388-155-210	NEW	91-04-048	392-115-090	NEW-P	91-03-001
388-85-115	AMD-P	91-11-017	388-155-220	NEW	91-04-048	392-115-090	NEW	91-07-007
388-86-00901	AMD-P	91-04-040	388-155-230	NEW	91-04-048	392-115-095	NEW-P	91-03-001
388-86-00901	AMD-E	91-04-044	388-155-240	NEW	91-04-048	392-115-095	NEW	91-07-007
388-86-00901	AMD	91-08-012	388-155-250	NEW	91-04-048	392-115-100	NEW-P	91-03-001
388-87-010	AMD	91-07-011	388-155-260	NEW	91-04-048	392-115-100	NEW	91-07-007
388-87-070	AMD-P	91-06-044	388-155-270	NEW	91-04-048	392-115-105	NEW-P	91-03-001
388-87-070	AMD-E	91-06-049	388-155-280	NEW	91-04-048	392-115-105	NEW	91-07-007
388-87-070	RESCIND	91-06-056	388-155-285	NEW-W	91-11-026	392-115-110	NEW-P	91-03-001
388-87-070	AMD	91-10-025	388-155-290	NEW	91-04-048	392-115-110	NEW	91-07-007
388-87-072	AMD-P	91-06-044	388-155-295	NEW	91-04-048	392-115-115	NEW-P	91-03-001
388-87-072	AMD-E	91-06-049	388-155-310	NEW	91-04-048	392-115-115	NEW	91-07-007
388-87-072	RESCIND	91-06-056	388-155-320	NEW	91-04-048	392-115-120	NEW-P	91-03-001
388-87-072	AMD	91-10-025	388-155-330	NEW	91-04-048	392-115-120	NEW	91-07-007
388-92-045	AMD-P	91-05-008	388-155-340	NEW	91-04-048	392-115-125	NEW-P	91-03-001
388-92-045	AMD-E	91-05-009	388-155-350	NEW	91-04-048	392-115-125	NEW	91-07-007
388-92-045	AMD	91-09-017	388-155-360	NEW	91-04-048	392-115-130	NEW-P	91-03-001
388-95-320	AMD-P	91-05-034	388-155-370	NEW	91-04-048	392-115-130	NEW	91-07-007
388-95-320	AMD-E	91-05-035	388-155-380	NEW	91-04-048	392-115-135	NEW-P	91-03-001
388-95-320	AMD	91-09-019	388-155-390	NEW	91-04-048	392-115-135	NEW	91-07-007
388-95-337	AMD	91-07-011	388-155-400	NEW	91-04-048	392-115-140	NEW-P	91-03-001
388-95-360	AMD	91-07-011	388-155-410	NEW	91-04-048	392-115-140	NEW	91-07-007
388-95-380	AMD-P	91-05-008	388-155-420	NEW	91-04-048	392-115-145	NEW-P	91-03-001
388-95-380	AMD-E	91-05-009	388-155-430	NEW	91-04-048	392-115-145	NEW	91-07-007
388-95-380	AMD	91-09-017	388-155-440	NEW	91-04-048	392-115-150	NEW-P	91-03-001
388-96-221	AMD-P	91-09-066	388-155-450	NEW	91-04-048	392-115-150	NEW	91-07-007
388-96-722	AMD-P	91-09-066	388-155-460	NEW	91-04-048	392-115-155	NEW-P	91-03-001
388-96-760	AMD-P	91-09-066	388-155-470	NEW	91-04-048	392-115-155	NEW	91-07-007
388-96-901	AMD-P	91-09-066	388-155-480	NEW	91-04-048	392-117-005	NEW-P	91-09-025
388-96-904	AMD-P	91-09-066	388-155-490	NEW	91-04-048	392-117-010	NEW-P	91-09-025
388-99-020	AMD	91-07-011	388-155-500	NEW	91-04-048	392-117-015	NEW-P	91-09-025
388-99-040	AMD-P	91-05-008	390-05-210	AMD-W	91-11-104	392-117-020	NEW-P	91-09-025
388-99-040	AMD-E	91-05-009	390-05-210	AMD-P	91-11-105	392-117-025	NEW-P	91-09-025
388-99-040	AMD	91-09-017	390-16-240	NEW-P	91-10-056	392-117-030	NEW-P	91-09-025
388-150-005	AMD-P	91-03-127	390-16-308	AMD-W	91-11-104	392-117-035	NEW-P	91-09-025
388-150-005	AMD-E	91-03-128	390-16-308	AMD-P	91-11-105	392-117-040	NEW-P	91-09-025
388-150-005	AMD	91-07-013	390-16-312	NEW-W	91-11-104	392-117-045	NEW-P	91-09-025
388-150-100	AMD-P	91-03-127	390-16-312	NEW-P	91-11-105	392-117-050	NEW-P	91-09-025
388-150-100	AMD-E	91-03-128	390-20-0101	AMD-C	91-06-034	392-121-108	AMD	91-02-096
388-150-100	AMD	91-07-013	390-20-0101	AMD	91-09-021	392-121-133	AMD	91-02-096
388-150-180	AMD-P	91-03-127	390-24-031	NEW-P	91-07-027	392-121-136	AMD	91-02-096
388-150-180	AMD-E	91-03-128	390-24-031	NEW	91-10-057	392-121-182	AMD	91-02-096
388-150-180	AMD	91-07-013	392-101-015	NEW	91-02-095	392-121-184	NEW-P	91-04-088
388-150-210	AMD-P	91-03-127	392-115-005	NEW-P	91-03-001	392-121-184	NEW	91-08-038
388-150-210	AMD-E	91-03-128	392-115-005	NEW	91-07-007	392-121-265	AMD	91-02-097
388-150-210	AMD	91-07-013	392-115-010	NEW-P	91-03-001	392-121-268	AMD	91-02-097
388-150-280	AMD-P	91-03-127	392-115-010	NEW	91-07-007	392-121-269	NEW	91-02-097
388-150-280	AMD-E	91-03-128	392-115-015	NEW-P	91-03-001	392-121-270	AMD	91-02-097
388-150-280	AMD	91-07-013	392-115-015	NEW	91-07-007	392-121-272	AMD	91-02-097
388-150-280	AMD-P	91-03-127	392-115-020	NEW-P	91-03-001	392-121-280	AMD	91-02-097
388-150-390	AMD-E	91-03-128	392-115-020	NEW	91-07-007	392-121-295	AMD	91-02-097
388-150-390	AMD	91-07-013	392-115-025	NEW-P	91-03-001	392-121-297	REP	91-02-097
388-150-450	AMD-P	91-03-127	392-115-025	NEW	91-07-007	392-121-299	AMD	91-02-097
388-150-450	AMD-E	91-03-128	392-115-030	NEW-P	91-03-001	392-121-500	NEW	91-07-006
388-150-450	AMD	91-07-013	392-115-030	NEW	91-07-007	392-121-500	AMD-P	91-10-105
388-155	NEW-C	91-03-038	392-115-035	NEW-P	91-03-001	392-121-505	NEW	91-07-006
388-155-005	NEW	91-04-048	392-115-035	NEW	91-07-007	392-121-505	AMD-P	91-10-105
388-155-010	NEW	91-04-048	392-115-040	NEW-P	91-03-001	392-121-510	NEW	91-07-006
388-155-020	NEW	91-04-048	392-115-040	NEW	91-07-007	392-121-510	AMD-P	91-10-105
388-155-040	NEW	91-04-048	392-115-045	NEW-P	91-03-001	392-121-515	NEW	91-07-006
388-155-050	NEW	91-04-048	392-115-045	NEW	91-07-007	392-121-520	NEW	91-07-006
388-155-060	NEW	91-04-048	392-115-050	NEW-P	91-03-001	392-121-525	NEW	91-07-006
388-155-070	NEW	91-04-048	392-115-050	NEW	91-07-007	392-121-530	NEW	91-07-006
388-155-080	NEW	91-04-048	392-115-055	NEW-P	91-03-001	392-121-535	NEW	91-07-006
388-155-090	NEW	91-04-048	392-115-055	NEW	91-07-007	392-121-540	NEW	91-07-006
388-155-100	NEW	91-04-048	392-115-060	NEW-P	91-03-001	392-121-545	NEW	91-07-006
388-155-110	NEW	91-04-048	392-115-060	NEW	91-07-007	392-122-010	AMD	91-03-118
388-155-120	NEW	91-04-048	392-115-065	NEW-P	91-03-001	392-122-100	AMD	91-03-118
388-155-130	NEW	91-04-048	392-115-065	NEW	91-07-007	392-122-106	AMD	91-03-118
388-155-140	NEW	91-04-048	392-115-070	NEW-P	91-03-001	392-122-107	AMD	91-03-118
388-155-150	NEW	91-04-048	392-115-070	NEW	91-07-007	392-122-110	AMD	91-03-118
388-155-160	NEW	91-04-048	392-115-075	NEW-P	91-03-001	392-122-115	REP	91-03-118
388-155-165	NEW	91-04-048	392-115-075	NEW	91-07-007	392-122-120	AMD	91-03-118
388-155-170	NEW	91-04-048	392-115-080	NEW-P	91-03-001	392-122-125	REP	91-03-118
388-155-180	NEW	91-04-048	392-115-080	NEW	91-07-007	392-122-145	AMD	91-03-118
388-155-190	NEW	91-04-048	392-115-085	NEW-P	91-03-001	392-122-165	NEW	91-03-118
388-155-200	NEW	91-04-048	392-115-085	NEW	91-07-007	392-122-200	AMD	91-03-118

### Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
392-122-206	NEW	91-03-118	392-140-355	NEW	91-02-094	402-70-060	NEW-W	91-08-059
392-122-210	AMD	91-03-118	392-140-356	NEW	91-02-094	402-70-062	NEW-W	91-08-059
392-122-215	REP	91-03-118	392-140-357	NEW	91-02-094	402-70-064	NEW-W	91-08-059
392-122-230	AMD	91-03-118	392-140-358	NEW	91-02-094	402-70-066	NEW-W	91-08-059
392-122-235	AMD	91-03-118	392-140-359	NEW	91-02-094	402-70-068	NEW-W	91-08-059
392-122-240	REP	91-03-118	392-140-360	NEW	91-02-094	402-70-070	AMD-W	91-08-059
392-122-245	REP	91-03-118	392-140-361	NEW	91-02-094	402-70-077	NEW-W	91-08-059
392-122-250	REP	91-03-118	392-140-362	NEW	91-02-094	402-70-080	AMD-W	91-08-059
392-122-270	AMD	91-03-118	392-140-363	NEW	91-02-094	402-70-085	NEW-W	91-08-059
392-122-600	AMD	91-03-118	392-140-364	NEW	91-02-094	402-70-090	AMD-W	91-08-059
392-122-605	AMD	91-03-118	392-140-365	NEW	91-02-094	415-100-041	NEW	91-03-013
392-122-610	AMD	91-03-118	392-140-366	NEW	91-02-094	415-100-045	NEW	91-03-013
392-122-700	AMD	91-03-118	392-140-367	NEW	91-02-094	415-100-051	NEW	91-03-013
392-122-800	AMD	91-03-118	392-140-368	NEW	91-02-094	415-100-055	NEW	91-03-013
392-122-805	AMD	91-03-118	392-140-369	NEW	91-02-094	415-104-201	NEW	91-03-014
392-122-910	NEW	91-03-118	392-140-370	NEW	91-02-094	415-104-205	NEW	91-03-014
392-125-014	NEW-P	91-03-050	392-140-371	NEW	91-02-094	415-104-211	NEW	91-03-014
392-125-014	NEW	91-07-063	392-140-372	NEW	91-02-094	415-104-215	NEW	91-03-014
392-125-015	AMD-P	91-03-050	392-140-373	NEW	91-02-094	415-108-320	NEW	91-03-015
392-125-015	AMD	91-07-063	392-140-374	NEW	91-02-094	415-108-322	NEW	91-03-015
392-125-020	AMD-P	91-03-050	392-140-375	NEW	91-02-094	415-108-324	NEW	91-03-015
392-125-020	AMD	91-07-063	392-140-376	NEW	91-02-094	415-108-326	NEW	91-03-015
392-125-025	AMD-P	91-03-050	392-140-377	NEW	91-02-094	415-112-720	NEW	91-03-016
392-125-025	AMD	91-07-063	392-140-378	NEW	91-02-094	415-112-722	NEW	91-03-016
392-125-026	NEW-P	91-03-050	392-140-379	NEW	91-02-094	415-112-725	NEW	91-03-016
392-125-026	NEW	91-07-063	392-140-380	NEW	91-02-094	415-112-727	NEW	91-03-016
392-125-027	NEW-P	91-03-050	392-140-381	NEW	91-02-094	415-114-010	NEW-P	91-06-089
392-125-027	NEW	91-07-063	392-140-390	NEW	91-02-094	415-114-010	NEW-P	91-10-108
392-125-030	AMD-P	91-03-050	392-140-391	NEW	91-02-094	415-114-010	NEW	91-11-061
392-125-030	AMD	91-07-063	392-140-392	NEW	91-02-094	415-114-020	NEW-P	91-06-089
392-125-085	AMD-P	91-03-050	392-140-393	NEW	91-02-094	415-114-020	NEW-P	91-10-108
392-125-085	AMD	91-07-063	392-145-015	AMD-P	91-03-074	415-114-020	NEW	91-11-061
392-127-700	NEW	91-03-129	392-145-015	AMD	91-06-032	415-114-030	NEW-P	91-06-089
392-127-703	NEW	91-03-129	392-145-030	AMD-P	91-03-074	415-114-030	NEW-P	91-10-108
392-127-705	NEW	91-03-129	392-145-030	AMD	91-06-032	415-114-030	NEW	91-11-061
392-127-710	NEW	91-03-129	392-151-003	NEW-P	91-10-085	415-114-040	NEW-P	91-06-089
392-127-715	NEW	91-03-129	392-151-005	AMD-P	91-10-085	415-114-040	NEW-P	91-10-108
392-127-720	NEW	91-03-129	392-151-010	AMD-P	91-10-085	415-114-040	NEW	91-11-061
392-127-725	NEW	91-03-129	392-151-015	AMD-P	91-10-085	415-114-050	NEW-P	91-06-089
392-127-730	NEW	91-03-129	392-151-017	NEW-P	91-10-085	415-114-050	NEW-P	91-10-108
392-127-735	NEW	91-03-129	392-151-020	AMD-P	91-10-085	415-114-050	NEW	91-11-061
392-127-740	NEW	91-03-129	392-151-035	AMD-P	91-10-085	415-114-055	NEW-P	91-10-108
392-127-745	NEW	91-03-129	392-151-040	AMD-P	91-10-085	415-114-060	NEW-P	91-06-089
392-127-750	NEW	91-03-129	392-151-045	AMD-P	91-10-085	415-114-060	NEW-P	91-10-108
392-127-755	NEW	91-03-129	392-151-050	AMD-P	91-10-085	415-114-060	NEW	91-11-061
392-127-760	NEW	91-03-129	392-151-055	AMD-P	91-10-085	415-114-070	NEW-P	91-10-108
392-127-765	NEW	91-03-129	392-151-060	AMD-P	91-10-085	415-115-010	NEW-P	91-10-109
392-127-770	NEW	91-03-129	392-151-095	AMD-P	91-10-085	415-115-020	NEW-P	91-10-109
392-127-775	NEW	91-03-129	392-151-105	AMD-P	91-10-085	415-115-030	NEW-P	91-10-109
392-127-780	NEW	91-03-129	392-151-120	AMD-P	91-10-085	415-115-040	NEW-P	91-10-109
392-127-785	NEW	91-03-129	392-151-125	AMD-P	91-10-085	415-115-050	NEW-P	91-10-109
392-127-790	NEW	91-03-129	392-151-130	AMD-P	91-10-085	415-115-060	NEW-P	91-10-109
392-127-795	NEW	91-03-129	392-151-135	AMD-P	91-10-085	415-115-070	NEW-P	91-10-109
392-127-800	NEW	91-03-129	392-151-140	AMD-P	91-10-085	415-115-080	NEW-P	91-10-109
392-127-805	NEW	91-03-129	392-151-145	REP-P	91-10-085	415-115-090	NEW-P	91-10-109
392-127-810	NEW	91-03-129	392-151-150	REP-P	91-10-085	415-115-100	NEW-P	91-10-109
392-127-815	NEW	91-03-129	392-160	AMD-C	91-11-028	415-115-110	NEW-P	91-10-109
392-127-820	NEW	91-03-129	392-160-015	AMD-P	91-07-062	415-115-120	NEW-P	91-10-109
392-127-825	NEW	91-03-129	392-160-020	AMD-P	91-07-062	415-116-010	NEW-P	91-10-107
392-127-830	NEW	91-03-129	392-160-040	AMD-P	91-07-062	415-116-020	NEW-P	91-10-107
392-140-224	AMD-P	91-09-026	392-191-060	REP-P	91-10-104	415-116-030	NEW-P	91-10-107
392-140-257	AMD-P	91-04-089	392-191-065	REP-P	91-10-104	415-116-040	NEW-P	91-10-107
392-140-257	AMD	91-08-039	392-191-070	REP-P	91-10-104	415-116-050	NEW-P	91-10-107
392-140-340	NEW	91-02-094	392-191-075	REP-P	91-10-104	417-01-100	NEW-E	91-09-052
392-140-341	NEW	91-02-094	392-191-080	REP-P	91-10-104	417-01-105	NEW-E	91-09-052
392-140-342	NEW	91-02-094	392-191-085	REP-P	91-10-104	417-01-110	NEW-E	91-09-052
392-140-343	NEW	91-02-094	392-191-090	REP-P	91-10-104	417-01-115	NEW-E	91-09-052
392-140-345	NEW	91-02-094	392-191-095	REP-P	91-10-104	417-01-120	NEW-E	91-09-052
392-140-346	NEW	91-02-094	392-202-003	AMD	91-03-119	417-01-125	NEW-E	91-09-052
392-140-347	NEW	91-02-094	400-12	PREP	91-05-066	417-01-130	NEW-E	91-09-052
392-140-348	NEW	91-02-094	402-70-010	AMD-W	91-08-059	417-01-135	NEW-E	91-09-052
392-140-349	NEW	91-02-094	402-70-020	AMD-W	91-08-059	417-01-140	NEW-E	91-09-052
392-140-350	NEW	91-02-094	402-70-030	AMD-W	91-08-059	417-01-145	NEW-E	91-09-052
392-140-351	NEW	91-02-094	402-70-040	NEW-W	91-08-059	417-01-150	NEW-E	91-09-052
392-140-352	NEW	91-02-094	402-70-045	NEW-W	91-08-059	417-01-155	NEW-E	91-09-052
392-140-353	NEW	91-02-094	402-70-050	AMD-W	91-08-059	419-14-030	AMD-P	91-03-107
392-140-354	NEW	91-02-094	402-70-055	NEW-W	91-08-059	419-14-030	AMD	91-06-063

