

AUGUST 21, 1991

OLYMPIA, WASHINGTON

ISSUE 91-16



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CITATION

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

PUBLIC INSPECTION OF DOCUMENTS

A copy of each document filed with the code reviser's office, pursuant to chapter 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).

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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 August 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 third 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

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STYLE AND FORMAT OF THE WASHINGTON STATE REGISTER

1. ARRANGEMENT OF THE REGISTER

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

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

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

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

3. PRINTING STYLE—INDICATION OF NEW OR DELETED MATERIAL

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

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

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

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

5. EFFECTIVE DATE OF RULES

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

6. EDITORIAL CORRECTIONS

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

7. INDEX AND TABLES

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

1990 – 1991

DATES FOR REGISTER CLOSING, DISTRIBUTION, AND FIRST AGENCY ACTION

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

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

²A filing of any length will be accepted on the closing dates of this column if it has been prepared and completed by the order typing service (OTS) of the code reviser's office; see WAC 1-21-040. Agency-typed material is subject to a ten page limit for these dates; longer agency-typed material is subject to the earlier non-OTS dates.

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

WSR 91-16-001
PERMANENT RULES
UNIVERSITY OF WASHINGTON
 [Filed July 25, 1991, 9:01 a.m.]

Date of Adoption: July 19, 1991.

Purpose: To update the program rules for continuing education.

Citation of Existing Rules Affected by this Order: Repealing WAC 478-160-180, 478-160-185, and 478-160-195; and amending WAC 478-160-170, 478-160-175, and 478-160-190.

Statutory Authority for Adoption: RCW 28B.20.130.

Pursuant to notice filed as WSR 91-11-057 on May 16, 1991.

Effective Date of Rule: Thirty-one days after filing.
 July 23, 1991
 Melody Tereski
 Administrative Procedures Officer

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 91-16-002
RULES COORDINATOR
COLUMBIA BASIN COLLEGE
 [Filed July 25, 1991, 9:02 a.m.]

The rules coordinator for Columbia Basin College is Jean Dunn, as per WAC 132S-05-010.

Jean Dunn
 Administrative