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
419-14-040	AMD-P	91-03-107	434-42-970	NEW-W	91-07-003	448-12-220	REP-S	91-03-123
419-14-040	AMD	91-06-063	434-42-975	NEW-P	91-03-125	448-12-220	REP	91-06-022
419-14-090	AMD-P	91-03-107	434-42-975	NEW-E	91-03-126	448-12-230	REP-S	91-03-123
419-14-090	AMD	91-06-063	434-42-975	REP-E	91-07-002	448-12-230	REP	91-06-022
419-14-100	AMD-P	91-03-107	434-42-975	NEW-W	91-07-003	448-12-240	REP-S	91-03-123
419-14-100	AMD	91-06-063	434-42-980	NEW-P	91-03-125	448-12-240	REP	91-06-022
419-14-110	AMD-P	91-03-107	434-42-980	NEW-E	91-03-126	448-12-250	REP-S	91-03-123
419-14-110	AMD	91-06-063	434-42-980	REP-E	91-07-002	448-12-250	REP	91-06-022
419-18-030	AMD-P	91-03-106	434-42-980	NEW-W	91-07-003	448-12-260	REP-S	91-03-123
419-18-030	AMD	91-06-062	434-42-985	NEW-P	91-03-125	448-12-260	REP	91-06-022
419-18-040	AMD-P	91-03-106	434-42-985	NEW-E	91-03-126	448-12-270	REP-S	91-03-123
419-18-040	AMD	91-06-062	434-42-985	REP-E	91-07-002	448-12-270	REP	91-06-022
419-18-050	AMD-P	91-03-106	434-42-985	NEW-W	91-07-003	448-12-280	REP-S	91-03-123
419-18-050	AMD	91-06-062	440-44-050	REP-W	91-08-059	448-12-280	REP	91-06-022
419-18-060	AMD-P	91-03-106	440-44-057	REP-W	91-08-059	448-12-290	REP-S	91-03-123
419-18-060	AMD	91-06-062	440-44-058	REP-W	91-08-059	448-12-290	REP	91-06-022
419-18-070	AMD-P	91-03-106	440-44-059	REP-W	91-08-059	448-12-300	REP-S	91-03-123
419-18-070	AMD	91-06-062	440-44-060	REP-W	91-08-059	448-12-300	REP	91-06-022
434-42-900	NEW-P	91-03-125	440-44-062	REP-W	91-08-059	448-12-320	REP-S	91-03-123
434-42-900	NEW-E	91-03-126	446-65-005	NEW-E	91-06-050	448-12-320	REP	91-06-022
434-42-900	REP-E	91-07-002	446-65-005	NEW	91-06-066	448-12-330	REP-S	91-03-123
434-42-900	NEW-W	91-07-003	446-65-010	NEW-E	91-06-050	448-12-330	REP	91-06-022
434-42-905	NEW-P	91-03-125	446-65-010	NEW	91-06-066	448-12-340	REP-S	91-03-123
434-42-905	NEW-E	91-03-126	446-75-010	NEW-P	91-07-045	448-12-340	REP	91-06-022
434-42-905	REP-E	91-07-002	446-75-010	NEW-E	91-07-046	448-13-010	NEW-S	91-03-123
434-42-905	NEW-W	91-07-003	446-75-010	NEW	91-11-046	448-13-010	NEW	91-06-022
434-42-910	NEW-P	91-03-125	446-75-020	NEW-P	91-07-045	448-13-020	NEW-S	91-03-123
434-42-910	NEW-E	91-03-126	446-75-020	NEW-E	91-07-046	448-13-020	NEW	91-06-022
434-42-910	REP-E	91-07-002	446-75-020	NEW	91-11-046	448-13-030	NEW-S	91-03-123
434-42-910	NEW-W	91-07-003	446-75-030	NEW-P	91-07-045	448-13-030	NEW	91-06-022
434-42-915	NEW-P	91-03-125	446-75-030	NEW-E	91-07-046	448-13-040	NEW-S	91-03-123
434-42-915	NEW-E	91-03-126	446-75-030	NEW	91-11-046	448-13-040	NEW	91-06-022
434-42-915	REP-E	91-07-002	446-75-040	NEW-P	91-07-045	448-13-050	NEW-S	91-03-123
434-42-915	NEW-W	91-07-003	446-75-040	NEW-E	91-07-046	448-13-050	NEW	91-06-022
434-42-920	NEW-P	91-03-125	446-75-040	NEW	91-11-046	448-13-060	NEW-S	91-03-123
434-42-920	NEW-E	91-03-126	446-75-050	NEW-P	91-07-045	448-13-060	NEW	91-06-022
434-42-920	REP-E	91-07-002	446-75-050	NEW-E	91-07-046	448-13-070	NEW-S	91-03-123
434-42-920	NEW-W	91-07-003	446-75-050	NEW	91-11-046	448-13-070	NEW	91-06-022
434-42-925	NEW-P	91-03-125	446-75-060	NEW-P	91-07-045	448-13-080	NEW-S	91-03-123
434-42-925	NEW-E	91-03-126	446-75-060	NEW-E	91-07-046	448-13-080	NEW	91-06-022
434-42-925	REP-E	91-07-002	446-75-060	NEW	91-11-046	448-13-090	NEW-S	91-03-123
434-42-925	NEW-W	91-07-003	446-75-070	NEW-P	91-07-045	448-13-090	NEW	91-06-022
434-42-930	NEW-P	91-03-125	446-75-070	NEW-E	91-07-046	448-13-100	NEW-S	91-03-123
434-42-930	NEW-E	91-03-126	446-75-070	NEW	91-11-046	448-13-100	NEW	91-06-022
434-42-930	REP-E	91-07-002	446-75-080	NEW-P	91-07-045	448-13-110	NEW-S	91-03-123
434-42-930	NEW-W	91-07-003	446-75-080	NEW-E	91-07-046	448-13-110	NEW	91-06-022
434-42-935	NEW-P	91-03-125	446-75-080	NEW	91-11-046	448-13-120	NEW-S	91-03-123
434-42-935	NEW-E	91-03-126	448-12-010	REP-S	91-03-123	448-13-120	NEW	91-06-022
434-42-935	REP-E	91-07-002	448-12-010	REP	91-06-022	448-13-130	NEW-S	91-03-123
434-42-935	NEW-W	91-07-003	448-12-015	REP-S	91-03-123	448-13-130	NEW	91-06-022
434-42-940	NEW-P	91-03-125	448-12-015	REP	91-06-022	448-13-140	NEW-S	91-03-123
434-42-940	NEW-E	91-03-126	448-12-016	REP-S	91-03-123	448-13-140	NEW	91-06-022
434-42-940	REP-E	91-07-002	448-12-016	REP	91-06-022	448-13-150	NEW-S	91-03-123
434-42-940	NEW-W	91-07-003	448-12-020	REP-S	91-03-123	448-13-150	NEW	91-06-022
434-42-945	NEW-P	91-03-125	448-12-020	REP	91-06-022	448-13-160	NEW-S	91-03-123
434-42-945	NEW-E	91-03-126	448-12-030	REP-S	91-03-123	448-13-160	NEW	91-06-022
434-42-945	REP-E	91-07-002	448-12-030	REP	91-06-022	448-13-170	NEW-S	91-03-123
434-42-945	NEW-W	91-07-003	448-12-040	REP-S	91-03-123	448-13-170	NEW	91-06-022
434-42-950	NEW-P	91-03-125	448-12-040	REP	91-06-022	448-13-180	NEW-S	91-03-123
434-42-950	NEW-E	91-03-126	448-12-050	REP-S	91-03-123	448-13-180	NEW	91-06-022
434-42-950	REP-E	91-07-002	448-12-050	REP	91-06-022	448-13-190	NEW-S	91-03-123
434-42-950	NEW-W	91-07-003	448-12-055	REP-S	91-03-123	448-13-190	NEW	91-06-022
434-42-955	NEW-P	91-03-125	448-12-055	REP	91-06-022	448-13-200	NEW-S	91-03-123
434-42-955	NEW-E	91-03-126	448-12-060	REP-S	91-03-123	448-13-200	NEW	91-06-022
434-42-955	REP-E	91-07-002	448-12-060	REP	91-06-022	448-13-210	NEW-S	91-03-123
434-42-955	NEW-W	91-07-003	448-12-070	REP-S	91-03-123	448-13-210	NEW	91-06-022
434-42-960	NEW-P	91-03-125	448-12-070	REP	91-06-022	448-13-220	NEW-S	91-03-123
434-42-960	NEW-E	91-03-126	448-12-075	REP-S	91-03-123	448-13-220	NEW	91-06-022
434-42-960	REP-E	91-07-002	448-12-075	REP	91-06-022	448-14-010	REP-P	91-03-124
434-42-960	NEW-W	91-07-003	448-12-080	REP-S	91-03-123	448-14-020	REP-P	91-03-124
434-42-965	NEW-P	91-03-125	448-12-080	REP	91-06-022	448-14-030	REP-P	91-03-124
434-42-965	NEW-E	91-03-126	448-12-090	REP-S	91-03-123	448-15-010	NEW-P	91-03-124
434-42-965	REP-E	91-07-002	448-12-090	REP	91-06-022	448-15-020	NEW-P	91-03-124
434-42-965	NEW-W	91-07-003	448-12-100	REP-S	91-03-123	448-15-030	NEW-P	91-03-124
434-42-970	NEW-P	91-03-125	448-12-100	REP	91-06-022	448-15-040	NEW-P	91-03-124
434-42-970	NEW-E	91-03-126	448-12-210	REP-S	91-03-123	448-15-050	NEW-P	91-03-124
434-42-970	REP-E	91-07-002	448-12-210	REP	91-06-022	448-15-060	NEW-P	91-03-124

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
448-15-070	NEW-P	91-03-124	460-31A-425	REP	91-04-012	460-34A-080	REP	91-04-012
448-15-080	NEW-P	91-03-124	460-31A-430	REP	91-04-012	460-34A-085	REP	91-04-012
456-09-210	AMD-P	91-04-084	460-31A-435	REP	91-04-012	460-34A-090	REP	91-04-012
456-09-210	AMD	91-07-038	460-31A-440	REP	91-04-012	460-34A-095	REP	91-04-012
456-09-325	AMD-P	91-04-084	460-31A-445	REP	91-04-012	460-34A-100	REP	91-04-012
456-09-325	AMD	91-07-038	460-31A-450	REP	91-04-012	460-34A-105	REP	91-04-012
456-09-365	AMD-P	91-04-084	460-31A-455	REP	91-04-012	460-34A-110	REP	91-04-012
456-09-365	AMD	91-07-038	460-31A-460	REP	91-04-012	460-34A-112	REP	91-04-012
456-10-360	AMD-P	91-04-083	460-31A-465	REP	91-04-012	460-34A-115	REP	91-04-012
456-10-360	AMD	91-07-039	460-31A-470	REP	91-04-012	460-34A-120	REP	91-04-012
456-10-547	NEW-P	91-04-083	460-31A-475	REP	91-04-012	460-34A-125	REP	91-04-012
456-10-547	NEW	91-07-039	460-31A-480	REP	91-04-012	460-34A-130	REP	91-04-012
458-14-010	REP	91-07-040	460-31A-485	REP	91-04-012	460-34A-135	REP	91-04-012
458-14-020	REP	91-07-040	460-31A-490	REP	91-04-012	460-34A-200	REP	91-04-012
458-14-030	REP	91-07-040	460-31A-495	REP	91-04-012	460-36A-100	REP	91-04-012
458-14-040	REP	91-07-040	460-31A-500	REP	91-04-012	460-36A-105	REP	91-04-012
458-14-045	REP	91-07-040	460-31A-505	REP	91-04-012	460-36A-110	REP	91-04-012
458-14-050	REP	91-07-040	460-31A-510	REP	91-04-012	460-36A-115	REP	91-04-012
458-14-052	REP	91-07-040	460-31A-515	REP	91-04-012	460-36A-120	REP	91-04-012
458-14-055	REP	91-07-040	460-31A-520	REP	91-04-012	460-36A-125	REP	91-04-012
458-14-060	REP	91-07-040	460-31A-525	REP	91-04-012	460-36A-130	REP	91-04-012
458-14-062	REP	91-07-040	460-31A-530	REP	91-04-012	460-36A-135	REP	91-04-012
458-14-065	REP	91-07-040	460-31A-535	REP	91-04-012	460-36A-140	REP	91-04-012
458-14-070	REP	91-07-040	460-31A-540	REP	91-04-012	460-36A-145	REP	91-04-012
458-14-075	REP	91-07-040	460-31A-545	REP	91-04-012	460-36A-150	REP	91-04-012
458-14-080	REP	91-07-040	460-31A-550	REP	91-04-012	460-36A-155	REP	91-04-012
458-14-085	REP	91-07-040	460-31A-555	REP	91-04-012	460-36A-160	REP	91-04-012
458-14-086	REP	91-07-040	460-31A-560	REP	91-04-012	460-36A-165	REP	91-04-012
458-14-090	REP	91-07-040	460-31A-565	REP	91-04-012	460-36A-170	REP	91-04-012
458-14-091	REP	91-07-040	460-31A-570	REP	91-04-012	460-36A-175	REP	91-04-012
458-14-092	REP	91-07-040	460-31A-575	REP	91-04-012	460-36A-180	REP	91-04-012
458-14-094	REP	91-07-040	460-31A-580	REP	91-04-012	460-36A-185	REP	91-04-012
458-14-098	REP	91-07-040	460-31A-585	REP	91-04-012	460-36A-190	REP	91-04-012
458-14-100	REP	91-07-040	460-31A-590	REP	91-04-012	460-36A-195	REP	91-04-012
458-14-110	REP	91-07-040	460-31A-595	REP	91-04-012	460-42A-081	AMD	91-04-010
458-14-115	REP	91-07-040	460-31A-600	REP	91-04-012	460-46A-020	AMD	91-04-011
458-14-120	REP	91-07-040	460-31A-605	REP	91-04-012	460-46A-040	AMD	91-04-011
458-14-121	REP	91-07-040	460-31A-610	REP	91-04-012	460-46A-050	AMD	91-04-011
458-14-122	REP	91-07-040	460-31A-615	REP	91-04-012	460-46A-055	NEW	91-04-011
458-14-125	REP	91-07-040	460-31A-620	REP	91-04-012	460-46A-061	NEW	91-04-011
458-14-126	REP	91-07-040	460-31A-625	REP	91-04-012	460-46A-065	NEW	91-04-011
458-14-130	REP	91-07-040	460-31A-630	REP	91-04-012	460-46A-071	NEW	91-04-011
458-14-135	REP	91-07-040	460-31A-635	REP	91-04-012	460-46A-072	NEW	91-04-011
458-14-140	REP	91-07-040	460-31A-640	REP	91-04-012	460-46A-095	AMD	91-04-011
458-14-145	REP	91-07-040	460-31A-645	REP	91-04-012	460-46A-110	AMD	91-04-011
458-14-150	REP	91-07-040	460-31A-650	REP	91-04-012	463-06-010	AMD	91-03-090
458-14-152	REP	91-07-040	460-31A-655	REP	91-04-012	463-10-010	AMD	91-03-090
458-14-155	REP	91-07-040	460-31A-660	REP	91-04-012	463-14-030	AMD	91-03-090
458-18-220	AMD-P	91-10-070	460-31A-665	REP	91-04-012	463-14-080	AMD	91-03-090
458-20-109	PREP	91-03-057	460-31A-670	REP	91-04-012	463-18-020	AMD	91-03-090
458-20-109	AMD-P	91-11-005	460-31A-675	REP	91-04-012	463-26-120	AMD	91-03-090
458-20-110	PREP	91-03-058	460-31A-680	REP	91-04-012	463-26-130	AMD	91-03-090
458-20-110	AMD-P	91-11-004	460-31A-685	REP	91-04-012	463-28-060	AMD	91-03-090
458-20-126	PREP	91-04-062	460-31A-690	REP	91-04-012	463-28-080	AMD	91-03-090
458-20-126	AMD-P	91-11-002	460-31A-695	REP	91-04-012	463-38-041	AMD	91-03-090
458-20-127	PREP	91-08-044	460-31A-700	REP	91-04-012	463-38-042	AMD	91-03-090
458-20-151	PREP	91-04-061	460-31A-705	REP	91-04-012	463-38-063	AMD	91-03-090
458-20-151	AMD-P	91-11-003	460-31A-710	REP	91-04-012	463-39-130	REP	91-03-090
458-20-163	AMD	91-05-040	460-31A-715	REP	91-04-012	463-39-150	AMD	91-03-090
458-20-166	PREP	91-08-045	460-31A-720	REP	91-04-012	463-42-680	NEW-P	91-03-132
458-20-199	PREP	91-08-043	460-31A-725	REP	91-04-012	463-42-680	NEW	91-09-040
458-20-227	AMD	91-05-039	460-31A-730	REP	91-04-012	463-43-060	AMD	91-03-090
458-20-237	AMD	91-05-038	460-34A-010	REP	91-04-012	463-47-060	AMD	91-03-090
458-30-262	AMD	91-04-001	460-34A-015	REP	91-04-012	463-50-030	AMD	91-03-090
458-40-660	AMD-P	91-06-052	460-34A-020	REP	91-04-012	463-54-070	AMD	91-03-090
458-40-660	AMD-E	91-06-053	460-34A-025	REP	91-04-012	463-58-030	AMD	91-03-090
458-40-660	AMD	91-09-030	460-34A-030	REP	91-04-012	468-16-010	NEW	91-04-014
458-40-660	AMD-P	91-10-090	460-34A-035	REP	91-04-012	468-16-020	NEW	91-04-014
458-40-670	AMD-P	91-10-090	460-34A-037	REP	91-04-012	468-16-030	NEW	91-04-014
460-16A-102	AMD	91-04-008	460-34A-040	REP	91-04-012	468-16-040	NEW	91-04-014
460-16A-200	NEW	91-04-008	460-34A-045	REP	91-04-012	468-16-050	NEW	91-04-014
460-16A-205	NEW	91-04-008	460-34A-050	REP	91-04-012	468-16-060	NEW	91-04-014
460-17A-030	AMD	91-04-009	460-34A-055	REP	91-04-012	468-16-070	NEW	91-04-014
460-17A-070	AMD	91-04-009	460-34A-060	REP	91-04-012	468-16-080	NEW	91-04-014
460-31A-410	REP	91-04-012	460-34A-065	REP	91-04-012	468-16-090	NEW	91-04-014
460-31A-415	REP	91-04-012	460-34A-070	REP	91-04-012	468-16-100	NEW	91-04-014
460-31A-420	REP	91-04-012	460-34A-075	REP	91-04-012	468-16-110	NEW	91-04-014

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
468-16-120	NEW	91-04-014	478-124	AMD-C	91-09-012	480-12-322	REP-W	91-08-060
468-16-130	NEW	91-04-014	478-124-020	AMD-P	91-05-069	480-12-500	NEW	91-03-101
468-16-140	NEW	91-04-014	478-124-020	AMD	91-10-030	480-12-510	NEW	91-03-101
468-16-150	NEW	91-04-014	478-124-030	AMD-P	91-05-069	480-12-520	NEW	91-03-101
468-16-160	NEW	91-04-014	478-124-030	AMD	91-10-030	480-70-050	AMD	91-03-053
468-16-170	NEW	91-04-014	478-136-030	AMD-P	91-10-086	480-70-060	AMD	91-03-053
468-16-180	NEW	91-04-014	478-136-030	AMD-W	91-11-025	480-70-070	AMD	91-03-053
468-16-190	NEW	91-04-014	478-160-170	AMD-P	91-11-057	480-70-100	AMD	91-03-053
468-16-200	NEW	91-04-014	478-160-175	AMD-P	91-11-057	480-70-130	AMD	91-03-053
468-16-210	NEW	91-04-014	478-160-180	REP-P	91-11-057	480-70-130	AMD-P	91-09-015
468-38-035	REP-P	91-10-078	478-160-185	REP-P	91-11-057	480-70-150	AMD	91-03-053
468-38-035	REP	91-10-023	478-160-190	AMD-P	91-11-057	480-70-230	AMD	91-03-053
468-38-050	AMD-P	91-06-078	478-160-195	REP-P	91-11-057	480-70-245	AMD-P	91-11-048
468-38-050	AMD	91-10-023	478-250-010	NEW-P	91-04-058	480-70-260	AMD	91-03-053
468-38-190	AMD-P	91-06-079	478-250-010	NEW	91-10-031	480-70-280	AMD	91-03-053
468-38-190	AMD	91-10-022	478-250-020	NEW-P	91-04-058	480-70-330	AMD	91-03-053
468-38-260	AMD-P	91-06-078	478-250-050	NEW-P	91-04-058	480-70-340	AMD	91-03-053
468-38-260	AMD	91-10-023	478-250-050	NEW	91-10-031	480-70-350	AMD	91-03-053
468-38-260	AMD	91-10-054	478-250-060	NEW-P	91-04-058	480-70-360	AMD	91-03-053
468-38-370	REP-P	91-06-078	478-250-060	NEW	91-10-031	480-70-390	AMD	91-03-053
468-38-370	REP	91-10-023	478-250-070	NEW-P	91-04-058	480-70-400	AMD	91-03-053
468-38-400	REP-P	91-06-078	478-250-070	NEW	91-10-031	480-70-405	AMD	91-03-053
468-38-400	REP	91-10-023	478-276-010	AMD-P	91-04-058	480-70-420	AMD	91-03-053
468-38-410	REP-P	91-06-078	478-276-010	AMD	91-10-031	480-70-440	AMD	91-03-053
468-38-410	REP	91-10-023	478-276-040	AMD-P	91-04-058	480-70-500	AMD	91-03-053
478-116-020	AMD-P	91-06-092	478-276-040	AMD	91-10-031	480-70-570	AMD	91-03-053
478-116-020	AMD	91-11-029	478-276-060	AMD-P	91-04-058	480-70-700	NEW-P	91-10-080
478-116-055	AMD-P	91-06-092	478-276-060	AMD	91-10-031	480-70-710	NEW-P	91-10-080
478-116-055	AMD	91-11-029	478-276-080	AMD-P	91-04-058	480-70-720	NEW-P	91-10-080
478-116-080	AMD-P	91-06-092	478-276-080	AMD	91-10-031	480-80-047	NEW-P	91-03-051
478-116-080	AMD	91-11-029	478-276-100	AMD-P	91-04-058	480-80-047	NEW-W	91-03-120
478-116-085	REP-P	91-06-092	478-276-100	AMD	91-10-031	480-80-047	NEW-P	91-03-121
478-116-085	REP	91-11-029	478-276-110	AMD-P	91-04-058	480-80-390	AMD-P	91-03-096
478-116-088	NEW-P	91-06-092	478-276-110	AMD	91-10-031	480-80-390	AMD-W	91-07-023
478-116-088	NEW	91-11-029	478-276-130	REP-P	91-04-058	480-120-021	AMD-S	91-03-122
478-116-090	AMD-P	91-06-092	478-276-130	REP	91-10-031	480-120-031	AMD-P	91-06-095
478-116-090	AMD	91-11-029	479-02-010	NEW-P	91-10-037	480-120-031	AMD	91-09-039
478-116-110	AMD-P	91-06-092	479-02-020	NEW-P	91-10-037	480-120-106	AMD-S	91-03-122
478-116-110	AMD	91-11-029	479-02-030	NEW-P	91-10-037	480-120-126	AMD-P	91-06-095
478-116-130	AMD-P	91-06-092	479-02-050	NEW-P	91-10-037	480-120-126	AMD	91-09-039
478-116-130	AMD	91-11-029	479-02-060	NEW-P	91-10-037	480-120-136	AMD-P	91-06-095
478-116-160	AMD-P	91-06-092	479-02-070	NEW-P	91-10-037	480-120-136	AMD	91-09-039
478-116-160	AMD	91-11-029	479-02-080	NEW-P	91-10-037	480-120-137	AMD-P	91-06-095
478-116-210	AMD-P	91-06-092	479-02-090	NEW-P	91-10-037	480-120-137	AMD	91-09-039
478-116-210	AMD	91-11-029	479-02-100	NEW-P	91-10-037	480-120-138	AMD-S	91-03-122
478-116-230	AMD-P	91-06-092	479-02-110	NEW-P	91-10-037	480-120-141	AMD-S	91-03-122
478-116-230	AMD	91-11-029	479-02-120	NEW-P	91-10-037	480-120-400	NEW	91-03-052
478-116-240	AMD-P	91-06-092	479-02-130	NEW-P	91-10-037	480-120-405	NEW	91-03-052
478-116-240	AMD	91-11-029	479-02-140	NEW-P	91-10-037	480-120-410	NEW	91-03-052
478-116-250	AMD-P	91-06-092	480-04-100	AMD-P	91-03-098	480-120-415	NEW	91-03-052
478-116-250	AMD	91-11-029	480-04-100	AMD	91-07-025	480-120-420	NEW	91-03-052
478-116-260	AMD-P	91-06-092	480-09-015	AMD-P	91-02-105	480-120-425	NEW	91-03-052
478-116-260	AMD	91-11-029	480-09-015	AMD	91-06-010	480-120-430	NEW	91-03-052
478-116-300	AMD-P	91-06-092	480-09-100	AMD-P	91-02-105	480-120-435	NEW	91-03-052
478-116-300	AMD	91-11-029	480-09-100	AMD	91-06-010	480-140-020	AMD-P	91-03-099
478-116-360	AMD-P	91-06-092	480-09-120	AMD-P	91-02-105	480-140-020	AMD	91-08-026
478-116-360	AMD	91-11-029	480-09-120	AMD	91-06-010	480-140-040	AMD-P	91-03-099
478-116-390	AMD-P	91-06-092	480-09-125	NEW-P	91-03-100	480-140-040	AMD	91-08-026
478-116-390	AMD	91-11-029	480-09-125	NEW	91-07-026	490-100-010	AMD-E	91-03-037
478-116-450	AMD-P	91-06-092	480-09-440	AMD-P	91-02-105	490-100-010	AMD-P	91-05-077
478-116-450	AMD	91-11-029	480-09-440	AMD	91-06-010	490-100-010	AMD	91-08-029
478-116-455	NEW-P	91-06-092	480-09-500	AMD-P	91-02-105	490-100-012	REP-E	91-03-037
478-116-463	NEW-P	91-06-092	480-09-500	AMD	91-06-010	490-100-012	REP-P	91-05-077
478-116-470	AMD-P	91-06-092	480-09-510	AMD-P	91-02-105	490-100-012	REP	91-08-029
478-116-520	AMD-P	91-06-092	480-09-510	AMD	91-06-010	490-100-030	AMD-E	91-03-037
478-116-520	AMD	91-11-029	480-09-520	NEW-P	91-03-097	490-100-030	AMD-P	91-05-077
478-116-540	AMD-P	91-06-092	480-09-520	NEW	91-07-024	490-100-030	AMD	91-08-029
478-116-584	AMD-P	91-06-092	480-09-610	AMD-P	91-02-105	490-100-035	AMD-E	91-03-037
478-116-584	AMD	91-11-029	480-09-610	AMD	91-06-010	490-100-035	AMD-P	91-05-077
478-116-586	AMD-P	91-06-092	480-09-736	AMD-P	91-02-105	490-100-035	AMD	91-08-029
478-116-586	AMD	91-11-029	480-09-736	AMD	91-06-010	490-100-040	AMD-E	91-03-037
478-116-588	AMD-P	91-06-092	480-12-003	AMD-P	91-10-081	490-100-040	AMD-P	91-05-077
478-116-588	AMD	91-11-029	480-12-030	AMD-P	91-06-009	490-100-040	AMD	91-08-029
478-116-600	REP-P	91-06-092	480-12-030	AMD	91-09-038	490-100-050	AMD-E	91-03-037
478-116-600	REP	91-11-029	480-12-033	AMD-P	91-06-009	490-100-050	AMD-P	91-05-077
478-116-601	AMD-P	91-06-092	480-12-033	AMD	91-09-038	490-100-050	AMD	91-08-029
478-116-601	AMD	91-11-029	480-12-315	REP	91-06-071	490-100-060	AMD-E	91-03-037

## Table of WAC Sections Affected

WAC #		WSR #
490-100-060	AMD-P	91-05-077
490-100-060	AMD	91-08-029
490-100-070	AMD-E	91-03-037
490-100-070	AMD-P	91-05-077
490-100-070	AMD	91-08-029
490-100-080	AMD-E	91-03-037
490-100-080	AMD-P	91-05-077
490-100-080	AMD	91-08-029
490-100-090	AMD-E	91-03-037
490-100-090	AMD-P	91-05-077
490-100-090	AMD	91-08-029
490-100-100	AMD-E	91-03-037
490-100-100	AMD-P	91-05-077
490-100-100	AMD	91-08-029
490-100-105	AMD-E	91-03-037
490-100-105	AMD-P	91-05-077
490-100-105	AMD	91-08-029
490-100-110	AMD-E	91-03-037
490-100-110	AMD-P	91-05-077
490-100-110	AMD	91-08-029
490-100-120	AMD-E	91-03-037
490-100-120	AMD-P	91-05-077
490-100-120	AMD	91-08-029
490-100-130	AMD-E	91-03-037
490-100-130	AMD-P	91-05-077
490-100-130	AMD	91-08-029
490-100-135	NEW-E	91-03-037
490-100-135	NEW-P	91-05-077
490-100-135	NEW	91-08-029
490-100-140	AMD-E	91-03-037
490-100-140	AMD-P	91-05-077
490-100-140	AMD	91-08-029
490-100-150	AMD-E	91-03-037
490-100-150	AMD-P	91-05-077
490-100-150	AMD	91-08-029
490-100-160	AMD-E	91-03-037
490-100-160	AMD-P	91-05-077
490-100-160	AMD	91-08-029
490-100-170	AMD-E	91-03-037
490-100-170	AMD-P	91-05-077
490-100-170	AMD	91-08-029
490-100-180	AMD-E	91-03-037
490-100-180	AMD-P	91-05-077
490-100-180	AMD	91-08-029
490-100-200	AMD-E	91-03-037
490-100-200	AMD-P	91-05-077
490-100-200	AMD	91-08-029
490-100-205	AMD-E	91-03-037
490-100-205	AMD-P	91-05-077
490-100-205	AMD	91-08-029
490-100-208	AMD-E	91-03-037
490-100-208	AMD-P	91-05-077
490-100-208	AMD	91-08-029
490-100-210	AMD-E	91-03-037
490-100-210	AMD-P	91-05-077
490-100-210	AMD	91-08-029
490-100-220	AMD-E	91-03-037
490-100-220	AMD-P	91-05-077
490-100-220	AMD	91-08-029
490-100-250	AMD-E	91-03-037
490-100-250	AMD-P	91-05-077
490-100-250	AMD	91-08-029
516-13-030	AMD-W	91-04-082
516-13-080	AMD-W	91-04-082

**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 index	91-01-055	Wheat commission	
Superseded rules, repeal of	91-01-057	producer assessment funds	
<b>AGRICULTURE, DEPARTMENT OF</b>		expenditure of	91-01-099
Apple maggot quarantine	91-01-045		91-05-065
	91-03-115	Yellow nutsedge quarantine	91-03-045
Apple marketing standards	91-03-093	<b>APPLIED TECHNOLOGY, WASHINGTON</b>	
	91-07-015	<b>INSTITUTE OF</b>	
Apple moth quarantine repeal	91-07-036	(See WASHINGTON INSTITUTE OF	
	<b>91-11-054</b>	<b>APPLIED TECHNOLOGY)</b>	
<b>Aquaculture</b>		<b>ASIAN AMERICAN AFFAIRS, COMMISSION ON</b>	
farm products identification, labeling	91-04-076	Meetings	91-01-058
	91-09-042	<b>ATTORNEY GENERAL'S OFFICE</b>	
<b>Asparagus</b>		Motor vehicle warranties	
commission		fines for noncompliance with	
creation, powers, and duties	91-01-104	arbitration decision	91-02-080
	91-09-003	Opinions	
commodity board		apprenticeship council, authority of	
creation, powers, and duties	91-08-021	(1990, No. 17)	91-02-001
<b>Barley commission</b>		banks and trust companies, insurance	
producer assessment funds		activities (1991, No. 14)	91-08-062
expenditure of	91-01-100	Bush Act tidelands, clam cultivation	
<b>Bean seed certification standards, quarantine</b>	91-04-066	(1991, No. 8)	91-07-022
	91-08-017	community college educational services,	
<b>Blueberry assessments</b>	91-01-054	contracts (1991, No. 16)	91-09-010
<b>Bluegrass quarantine</b>	91-10-082	community college and school district	
<b>Chrysanthemum white rust disease</b>		risk management pools	
quarantine	91-03-046	(1991, No. 19)	<b>91-11-060</b>
<b>Desiccants and defoliants, rules</b>	91-04-078	criminal justice training commission	
	91-08-058	basic training requirement	
<b>Fertilizers</b>		(1991, No. 18)	<b>91-11-011</b>
fertilization equipment requirements	91-01-015	ecological commission, advisory role	
<b>Garlic seed certification</b>	91-04-068	(1991, No. 4)	91-05-003
	91-08-015	freeholder elections, first class cities	
<b>Grapes</b>		(1991, No. 3)	91-04-053
grape virus quarantine, solicitation		local governments, self-funding of health	
of preproposal comment	91-10-013	and welfare benefits (1991, No. 17)	91-10-008
phyloxera quarantine, solicitation of		motor vehicle, forfeited, use by state	
preproposal comment	91-10-013	(1991, No. 10)	91-07-043
<b>Herbicides</b>		property tax assistance payments	
phenoxy herbicides, use of	91-02-106	(1991, No. 7)	91-07-001
	91-06-019	property tax payment, credit card use	
<b>Hops</b>		(1991, No. 2)	91-04-013
assessments and collections	91-09-057	Public Disclosure Act (1991, No. 6)	91-06-054
disease quarantine	91-04-067	radioactive materials transport	
rootstock certification	91-04-067	(1991, No. 1)	91-03-085
	91-08-016	risk management pools, formation by	
<b>Narcissus bulb nematode quarantine repeal</b>	91-07-037	community colleges and school districts	
	<b>91-11-053</b>	(1991, No. 19)	<b>91-11-060</b>
<b>Noxious weed control board</b>		small business export finance assistance	
noxious weed list, additions, deletions,		center, public meetings and records	
and changes	91-01-016	(1991, No. 5)	91-05-057
<b>Organic foods</b>		Rules coordinator	91-01-086
crop production standards	91-05-006	<b>BELLEVUE COMMUNITY COLLEGE</b>	
	91-09-028	Meetings	91-03-061
processing certification and		<b>BLIND, WASHINGTON STATE SCHOOL</b>	
labeling	91-05-006	<b>FOR THE</b>	
	91-09-028	Rules coordinator	91-02-044
registration of materials		<b>BUILDING CODE COUNCIL</b>	
approved for production	91-01-116	Barrier-free facilities	
	91-05-007	solicitation of preproposal comments	91-05-053
transition to organic producer		Day care facilities for children	91-01-117
certification	91-05-006	Energy code	91-01-112
	91-09-028		91-06-065
<b>Plum curculio quarantine</b>	91-01-045	Historic buildings code	91-01-103
<b>Potato virus Y necrotic strain</b>	91-06-035		91-06-064
<b>Potato virus Y quarantine</b>	91-10-095	Long-term residential care facilities,	
<b>Rules coordinator</b>	91-03-020	construction requirement	
<b>Seed potato certification</b>	91-06-061	solicitation of preproposal comment	91-07-020
	91-10-029	Meetings	91-01-101
<b>Seed potato quarantine</b>	91-03-105		91-09-050
	91-07-016	Radon requirements and monitoring	91-07-047
<b>Seeds</b>		Uniform codes	91-07-020
certification standards and fees	91-10-082	solicitation of preproposal comments	91-05-021
<b>Swine</b>		Ventilation and indoor air quality code	91-01-102
pseudorabies control and eradication	91-05-076		
	91-08-027		

**Subject/Agency Index**  
(Citations in **bold type** refer to material in this issue)

<b>CENTRAL WASHINGTON UNIVERSITY</b>		<b>CRIMINAL JUSTICE TRAINING COMMISSION</b>	
Rules coordinator	91-01-049	Corrections academy	
Student judicial code		equivalency or "challenge" process	91-01-041
due process for students in regard		physical fitness standard for recruits	91-01-044
to alleged violations	91-01-013		91-10-088
	91-01-095		91-10-089
	91-04-054	D.A.R.E. program	
<b>CLEMENCY AND PARDONS BOARD</b>		certification and decertification of	
Meetings	91-01-027	officers	91-01-042
	91-03-040	Law enforcement academy	
	91-05-096	physical fitness standard for admission	
		to basic academy	91-01-043
<b>CODE REVISER'S OFFICE</b>		Meetings	91-03-003
Rules coordinator	91-01-001		
WAC amendments and repealers	91-06-067	<b>DEAF, WASHINGTON STATE SCHOOL</b>	
	91-10-010	<b>FOR THE</b>	
		Rules coordinator	91-02-045
<b>COLUMBIA BASIN COLLEGE</b>		<b>DEFERRED COMPENSATION, COMMITTEE FOR</b>	
Sex discrimination, grievance procedures	91-02-101	Description	91-02-098
	91-08-001		91-05-084
		Public records, access to and copying of	91-02-098
			91-05-084
<b>COLUMBIA RIVER GORGE COMMISSION</b>		<b>EASTERN WASHINGTON UNIVERSITY</b>	
Structure alteration, review standards		Meetings	<b>91-11-079</b>
and guidelines	91-09-009	Rules coordinator	91-02-043
<b>COMMUNITY COLLEGE EDUCATION, BOARD FOR</b>			
Meetings	91-10-087	<b>ECOLOGY, DEPARTMENT OF</b>	
Retirement annuity plan participation	91-06-069	Air pollution	
	91-09-008	sources	91-05-064
	91-09-036	toxic air pollutants discharge,	
Running start program	91-06-075	control of	91-01-083
<b>COMMUNITY DEVELOPMENT, DEPARTMENT OF</b>		Aluminum plants, control and prevention	
Border areas, supplemental law		of air pollutant emissions	91-05-064
enforcement for	91-04-017	Batteries	
Daycare centers		vehicle battery recycling	91-05-020
fire protection standards	91-06-020	Drought relief, emergency	91-02-099
	91-06-021		91-03-081
	<b>91-11-001</b>	Flood control assistance account program,	
Emergency management council		public hearing notice	91-08-072
meetings	91-02-023	Gasoline vapor control requirements	91-02-107
Fire protection policy board		Ground water management	
meetings	91-03-048	general schedule	91-05-100
	91-05-017	Island County	91-06-096
	91-05-018	West Snohomish County	91-03-102
	91-06-051		91-05-099
Fire protection services division		Walla Walla County	91-03-103
fire protection sprinkler contractors	91-10-083		91-05-098
	91-10-084	Hazardous waste	
fire safety standards	91-05-043	dangerous waste regulation	91-07-005
Homelessness, advisory council on,		facilities plans	91-08-041
duties	91-06-023	generator fees	91-08-040
Land classification, guidelines for		generators	91-03-139
classification of agricultural,		management facilities, siting criteria	
forest, mineral resource, and	91-01-129	and notice of intent	91-08-018
critical areas lands	91-01-130	management facilities siting criteria	91-08-041
	91-07-041	Kraft pulping mills, control and prevention	
Meetings	91-06-031	of air pollutant emissions	91-05-064
	91-07-017	Model Toxics Control Act	
	91-10-020	cleanup, identification and investigation,	
Public works board		processes and standards	91-04-019
meetings	91-02-003	Ocean management	91-05-042
Rules coordinator	91-04-006	Rules coordinator	91-03-025
<b>CONVENTION AND TRADE CENTER</b>		Sediment management standards	91-01-052
Meetings	91-01-012		91-03-094
	91-03-012		91-06-098
	91-03-041		91-08-019
	91-05-013	Shoreline master programs	
	91-06-036	Chelan County	91-02-112
	91-07-009	Grays Harbor County	91-09-054
	91-09-007	Island County	91-03-145
	<b>91-11-012</b>	King County	91-03-149
	<b>91-11-049</b>	Klickitat County	91-03-141
<b>CORRECTIONS, DEPARTMENT OF</b>			<b>91-11-088</b>
Mitigation funds for local governments	91-10-018	Medina, city of	91-01-131
Rules coordinator	91-06-011	ocean management	91-04-069
			91-10-033
		Ocean Shores, city of	91-03-144
		Okanogan, city of	91-03-147



**Subject/Agency Index**  
(Citations in **bold type** refer to material in this issue)

<b>ECOLOGY, DEPARTMENT OF—cont.</b>		<b>EDUCATION, STATE BOARD OF—cont.</b>	
Oroville, town of	91-03-146	Professional certification	
Pierce County	91-03-143	reprimand or certificate suspension	
San Juan County	91-04-072	or revocation	91-05-024
	91-05-063		91-08-056
	91-06-094	School plant facilities	
Tonasket, town of	91-03-148	acceptance criteria, proposed sites	91-08-071
Tumwater, city of	91-04-079	local match money	91-08-069
	91-09-055	modernization	91-08-070
Twisp, town of	91-04-070	state assistance	91-08-067
Winthrop, town of	91-04-071	Teacher school day requirement	91-05-068
Solid and hazardous waste management			91-08-055
coordinated prevention grants	91-02-052	Title 28A RCW, amendments to conform	
	<b>91-11-090</b>	to recodification of title	91-01-091
Solid fuel burning devices			91-04-016
increase in retail sales fees	91-07-066	<b>EMPLOYMENT SECURITY DEPARTMENT</b>	
sale and use of	91-07-066	Eligibility determination	91-03-054
Solid waste disposal facilities		Employer notice and separation	
inspector certification, exemption	91-09-053	determination	<b>91-11-051</b>
operator certification	91-01-093		<b>91-11-052</b>
State/environmental protection agency		Employer notices	91-03-054
agreement, public hearing notice	91-08-020	Family independence program,	
Underground storage tanks program	91-04-022	see <b>FAMILY INDEPENDENCE PROGRAM</b>	
Waste		Rules coordinator	91-03-055
dangerous waste regulation	91-07-005	<b>ENERGY FACILITY SITE EVALUATION COUNCIL</b>	
hazardous waste facilities		Meetings	91-02-077
plans	91-08-041	Site restoration standards	91-03-132
hazardous waste fees	91-08-040		91-09-040
solid waste recycling projects, grants		<b>ENERGY OFFICE</b>	
to local governments, solicitation		Terminology, revision of obsolete	
of preproposal comment	91-10-032	language	91-03-090
solid waste reduction, grants to local		<b>ENGINEER AND LAND SURVEYORS</b>	
governments, solicitation of		License renewals	91-07-064
preproposal comment	91-10-032		<b>91-11-075</b>
Wastewater		<b>EVERETT COMMUNITY COLLEGE</b>	
discharge permit fees		Meetings	91-02-047
solicitation of preproposal comment	91-01-019	Rules coordinator	91-03-079
system developed	91-03-080	<b>EVERGREEN STATE COLLEGE, THE</b>	
	<b>91-11-047</b>	Meetings	91-02-054
Water		<b>FAMILY INDEPENDENCE PROGRAM</b>	
highway runoff quality enhancement	91-04-091	Benefits suspension, termination,	
	<b>91-11-091</b>	or reduction	
surface water quality standards	91-09-056	advance notice	91-07-068
	91-10-048	Child care eligibility to support	
	<b>91-11-089</b>	employment and training	91-01-061
Water resource situations strategy	91-04-080	Income disregard	91-05-008
Wells			91-05-009
drilling restrictions	91-04-073	Management plan, implementation of	91-10-073
		second stage	91-10-079
<b>EDMONDS COMMUNITY COLLEGE</b>			91-01-062
Athletes, loss of eligibility for			91-04-041
unlawful drug use, procedure	91-05-012		91-05-058
Meetings	91-03-110		91-05-010
	91-05-050		91-08-050
	91-07-044		91-05-008
	91-09-058		91-05-009
	<b>91-11-050</b>		91-01-060
<b>EDUCATION, STATE BOARD OF</b>		<b>FISHERIES, DEPARTMENT OF</b>	
Accreditation of schools	91-01-068	<u>Commercial</u>	
	91-01-128	bottomfish	
	91-04-015	coastal bottomfish catch limits	91-01-018
"Building condemnation" defined	91-08-068		91-01-023
Certification			91-01-050
instructional specialist certificate	91-01-092		91-01-094
	91-05-056		91-03-152
internship certificate	91-01-092		91-07-050
	91-05-056		91-08-023
limited certificate	91-01-092		91-10-012
	91-05-056		<b>91-11-027</b>
Environmental education, interdisciplinary			<b>91-11-077</b>
study of	91-01-067	seasons	91-05-037
High school credit for courses taken by		clams	
students in grades 7 and 8	91-01-066	razor clam harvest	91-08-024
Meetings	91-04-050		
Physical education requirement	<b>91-11-018</b>		
"Portable facility" defined	91-08-068		

**Subject/Agency Index**  
(Citations in **bold type** refer to material in this issue)

**FISHERIES, DEPARTMENT OF—cont.**

crabs, seasons and areas 91-05-102  
91-10-024  
91-05-102

crawfish, areas 91-01-005  
fish buyers, reporting date for fish receiving tickets 91-05-015

herring 91-11-056  
endorsement requirements 91-10-014  
reporting catch 91-03-108  
licensing rules amended 91-10-071

marine fish, seasons and closures 91-09-064  
regulations 91-03-083  
91-04-029  
91-04-031  
91-10-011

salmon  
Columbia River below Bonneville, seasons 91-05-005  
91-05-036

subsistence fishery, Columbia River tributaries 91-11-014  
91-11-076  
91-10-058  
91-05-102  
91-10-024  
91-11-015  
91-11-055  
91-11-111  
91-05-102  
91-10-024  
91-11-111

troll fishery, seasons and gear 91-05-005  
sea cucumber seasons 91-05-036  
91-11-100

sea urchin seasons 91-10-094  
91-11-044  
91-11-111  
91-02-108  
91-05-016

shad, Columbia River harvest 91-08-065  
91-05-005  
91-05-036

shrimp 91-10-094  
Puget Sound fishery 91-11-044  
Puget Sound season seasons 91-11-111  
spawn on kelp auction 91-02-108  
91-05-016

sturgeon 91-08-065  
Columbia River above Bonneville, seasons 91-05-005  
Columbia River below Bonneville 91-05-036

trawl fishing, seasons and gear 91-09-064  
vessel ownership and accountability proof 91-11-056

**Personal use**  
clams  
areas and seasons  
hardshell 91-01-069  
91-02-021  
91-02-076  
91-10-049

razor 91-01-069  
oysters 91-06-057  
areas and seasons 91-03-153  
91-04-030  
91-06-057  
91-08-051  
91-08-054

rules amended 91-03-151  
91-08-052  
91-08-053  
91-08-025  
91-11-045  
91-08-002  
91-08-025  
91-08-025  
91-08-025  
91-08-025  
91-08-025

salmon  
areas and seasons 91-03-151  
91-08-052  
91-08-053  
91-08-025  
91-11-045  
91-08-002  
91-08-025  
91-08-025  
91-08-025  
91-08-025  
91-08-025

bag limits 91-08-025  
Chehalis River 91-11-045  
Columbia River 91-08-002  
Klickitat River 91-08-025  
Little White Salmon River 91-08-025  
Wenatchee River 91-08-025  
Wind River 91-08-025

**FISHERIES, DEPARTMENT OF—cont.**

shrimp 91-10-094  
Puget Sound fishery 91-10-094

**FOREST PRACTICES BOARD**  
Forest practices subject to environmental review under SEPA and SEPA rules 91-07-034  
91-07-012  
91-08-028

Meetings 91-07-030

Watershed screening and analysis solicitation of preproposal comment 91-07-030

**GAMBLING COMMISSION**  
Adjudicative proceedings 91-03-063  
Amusement games, operation at regional shopping centers 91-05-047  
91-06-008  
91-06-039  
91-09-045

Bingo 91-10-006  
Bingo manager defined 91-10-006  
Bingo accounting records requirements 91-10-006  
Electronic cranes, authorization for use 91-09-045  
Fund raising events, limits on amount of rent, lease, or other payments 91-09-045  
Fund raising events, providing food and beverages to volunteers 91-03-049  
91-05-044  
91-05-046  
91-05-047  
91-06-008  
91-06-039

Income requirements, bingo and charitable games 91-09-045  
Income receipting and deposit requirements 91-10-006  
Prizes 91-05-047  
91-06-008  
91-06-039  
91-07-018  
91-07-051  
91-05-045  
91-10-004

Pull tab dispensing devices 91-03-049  
91-05-044  
91-05-046  
91-05-047  
91-06-008  
91-06-039  
91-09-045  
91-10-006  
91-03-062  
91-07-019  
91-07-042  
91-10-005  
91-03-049  
91-05-044  
91-05-047  
91-06-008  
91-06-039

Punchboard and pull tabs, prizes 91-09-045  
Record-keeping requirements 91-10-006  
Recreational gaming activities 91-07-019  
91-07-021  
91-07-042  
91-10-005  
91-03-049  
91-05-044  
91-05-047  
91-06-008  
91-06-039

Washington blackjack 91-03-049  
91-05-044  
91-05-047  
91-06-008  
91-06-039

**GENERAL ADMINISTRATION, DEPARTMENT OF**  
Acquisition of goods 91-09-034  
91-09-035

Flood mitigation standards state agencies 91-05-101  
91-08-057  
91-04-081  
91-03-060

Parking fees and payments 91-03-106  
Rules coordinator 91-06-062

Savings and loan association, division of credit union examination and supervision fees and charges 91-03-106  
91-06-062

savings and loan examination and supervision fees 91-03-107  
91-06-063

## Subject/Agency Index

(Citations in **bold type** refer to material in this issue)

<b>GOVERNOR, OFFICE OF THE</b>		<b>HEALTH, DEPARTMENT OF—cont.</b>
Education reform and funding, council on, established	91-11-068	Drug manufacturing or storage sites, illegal, contractor certification for decontamination of
HIV/AIDS advisory council established	91-07-004	Emergency medical services
Homelessness, council on	91-06-023	emergency medical technicians, certification and recertification requirements
Low-income housing tax credit, federal, allocation of	91-02-053	training requirements
Substance abuse, governor's council on, reestablished	91-09-059	Environmental Policy Act (SEPA) rules
Timber export restrictions, implementation of federal legislation	91-02-111	Fees
	91-10-106	Health care assistants
		license fees
		Health, board of
		drug manufacturing or storage sites, illegal, contractor certification for decontamination of
		immunization of day care and school children
		infants, screening for congenital disorders
		rules coordinator
		public water systems, volatile organic chemical monitoring requirements
		transfer of rules to Title 246 WAC
		Hearing aid fitters/dispensers
		license fees
		Hearing aid council
		defamation of competitors
		rules coordinator
		personal disclosure
		transfer of rules to Title 246 WAC
		Hematocrit testing for exclusion
		HIV and AIDS training and record-keeping requirements
		Hospital charity care, procedures, data collection, criteria for identifying indigent persons, and penalties for noncompliance
		Isotopes use in medicine and industry
		Hospital pharmacy standards
		Low level radioactive waste sites
		regulation
		Massage board
		rules coordinator
		transfer of rules to Title 246 WAC
		Medical disciplinary board
		mandatory reporting rule, hospitals
		rules coordinator
		transfer of rules to Title 246 WAC
		Medical examiners, board of
		examination scores
		meetings
		physician assistants
		prescriptions
		prescription writing
		rules coordinator
		transfer of rules to Title 246 WAC
		Medical test categories
		Midwifery
		license fees
		Nursing, board of
		AIDS education requirement for nurses obtaining interstate endorsement
<b>GRAYS HARBOR COLLEGE</b>		
Athletes, loss of eligibility for unlawful drug use	91-05-033	
	91-11-102	
<b>GREEN RIVER COMMUNITY COLLEGE</b>		
Meetings	91-03-004	
<b>HARDWOODS COMMISSION</b>		
(See <b>TRADE AND ECONOMIC DEVELOPMENT, DEPARTMENT OF</b> )		
<b>HEALTH, BOARD OF</b>		
(See <b>HEALTH, DEPARTMENT OF</b> )		
<b>HEALTH CARE AUTHORITY</b>		
Advertising or promotion of SEBB-sponsored benefit plans	91-11-093	
Appeals process established	91-04-087	
Dependents health coverage	91-11-096	
Medical plan options between open enrollments	91-11-094	
Medicare payment of eligible retirees	91-11-095	
Organ transplant programs, requirements	91-05-079	
Spouse health insurance coverage	91-11-096	
State employee benefits board plans, dependent parent, continued coverage on self-pay basis, qualification for	91-04-086	
	91-11-010	
<b>HEALTH, DEPARTMENT OF</b>		
Acupuncture license		
applications	91-10-069	
examinations	91-10-069	
fees	91-08-078	
Certificate of need, open heart surgery services review	91-10-102	
	91-10-103	
Certificate of need, transfer of	91-01-075	
	91-05-093	
Chiropractic disciplinary board		
professional procedures	91-06-090	
	91-10-050	
	91-10-051	
rules coordinator	91-01-020	
transfer of rules to Title 246 WAC	91-05-095	
Chiropractic examining board		
rules coordinator	91-01-020	
transfer of rules to Title 246 WAC	91-05-026	
Dental disciplinary board		
discrimination prohibited as unprofessional conduct	91-03-109	
rules coordinator	91-01-020	
transfer of rules to Title 246 WAC	91-02-048	
Dental examiners, board of		
examination failures, repeat examinations	91-10-093	
transfer of rules to Title 246 WAC	91-01-007	
Dental hygienists		
education programs, expanded functions	91-08-077	
	91-11-065	
license fees	91-08-078	
Dietitians and nutritionists		
license fees	91-08-078	

## Subject/Agency Index

(Citations in **bold type** refer to material in this issue)

### HEALTH, DEPARTMENT OF—cont.

license denial, adjudicative proceedings 91-10-007  
 nurse technicians, definition  
   and function of 91-07-067  
   rules coordinator 91-01-020  
   transfer of rules to Title 246 WAC 91-07-049  
 Nursing home administrators, board  
   of examiners for  
   inactive license fee 91-05-025  
   91-09-051  
   91-02-058  
   91-06-059  
   91-01-020  
   91-02-059  
   91-06-060  
   inactive license status  
   rules coordinator  
   transfer of rules to Title 246 WAC  
 Nursing homes  
   bed need standards 91-02-010  
 Nursing pools  
   license fees 91-08-078  
 Occupational therapy practice, board for  
   educational programs 91-05-088  
   license fees 91-08-078  
   licensure requirements 91-05-088  
   rules coordinator 91-01-020  
   transfer of rules to Title 246 WAC 91-05-027  
 Open heart surgery services, certificate  
   of need review 91-10-102  
   91-10-103  
 Opticians  
   rules updating 91-05-087  
   91-09-023  
   91-09-024  
   91-05-087  
   91-09-023  
   91-09-024  
   continuing education requirements  
 Optometrists  
   license fees 91-08-078  
 Optometry board  
   rules coordinator 91-01-020  
   transfer of rules to Title 246 WAC 91-03-116  
   91-06-025  
 Osteopathic medicine and surgery  
   board of  
   examination procedures 91-03-117  
   91-10-039  
   91-10-043  
   91-08-078  
   91-01-020  
   91-03-117  
   91-10-039  
   91-10-043  
   license fees  
   rules coordinator  
   substance abuse monitoring programs  
 Pharmacists  
   license fees 91-08-078  
   retired  
   license fees 91-08-078  
 Pharmacy, board of  
   animal control agencies, legend  
   drug use regulation 91-04-056  
   transfer of rules to Title 246 WAC 91-06-037  
   humane societies, legend  
   drug use regulation 91-04-056  
   rules coordinator 91-01-020  
   internship requirements 91-05-091  
   **91-11-041**  
   nonprescription drugs, tampered  
   products detection information 91-07-056  
   prescriptions, out-of-state  
   practitioners 91-05-090  
   pharmacy assistant/pharmacist ratio 91-05-092  
   **91-11-040**  
   tampered products detection  
   information 91-07-056  
 Physical therapy, board of  
   drug or alcohol monitoring programs,  
   voluntary participation 91-09-033  
   91-09-063

### HEALTH, DEPARTMENT OF—cont.

examination scores 91-09-033  
 91-09-063  
 licensing fees 91-05-004  
 91-08-078  
 licensure requirements 91-05-094  
 rules coordinator 91-01-020  
 transfer of rules to Title 246 WAC 91-02-011  
 Physician assistants  
   prescription writing 91-04-033  
 Podiatric medical board  
   inactive license 91-05-089  
   91-10-041  
   91-08-078  
   91-05-089  
   91-10-041  
   91-05-089  
   91-10-041  
 reciprocity requirements 91-05-089  
 91-10-041  
 rules coordinator 91-01-020  
 terminology 91-05-089  
 91-10-041  
 Practical nurses  
   license fees 91-08-078  
 Practical nursing board  
   licensing requirements and procedures 91-09-014  
   rules coordinator 91-01-020  
   transfer of rules to Title 246 WAC 91-01-078  
 Prenatal tests, provision of information  
   on **91-11-024**  
 Psychology, examining board of  
   continuing education 91-04-021  
   license fees 91-08-078  
   licensing requirements and procedures  
   91-04-021  
   91-06-024  
   91-08-030  
   91-01-020  
   rules coordinator  
 Radiation protection programs  
   fees 91-08-059  
 Radiation protection, general provisions **91-11-024**  
 Rules coordinator 91-01-020  
 Rules, transfer to Title 246 WAC 91-03-095  
 91-04-020  
 91-05-028  
 91-05-029  
 91-05-030  
 91-05-031  
 91-06-027  
 91-06-028  
 91-06-058  
 91-07-048  
**91-11-030**  
 Rural health care  
   facilities, licensing standards 91-02-014  
 Sex offender treatment providers 91-06-091  
**91-11-062**  
**91-11-063**  
 91-02-049  
 Uranium mills regulation **91-11-083**  
 Veterinary board of governors  
   rules coordinator 91-01-020  
   transfer of rules to Title 246 WAC 91-02-060  
 Women, infant children program  
   client access 91-06-029  
 X-ray machine use regulation **91-11-082**  
**HIGHER EDUCATION COORDINATING BOARD**  
 American Indian endowed scholarship  
   program 91-03-087  
**91-11-073**  
 Athletic gender equity tuition and  
   fee waiver program 91-09-061  
 Contract issuance procedures, 1991-93  
   91-04-045  
   91-01-053  
 Displaced homemaker program administration  
 Environmental Policy Act (SEPA)  
   notice of action taken 91-01-124  
   91-01-125

**Subject/Agency Index**  
(Citations in bold type refer to material in this issue)

<b>HIGHER EDUCATION, JOINT CENTER FOR</b>		<b>INTEREST RATES</b>	
Meetings	91-03-002	(See inside front cover)	
<b>HIGHER EDUCATION PERSONNEL BOARD</b>		<b>INVESTMENT BOARD</b>	
Appointments	91-02-039 91-05-055 91-05-060 91-10-002 91-10-060	Meetings	91-02-015
Bereavement leave		<b>JUDICIAL CONDUCT, COMMISSION ON</b>	
Fair Labor Standards Act, federal preemption	91-10-059	Public records access	91-01-126 91-04-060 91-01-002
Hearing examiners	91-02-039 91-05-055 91-05-060 91-10-002	Rules coordinator	91-01-002
Leave of absence without pay, excepted work period	91-10-059	<b>LABOR AND INDUSTRIES, DEPARTMENT OF</b>	
Meetings	91-02-041 91-06-014 <b>91-11-035</b> 91-02-040 91-05-052 91-06-077 91-10-003 91-10-061 91-10-060 91-10-060 91-07-060	Agricultural safety standards	91-04-077 <b>91-11-070</b>
Rules coordinator	91-02-040	Apprenticeship and training council meetings	91-04-038
Salary reallocation	91-06-077 91-10-003 91-10-061 91-10-060 91-10-060 91-07-060	Boiler rules, board of condemned boilers or unfired pressure vessel, inspection	91-09-047 <b>91-11-107</b> 91-01-107 91-03-086 91-05-062 91-09-047 <b>91-11-107</b> 91-09-047 <b>91-11-107</b> 91-09-046 <b>91-11-106</b> 91-09-046 <b>91-11-106</b>
Shared leave	91-02-038 91-05-054 91-05-059 91-10-001	meetings	
Temporary workers, remedial action		new constructions standards	
Work period designations		nuclear repairs/replacement	
Workers' compensation return-to-work policy		nuclear safety devices repair	
<b>HIGHLINE COMMUNITY COLLEGE</b>		Construction safety standards	91-04-077 <b>91-11-070</b>
Rules coordinator	91-08-031	Crime victim compensation repressed memory of criminal act, rights of victim with	91-01-065 91-04-027
<b>HORSE RACING COMMISSION</b>		Electrical board meetings	91-03-076
Claiming races, next start requirements, horses claimed but not processed	91-03-064	Elevator safety standards	91-10-091
Jockey suspension, temporary	91-08-073	Explosives safety standards	91-01-026
Owner's license, use of facsimile application and trainer as agent	91-03-033	Firefighters safety standards	91-01-026 91-04-077 <b>91-11-070</b>
Satellite locations, daily fee	91-08-073	Grain handling facilities safety standards	91-04-077 <b>91-11-070</b>
<b>HUMAN RIGHTS COMMISSION</b>		Longshore, stevedore operations safety standards	91-04-077 <b>91-11-070</b>
Meetings	91-01-087 91-01-088 91-02-002 91-02-035 91-02-102 91-04-063 91-04-064 91-06-072 91-08-046 91-08-047 <b>91-11-080</b> <b>91-11-108</b>	Occupational health standards general standards	91-01-026 91-03-043 91-09-004 91-01-026
<b>INDETERMINATE SENTENCE REVIEW BOARD</b>		Passenger vessel safety standards	91-01-026
Public records	91-10-009	Prevailing wage filing fees	91-01-017
Rules adoption requirements	91-10-009	terms and procedures used to determine, for public works projects	91-03-113 91-10-092
Rules coordinator	91-03-067	Safety and health standards general standards	91-01-026 91-03-044 91-04-077 <b>91-11-070</b>
<b>INDUSTRIAL INSURANCE APPEALS, BOARD OF</b>		Travel expenses injured workers	91-03-114
Practice and procedure	91-09-062	Worker's compensation health care services, payment for	91-01-123 91-07-008 91-02-063 91-02-064 91-02-114
<b>INFORMATION SERVICES, DEPARTMENT OF</b>		medical aid rules	
Public records access	91-04-090 91-07-033		
<b>INSURANCE COMMISSIONER</b>			
Fees and assessments, clarification	91-04-057 91-07-053		
Life and disability insurance, out-of-state group contracts, unfair practices	91-03-073		
Prelcense education curriculum	91-09-049		
Prelcense education requirement	91-09-048		
Rate standards	91-01-073		
Rules coordinator	91-02-009		

**Subject/Agency Index**  
(Citations in **bold type** refer to material in this issue)

<b>LABOR AND INDUSTRIES,</b>		<b>LICENSING, DEPARTMENT OF—cont.</b>	
<b>DEPARTMENT OF—cont.</b>		depository institutions	
rules, classifications, rates and		authorized to hold trust funds	91-09-013
rating system revisions	91-07-061	examination grading	91-03-047
<b>LEGAL FOUNDATION OF</b>			91-07-029
<b>WASHINGTON</b>		fees for real estate course,	
Meetings	91-06-001	school, and instructor	
<b>LICENSING, DEPARTMENT OF</b>		approval	91-09-013
Architect licenses		funds held in trust,	
fees	91-09-020	authorized institutions	91-09-013
renewal	91-09-020	instructor approval	91-09-065
Architecture		instructor qualifications	91-03-047
"design-build" definition	91-06-012		91-07-029
	91-09-041	meetings	91-02-078
solicitation of preproposal comment	91-02-046	Rules coordinator	91-03-006
Camping resorts	91-01-082	Securities division	
Cosmetology, barber and manicurist rules	91-05-080	cattle feeding programs	91-04-012
	<b>91-11-042</b>	commodity pools	91-04-012
Court reporters, licensing requirements	91-03-065	corporate limited offering	
Engineers and land surveyors		exemption	91-04-011
fees	91-07-065	debt offering standards	91-04-008
	91-10-046	equipment programs	91-04-012
license renewals	91-07-065	exchange and national market system	
	91-10-046	exemption from registration	91-04-010
seals		oil and gas programs	91-04-012
solicitation of preproposal comment	91-05-041	promotional shares	91-04-008
new seal required, design	91-05-078	real estate investment trusts	91-04-012
	91-06-018	uniform limited offering registration	
	<b>91-11-098</b>	(ULOR-C)	91-04-009
	<b>91-11-099</b>	Special fuel tax rules	
use definition	91-05-078	power tax off use	91-03-017
	91-06-018		91-03-018
Escrow officers and agents		Vessel registration	
fees	91-08-049	owner's names and addresses,	
	<b>91-11-066</b>	disclosure of	91-03-089
Funeral directors and embalmers		<b>LIQUOR CONTROL BOARD</b>	
continuing education		Advertising of liquor	91-03-007
approval	91-09-043		91-04-085
crematory renewal fees	91-08-032	Beer	
	<b>91-11-023</b>	label requirements	91-05-086
preneed renewal fees	91-01-006		91-08-022
Motor vehicle excise tax rules	91-04-026	Conduct on licensed premises, regulation	91-05-085
Motor vehicles			91-09-005
advertising and pricing practices of		Rules coordinator	91-10-045
dealers, prohibited practices	91-03-019		91-10-044
certificate of inspection	91-04-024	<b>LOTTERY COMMISSION</b>	
disclosure of vehicle owner names		Instant game number 20 through instant	
and addresses	91-03-088	game number 39, repeal	91-03-034
drivers' licenses		<u>Instant game number 59 – Lucky Draw</u>	
waiver of driving test for new		criteria	91-03-036
resident with valid license		definitions	91-03-036
from previous home state	91-01-063	<u>Instant game number 61 – Triple Play</u>	
fleet registration programs, regular	<b>91-11-084</b>	criteria	91-03-036
and permanent		definitions	91-03-036
higher education institutions license		ticket validation	91-03-036
plate emblems, criteria to obtain	91-03-091	<u>Instant game number 62 – Roulette</u>	
	<b>91-11-084</b>	criteria	91-03-112
license plates, special	91-04-025		91-06-074
parking tickets outstanding, information		definitions	91-03-112
to be supplied by jurisdiction	91-04-024		91-06-074
proportional registration of fleet		ticket validation	91-03-112
vehicles	91-02-109		91-06-074
	91-02-110	<u>Instant game number 63 – Lucky 7's</u>	
	91-06-093	criteria	91-03-112
special license plates and emblems,			91-06-074
criteria to obtain	91-03-091	definitions	91-03-112
	<b>91-11-084</b>		91-06-074
title, "guaranteed title" defined	91-03-092	ticket validation	91-03-112
veterans license plate emblems	91-03-091		91-06-074
	91-04-025	<u>Instant game number 64 – Playday</u>	
	<b>91-11-084</b>	criteria	91-07-070
Public records indexing systems	91-07-028		<b>91-11-033</b>
Real estate appraiser certification	91-04-074	definitions	91-07-070
Real estate commission			<b>91-11-033</b>
course approval	91-03-047	ticket validation	91-07-070
	91-07-029		<b>91-11-033</b>

**Subject/Agency Index**  
(Citations in **bold type** refer to material in this issue)

<b>LOTTERY COMMISSION—cont.</b>		<b>PERSONNEL BOARD—cont.</b>	
<u>Instant game number 65 – Touchdown</u>		Leave sharing program	91-02-024
criteria	91-07-070		91-05-082
definitions	91-07-070	Merit system rules	91-07-055
ticket validation	91-07-070	Noncompetitive service	91-10-062
<u>Instant game number 66 – Tumbling Dice</u>			91-02-033
criteria	91-07-070		91-03-068
definitions	91-07-070	Partial day absence, exceptions work	91-05-081
ticket validation	91-07-070	period employees	91-10-066
Prizes, payment of	91-03-036		<b>91-11-043</b>
Public records index	91-03-035	Promotional testing	91-02-028
	91-03-036	Public records, inspection and copying of	91-02-027
		Reexaminations	91-02-026
<b>LOWER COLUMBIA COLLEGE</b>		Registers, removal of candidate's name	
Meetings	91-02-037	for cause	91-10-064
	91-03-005	Special pay ranges	91-10-063
		Standby compensation	91-02-031
<b>MARITIME COMMISSION</b>			91-03-069
Assessments, rates and terms	91-02-005	Trial service, reversion for failure to	
Meetings	91-02-004	perform satisfactorily	91-10-065
Rules coordinator	91-04-028	Work period designations	91-04-046
<b>MINORITY AND WOMEN'S BUSINESS</b>			91-07-054
<b>ENTERPRISES, OFFICE OF</b>			91-09-037
Meetings	91-05-097	<b>PERSONNEL, DEPARTMENT OF</b>	
<b>NATURAL RESOURCES, DEPARTMENT OF</b>		Registers, removal of candidate's name	
Adjudicative proceedings	91-08-066	for cause	91-01-111
Fire hazard areas, closed season	91-09-029	Rules coordinator	91-02-016
	91-10-067	Trial service, revision for failure	
Forest fire advisory board		to perform adequately	91-01-110
meetings	91-10-047	<b>PIERCE COLLEGE</b>	
Forest practices board		Meetings	91-01-010
meetings	91-02-066		91-06-088
rules coordinator	91-02-065		91-09-006
Geographic names, board on		Rules coordinator	91-04-049
rules coordinator	91-01-106	Student rights and responsibilities	91-03-084
Natural heritage advisory council			91-03-150
meetings	91-01-089		91-09-027
	91-10-016	<b>PHARMACY, BOARD OF</b>	
Public records, availability	91-09-060	(See <b>HEALTH, DEPARTMENT OF</b> )	
Rules coordinator	91-01-108	<b>PILOTAGE COMMISSIONERS, BOARD OF</b>	
Woodard Bay natural resources		Pilot applications	
conservation area	91-10-068	qualification to take 1991 exam	91-01-090
<b>OIL AND GAS CONSERVATION COMMITTEE</b>		Pilotage rates	
Meetings	91-01-072	Grays Harbor	91-03-075
<b>OUTDOOR RECREATION, INTERAGENCY</b>			91-08-004
<b>COMMITTEE FOR</b>			91-08-008
Meetings	91-01-003	Puget Sound	91-08-003
	91-04-032		<b>91-11-074</b>
	91-06-070	Retirement disbursements	91-02-062
Rules coordinator	91-03-011		91-06-033
<b>PARKS AND RECREATION COMMISSION</b>		<b>POLLUTION CONTROL HEARINGS BOARD</b>	
Alcohol consumption in state parks,		Practice and procedure rules	91-03-027
enforcement	91-03-140		91-03-028
	91-07-014	Public records	91-03-027
Boating pumpout contract program	<b>91-11-058</b>		91-03-028
Fee changes	91-03-142	<b>POLLUTION LIABILITY INSURANCE AGENCY</b>	
	91-09-001	Assessments	91-08-033
Meetings	91-01-051	Eligibility	91-08-033
Rules coordinator	91-01-084	Reimbursement	91-08-033
<b>PENINSULA COLLEGE</b>		<b>PRODUCTIVITY BOARD</b>	
Meetings	91-01-009	Rules coordinator	91-03-111
<b>PERSONNEL APPEALS BOARD</b>		<b>PROFESSIONAL ATHLETIC COMMISSION</b>	
Rules coordinator	91-10-038	Boxing rules	91-05-032
<b>PERSONNEL BOARD</b>			<b>91-11-038</b>
Applications, time limits on filing of	91-02-029		<b>91-11-101</b>
Appointment status, transfer upwards	91-02-032	Wrestling rules	91-05-032
	91-03-070		<b>91-11-038</b>
Correctional officers caring for law		<b>PUBLIC DISCLOSURE COMMISSION</b>	
enforcement dogs, special pay range	91-02-025	Contributions	
	91-05-083	definition of "contribution"	<b>91-11-104</b>
Examinations, waiver of minimum		"earmarked contributions" defined	91-11-105
qualifications	91-02-034		91-10-056
	91-03-071		
In-training positions	91-02-030		

## Subject/Agency Index

(Citations in **bold type** refer to material in this issue)

<b>PUBLIC DISCLOSURE COMMISSION—cont.</b>		<b>RETIREMENT SYSTEMS, DEPARTMENT OF</b>	
handling contributions of uncertain origin	91-11-104	—cont.	
identification of sources	91-11-105	public employees' retirement system	91-02-018
Lobbyist employers, political	91-11-104	teachers' retirement system	91-02-020
contribution reporting form	91-11-105	Administrative fee rate	91-10-107
Public office fund	91-06-034	Administrative fee assessment for	
Rules coordinator	91-09-021	processing deficient reports	91-10-109
	91-07-027	Survivor benefit options	
	91-10-057	judicial retirement system	91-03-013
	91-11-037	law enforcement and firefighters	91-03-014
<b>PUBLIC INSTRUCTION, SUPERINTENDENT OF</b>		public employee's retirement system	91-03-015
Absent students, reporting requirements	91-02-096	teachers' retirement system	91-03-016
Allocations		<b>REVENUE, DEPARTMENT OF</b>	
procedures for allocating state moneys		Accounting	
to school districts	91-03-118	accrual method, tax reporting duties	
salary	91-02-097	solicitation of preproposal comment	91-08-043
Allocations, special 1990-91		Addresses of department district offices	91-01-113
early intervention services	91-04-089		91-05-038
procedures for allocating state moneys	91-08-039	Agricultural land valuation	91-04-001
to school districts	91-03-118	Business and occupation tax	
Alternative instructional programs,		community antenna television services,	
eligibility	91-07-062	reporting of advertising income	91-01-114
Basic education allocation, withholding	91-11-028	insurance companies, health insurance	91-05-039
for repayment of federal moneys	91-07-006	pool deductions to be deducted from	
Bilingual instruction program,		the measure of the B&O tax	91-01-115
transitional	91-07-062	real estate, lease, rental, or license to	91-05-040
Buses	91-11-028	use, tax status	91-02-056
operation procedures	91-03-074	Equalization, county boards of	91-02-057
school bus operating rules	91-06-032	revised chapter relating to	91-07-040
Certificated personnel performance		Excise tax	
evaluation	91-10-104	motor vehicle fuel and special fuel	
Educational service districts		sales, reporting information	91-11-002
budgeting procedures	91-03-050	dentists, dental laboratories, and	
timely reporting procedures	91-07-063	physicians, reporting information	91-11-003
Excellence in education awards	91-09-025	Finance charges, carrying charges,	
Expenditure, specified objects of	91-03-119	interest, and penalties	
Federal moneys, monetary and nonmonetary	91-09-026	solicitation of preproposal comment	91-03-057
audit findings, resolution procedures	91-03-001	taxation	91-11-005
Federal moneys, withholding from basic	91-07-007	Freight and delivery charges	
education allocation for repayment of	91-07-006	exclusion from gross proceeds of sales	91-11-004
Handicapped students, definitions and	91-10-105	solicitation of preproposal comment	91-03-058
independent educational assessment of	91-01-033	Hotel/motel tax	
Running start program	91-03-129	solicitation of preproposal comment	91-08-045
Salary allocations	91-04-088	Hotel and motels, taxation	
School districts	91-08-038	on telephone service	
timely reporting procedures	91-02-097	solicitation of preproposal comment	91-08-045
School safety patrol	91-09-025	Magazines and periodicals,	
Specified objects of expenditure	91-10-085	out-of-state sellers	
Staff ratio enhancements, grades K-3	91-06-026	solicitation of preproposal comment	91-08-044
Timely reporting policies and procedures	91-02-094	Medical service providers, tax reporting	
Transcripts, provision to indigent persons	91-09-025	solicitation of preproposal comment	91-04-061
	91-02-095	Motor vehicle fuel and special fuel sales	
<b>PUGET SOUND WATER QUALITY</b>		excise tax reporting information	91-11-002
<b>AUTHORITY</b>		solicitation of preproposal comment	91-04-062
Meetings	91-01-011	Open Space Taxation Act rules	
Nonpoint source pollution, local plannings	91-11-092	agricultural land valuation	91-04-001
solicitation of preproposal comments	91-05-066	Property tax	
Rules coordinator	91-05-067	annual ratio study	91-01-008
<b>REDISTRICTING COMMISSION</b>		refunds rate of interest	91-10-070
Administrative rules	91-09-052	Rule-making procedure	
<b>RETIREMENT SYSTEMS, DEPARTMENT OF</b>		solicitation of preproposal comment	91-04-061
Actuarial tables, schedules, and factors		Rules coordinator	91-04-062
law enforcement officers' and fire fighters'		Sales tax	91-01-028
retirement system	91-02-019	collection schedules	91-01-113
overdue payments, interest charges	91-06-089	Stadium tax	
	91-10-108	solicitation of preproposal comment	91-08-045
	91-11-061	Timber excise tax	
		stumpage values	91-02-088
			91-02-089
			91-06-052
			91-06-053
			91-09-030
			91-10-090



**Subject/Agency Index**  
(Citations in **bold type** refer to material in this issue)

**RULES COORDINATORS**

Agriculture, department of 91-03-020  
 Attorney general 91-01-086  
 Blind, Washington State School for the 91-02-044  
 Central Washington University 91-01-049  
 Chiropractic disciplinary board 91-01-020  
 Chiropractic examining board 91-01-020  
 Code reviser 91-01-001  
 Community development, department of 91-04-006  
 Corrections, department of 91-06-011  
 Deaf, Washington State School for the 91-02-045  
 Dental disciplinary board 91-01-020  
 Dental examiners, board of 91-01-020  
 Eastern Washington University 91-02-043  
 Ecology, department of 91-03-025  
 Employment security department 91-03-055  
 Everett Community College 91-03-079  
 Forest practices board 91-02-065  
 General administration, department of 91-03-060  
 Geographic names, board on 91-01-106  
 Health, board of 91-01-020  
 Health, department of 91-01-020  
 Hearing aids council 91-01-020  
 Higher education personnel board 91-02-040  
 Highline Community College 91-08-031  
 Indeterminate sentence review board 91-03-067  
 Insurance commissioner, office of 91-02-009  
 Judicial conduct commission 91-01-002  
 Licensing, department of 91-03-006  
 Liquor control board 91-10-044  
 Maritime commission 91-04-028  
 Massage board 91-01-020  
 Medical disciplinary board 91-01-020  
 Medical examiners, board of 91-01-020  
 Natural resources, department of 91-01-108  
 Nursing, board of 91-01-020  
 Nursing home administrators, board of examiners for 91-01-020  
 Occupational therapy practice, board of 91-01-020  
 Optometry board 91-01-020  
 Osteopathic medicine and surgery board 91-01-020  
 Outdoor recreation, interagency committee for 91-03-011  
 Parks and recreation commission 91-01-084  
 Personnel appeals board 91-10-038  
 Personnel, department of 91-02-016  
 Pharmacy, board of 91-01-020  
 Physical therapy board 91-01-020  
 Pierce College 91-04-049  
 Podiatric medical board 91-01-020  
 Practical nursing board 91-01-020  
 Productivity board 91-03-111  
 Psychology, examining board of 91-01-020  
 Public disclosure commission **91-11-037**  
 Puget Sound water quality authority 91-05-067  
 Revenue, department of 91-01-028  
 Social and health services, department of 91-01-118  
 Tax appeals, board of 91-02-103  
 Trade and economic development, department of 91-03-088  
 Transportation commission 91-03-078  
 Transportation, department of 91-03-009  
 Transportation improvement board 91-04-051  
 University of Washington 91-03-056  
 Veterinary board of governors 91-01-020  
 Washington State University 91-05-022

**SEATTLE COMMUNITY COLLEGES**

Meetings 91-01-024  
 91-03-023  
 91-03-104  
 91-06-068  
 91-10-055

**SECRETARY OF STATE**

Public record home and work address information protection for endangered persons 91-03-125  
 91-03-126  
 91-07-002  
 91-07-003  
**91-11-069**

**SHORELINE COMMUNITY COLLEGE**

Meetings 91-03-024

**SKAGIT VALLEY COLLEGE**

Meetings 91-01-071

**SOCIAL AND HEALTH SERVICES, DEPARTMENT OF**

Adult family homes complaints 91-05-070  
 91-09-016  
 inspections 91-05-070  
 91-09-016

Aid to families with dependent children assistance standards 91-02-072  
 91-02-075

assistance unit 91-09-068  
 91-09-069  
**91-11-020**

benefits suspension, termination, or reduction advance notice earned income tax credit as resource 91-07-068

91-10-074

91-10-078

fifty dollars disregard payment 91-06-097  
 91-10-026

income and resources disregard 91-02-083  
 91-02-084  
 91-05-008  
 91-05-009

91-06-007

91-09-017

91-10-072

91-10-077

loans, when treated as income or resource 91-01-029  
 91-01-047

medical programs eligibility 91-05-008  
 91-05-009  
 91-09-017

overpayments, mandatory grant deductions to recover 91-03-039  
 91-04-047  
 91-06-055  
 91-09-070

**Child care**

family day care homes, licensing requirements 91-04-048  
**91-11-026**

**Children**

institutionalized parent income and resources 91-05-034  
 91-05-035  
 91-09-019

Medicaid eligibility, income standards 91-08-034  
 91-08-037  
**91-11-085**

**Chore services program**

91-04-039  
 91-08-011

**Computer Matching and Privacy**

Protection Act of 1988 household notices 91-08-064  
**91-11-087**

**Day care**

family child day care homes licensing requirements 91-02-017  
 91-03-038  
 91-03-127  
 91-03-128  
 91-07-013

**Subject/Agency Index**  
(Citations in **bold type** refer to material in this issue)

**SOCIAL AND HEALTH SERVICES,  
DEPARTMENT OF—cont.**

Developmentally disabled  
adult protective services,  
eligibility for 91-01-096

Disaster relief  
individual and family grant  
program eligibility 91-02-081

Emergency assistance 91-01-030  
91-02-071

Family independence program, see  
**FAMILY INDEPENDENCE PROGRAM**

Food stamp program  
aliens eligibility 91-07-069  
**91-11-019**  
**91-11-109**  
**91-11-109**  
eligibility 91-09-031  
expedited service eligibility 91-09-032  
91-09-067

homeless persons eligibility  
household status for temporarily  
disabled persons 91-05-074  
91-10-096

income budgeting, retrospective and  
special circumstances budgeting 91-09-067  
income exclusions 91-01-120  
91-02-067  
91-02-068  
91-02-073  
91-06-004  
91-09-067

institutional residents, application  
timeliness **91-11-110**

standard utility allowance 91-04-035  
91-04-036  
91-08-013

student participant in work study  
program, eligibility 91-05-075  
91-10-099

telephone standard allowance 91-04-035  
91-04-036  
91-08-013  
91-05-071  
91-05-072  
91-05-073  
91-10-034  
91-10-097  
91-10-098

Funeral and internment services, vendor  
payment increases 91-02-082  
91-02-085  
91-06-005

General assistance  
benefits suspension, termination,  
or reduction advance notice 91-07-068  
**91-11-020**

earned income tax credit  
as resource 91-10-075  
91-10-076

Hospitals  
inpatient and outpatient services  
payment 91-06-044  
91-06-049  
91-06-056  
91-10-025

Job opportunities and basic skills training  
program (JOBS) 91-02-092  
91-02-093  
91-04-042  
91-04-043  
91-08-010  
91-08-063  
91-02-086  
91-02-087  
91-04-040  
91-04-044  
91-08-012

support services 91-02-087  
91-06-045

Kitsap Physicians Service—Sound Care Plan 91-04-040  
91-04-044  
91-08-012

**SOCIAL AND HEALTH SERVICES,  
DEPARTMENT OF—cont.**

payment 91-02-090  
91-02-091  
91-07-011

Medicaid  
children to eighteen years  
of age, eligibility 91-08-034  
91-08-037

expedited Medicaid disability program **91-11-016**  
**91-11-017**

infants under one year of age,  
eligibility 91-10-036  
pregnant women eligibility 91-06-043  
91-06-047  
91-10-100

Medical assistance  
availability of resources 91-01-121

benefits suspension, termination,  
or reduction advance notice 91-07-068  
**91-11-020**  
91-06-042  
91-06-046  
91-10-101  
91-02-069  
91-02-074  
91-06-003  
**91-11-016**  
**91-11-017**

birth costs' collection 91-10-101  
91-02-069  
91-02-074  
91-06-003  
**91-11-016**  
**91-11-017**

eligibility, community services office  
waiver of office interview 91-01-021  
91-01-022  
91-05-011  
**91-11-016**  
**91-11-017**

expedited Medicaid disability program **91-11-016**  
**91-11-017**

hospital inpatient and outpatient  
payments 91-06-044  
91-06-049  
91-06-056

hospital premium insurance enrollment  
for working disabled 91-08-035  
91-08-036  
**91-11-086**

Medicare hospital premium payments  
for working disabled 91-08-035  
91-08-036  
**91-11-086**

medical care services  
administration 91-02-090  
91-02-091  
91-07-011  
91-02-090  
91-02-091  
91-07-011

income levels 91-02-090  
91-02-091  
91-07-011

Pregnant women  
Medicaid/eligibility 91-06-043  
91-06-047  
91-10-100

Nursing homes  
accounting and reimbursement  
system 91-09-066

Psychiatric hospitals 91-06-041  
91-06-045

Refugee assistance  
earned income tax credit  
as resource 91-10-074  
91-10-078  
91-01-122  
91-10-035  
91-01-118  
91-02-072  
91-02-075  
91-06-041  
91-06-045  
91-10-028

eligibility 91-01-122  
Rules compliance with Title 71A RCW 91-10-035  
Rules coordinator 91-01-118  
Standards of assistance 91-02-072  
91-02-075  
91-06-041  
91-06-045  
91-10-028

**Subject/Agency Index**  
(Citations in **bold type** refer to material in this issue)

**SOCIAL AND HEALTH SERVICES,  
DEPARTMENT OF—cont.**

State hospitals  
  schedule of charges revision 91-04-034  
  91-04-037  
  91-08-014

Supplemental security income,  
  assistance standards 91-02-072  
  91-02-075

Supplemental security income, state  
  income disregard 91-05-008  
  91-05-009  
  91-09-017

  medical programs eligibility 91-05-008  
  91-05-009  
  91-09-017

  supplementary programs 91-01-046

Support enforcement, office of  
  birth costs liability 91-06-040  
  91-06-048  
  91-10-027  
  91-06-097

  fifty dollars disregard payments  
  residential parent or payee, grievance  
  resolution 91-04-002  
  91-04-003  
  91-09-018

Time loss payments to dependent child,  
  recovery by office of financial  
  recovery 91-01-031  
  91-01-048  
  91-02-070

Women, infants, and children (WIC) program  
  food vendor participation 91-01-079  
  91-01-119  
  91-01-097  
  91-01-098

**SOUTH PUGET SOUND COMMUNITY COLLEGE**

Meetings 91-06-002  
**91-11-021**  
**91-11-022**

**SPOKANE COMMUNITY COLLEGES**

Meetings 91-02-036  
  91-10-017

**SUPREME COURT**

Admission and articulation to limited  
  practice (Rule 18 for APR 12) 91-01-036

Attorney fees 91-01-059

Dependents, separate cause numbers  
  (AR3 and CrR 4.4 (c)(4)) 91-01-038

Discovery, scope and limits (CR 26(b)) 91-01-040

Presiding judges, more than one judge in  
  superior court district (AR 4) 91-01-034

Trust accounts (RLD 13.4, RPC 1.14(c), RLD  
  1.1(j) and RLD Title 13) 91-01-037

**TACOMA COMMUNITY COLLEGE**

Meetings 91-01-025

**TAX APPEALS, BOARD OF**

Formal hearings, practice and procedure 91-04-083  
  91-04-084  
  91-07-038  
  91-07-039

Informal hearings, practice and procedure 91-04-083

Meetings 91-02-104

Rules coordinator 91-02-103

**TOXICOLOGIST, STATE**

Breath alcohol test program 91-03-123  
  91-06-022

Blood alcohol test regulations 91-03-124

**TRADE AND ECONOMIC DEVELOPMENT,  
DEPARTMENT OF**

Business and job retention  
  advisory committee  
  meetings 91-03-032

**TRADE AND ECONOMIC DEVELOPMENT,  
DEPARTMENT OF—cont.**

Community economic revitalization board  
  meetings 91-02-055  
  91-06-017

Economic development finance authority  
  meetings 91-01-070

Hardwoods commission  
  meetings 91-01-127  
  91-03-026  
  91-07-052  
  91-10-021  
  **91-11-072**

  purposes of commission, election of  
  board members, procedures, and  
  collection of assessments **91-11-034**

Rules coordinator 91-03-008

**TRAFFIC SAFETY COMMISSION**

Meetings 91-03-059  
  91-09-022

**TRANSPORTATION COMMISSION**

Meetings 91-02-042  
  91-04-023  
  91-04-075  
  91-07-035  
  91-10-019  
  **91-11-067**  
  91-03-078

Rules coordinator

**TRANSPORTATION, DEPARTMENT OF**

Contractors, prequalification of  
  county ferry franchises, tolls  
  and financial assistance 91-04-014

Dishonored checks, recovery of  
  collection costs 91-02-007

Oversize load signs on vehicles,  
  standards 91-06-079  
  91-10-022

Rules coordinator 91-03-009

Tow truck operations 91-06-078  
  91-10-023  
  91-10-054

Traffic control devices, adoption of 1988  
  edition of uniform manual on (MUCTD) 91-02-008

Urban arterial trust account monies 91-02-006

**TRANSPORTATION IMPROVEMENT BOARD**

Meetings 91-02-079  
  91-04-059  
  91-08-042  
  91-10-052  
  **91-11-071**

Public records, accessibility 91-10-037

Rules coordinator 91-04-051

**TREASURER**

(See inside front cover)

Rules coordinator 91-03-077

**UNIVERSITY OF WASHINGTON**

Admission and registration procedures,  
  continuing education **91-11-057**

Alcohol and other prohibited substances  
  possession and use on campus or  
  at university-sponsored events  
  prohibition 91-05-069  
  91-09-012  
  91-10-030

  use and possession at athletic events  
  and concerts, inspection procedures 91-01-004  
  **91-11-025**

Continuing education  
  admission and registration procedures **91-11-057**

Meetings 91-01-085  
  91-02-100  
  91-03-010  
  91-03-021  
  91-03-022  
  91-03-029

**Subject/Agency Index**  
(Citations in **bold type** refer to material in this issue)

<b>UNIVERSITY OF WASHINGTON—cont.</b>			
	91-03-030		
	91-03-031		
	91-03-042		
	91-04-005		
	91-04-065		
	91-05-014		
	91-06-073		
	91-08-006		
	91-09-011		
Parking and traffic regulations	91-06-092		
	<b>91-11-029</b>		
Public records access	91-04-058		
	91-10-031		
Rules coordinator	91-03-056		
Smoking prohibition specifications	91-10-086		
<b>USURY</b>			
(See inside front cover)			
<b>UTILITIES AND TRANSPORTATION COMMISSION</b>			
Budget reporting for major capital projects	91-03-099		
	91-08-026		
Common carriers			
preservation of records of communications	91-06-095		
	91-09-039		
fees	91-06-009		
	91-09-038		
Cost of copying and supplying public records	91-03-098		
	91-07-025		
Electric safety code, national	91-06-095		
Extended area service routes	91-03-052		
Failure to file sufficient copies, cost of copying	91-03-100		
	91-07-026		
Interstate tariff filings, repeal of requirement	91-06-071		
Log road classification	91-01-080		
Log shipments, intrastate rates	91-08-060		
Procedures before the commission, procedural rules	91-02-105		
	91-06-010		
	91-10-081		
Recycling			
commodity rate adjustment	91-10-080		
transportation of recovered materials	91-01-081		
	91-03-101		
Solid waste			
collection companies	91-03-053		
service agreement certificate	<b>91-11-048</b>		
temporary certificates	91-09-015		
Telecommunications			
abbreviated proceedings for competitive classification	91-03-097		
	91-07-024		
access charges	91-03-051		
	91-03-120		
	91-03-121		
alternate operator services	91-03-122		
mandatory cost changes	91-03-096		
	91-07-023		
	91-07-024		
Uniform system of accounts	91-06-095		
<b>VOCATIONAL EDUCATION, BOARD FOR</b>			
Private vocational schools	91-01-056		
	91-03-037		
	91-05-077		
	91-08-029		
Meetings	91-04-052		
	91-06-076		
<b>VOCATIONAL EDUCATION, COUNCIL ON</b>			
Meetings	91-04-004		
	91-05-051		
<b>WALLA WALLA COMMUNITY COLLEGE</b>			
Meetings		91-07-010	
<b>WASHINGTON INSTITUTE OF APPLIED TECHNOLOGY</b>			
Meetings		91-03-072	
		91-04-018	
		91-05-023	
		91-06-013	
		91-08-005	
<b>WASHINGTON STATE LIBRARY</b>			
Library commission meetings		91-01-014	
		91-05-061	
		91-09-002	
		<b>91-11-097</b>	
<b>WASHINGTON STATE PATROL</b>			
Chains or traction devices, when use required		91-10-053	
DNA identification systems and procedures		91-07-045	
		91-07-046	
		<b>91-11-046</b>	
"Emergency tow truck" defined		91-10-015	
Motor helmets, exemption for operators and riders of antique motorcycles		91-05-019	
Private carriers, adoption of federal standards		91-01-105	
		91-06-050	
		91-06-066	
Traction devices or chains, when use required		91-10-053	
<b>WASHINGTON STATE UNIVERSITY</b>			
Meetings		<b>91-11-036</b>	
		<b>91-11-078</b>	
		91-05-022	
Rules Coordinator			
<b>WESTERN WASHINGTON UNIVERSITY</b>			
Bicycle traffic and parking regulation		91-04-082	
Parking and traffic		91-04-082	
<b>WHATCOM COMMUNITY COLLEGE</b>			
Meetings		91-08-048	
<b>WILDLIFE, COMMISSION AND DEPARTMENT</b>			
Bullfrog, classification		<b>91-11-007</b>	
Coyote, classification		91-03-133	
		<b>91-11-007</b>	
Deleterious exotic wildlife additions to list		91-03-082	
Field identification, sex evidence definitions		91-06-080	
Fishing			
game fish seasons and catch limits			
Cedar River		91-05-001	
Columbia River, emergency closure		91-08-009	
Lake Sammamish		91-05-001	
Lake Washington		91-05-001	
Sammamish River		91-05-001	
Snake River		91-05-002	
Snoqualmie River		91-03-136	
Tolt River		91-03-066	
		91-03-136	
		91-08-074	
Forest grouse, classification		91-03-131	
		<b>91-11-006</b>	
Game management units		91-03-130	
		<b>91-11-059</b>	
Hunting			
blind and visually handicapped hunters		91-01-109	
		91-06-083	
firearm restriction areas		91-06-084	
		91-06-086	
hours, closure notices, and hound hunting areas		91-06-084	
hunter orange clothing requirements		91-03-137	
		91-08-075	
restrictions		91-06-081	

**Subject/Agency Index**  
 (Citations in **bold type** refer to material in this issue)

**WILDLIFE, COMMISSION AND DEPARTMENT**

—cont.

**Hunting seasons**

bear and small game seasons,

1990-91

91-06-084

bear 1991-92, 1992-93, 1993-94

91-03-138

**91-11-009**

Canada goose season, early closure

91-02-022

deer hunting seasons, 1990-91

91-06-084

deer hunting seasons, 1991-92

91-06-087

deer hunting seasons, opening 1991,

1992, and 1993

91-06-016

deer 1991-92, 1992-93, 1993-94

91-03-138

**91-11-009**

elk

seasons, opening dates, 1991,

1992, and 1993

91-06-016

seasons, 1990-91

91-06-084

seasons, 1991-92

91-06-087

elk 1991-92, 1992-93, 1993-94

91-03-135

**91-11-008**

general hunting seasons and rules

1991-92, 1992-93, 1993-94

91-03-134

91-08-061

mountain goat, sheep, moose, cougar,  
and lynx seasons

91-06-085

pelt sealing, river otter, cougar,

lynx, and bobcat

91-06-082

small game seasons

1991-92, 1992-93, 1993-94 seasons

91-08-076

snow goose season, early closure

91-01-064

special closure areas, 1991-92

91-06-086

ring-necked pheasant seasons

1991-92, 1992-93, 1993-94 seasons

91-08-076

turkey seasons

1991 spring season

91-06-015

upland game bird seasons

91-02-113

upland game bird seasons, opening dates,

1991, 1992, and 1993

91-06-016

Upland birds, classification

91-03-131





# WASHINGTON STATE REGISTER Subscriptions

---

To: Subscription Clerk  
WASHINGTON STATE REGISTER  
Code Reviser's Office  
Legislative Building  
Olympia, WA 98504

I would like to order \_\_\_\_\_ subscription(s) to the WASHINGTON STATE REGISTER, at an annual rate of \$161.85, sales tax included (\$150 for state agencies). Enclosed is my check or money order for \$\_\_\_\_\_. Please start my subscription with the January issue of 19\_\_\_\_\_.

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

TELEPHONE \_\_\_\_\_

---

THE WASHINGTON STATE REGISTER, published pursuant to RCW 34.08.020, is distributed on the first and third Wednesdays of each month. The Register contains the full text of proposed, emergency, and permanently adopted rules of state agencies, executive orders of the governor, notices of public meetings of state agencies, rules of the state supreme court, summaries of attorney general opinions, and juvenile disposition standards which have been filed in the code reviser's office prior to the pertinent closing date for that issue of the Register. A cumulative table of existing sections of the Washington Administrative Code (WAC) affected by a particular agency action guides the user to the proper volume of the Register.

The code reviser's office has established an annual subscription price of \$150 for the Register, and single copies will cost \$7. Sales tax of 7.9% now applies to all sales other than to state agencies. State law requires payment in advance. To subscribe to the Register, please complete the order form above and forward it to the address indicated, accompanied by your check or money order in the amount of \$161.85 (\$150 for state agencies) payable to the code reviser's office.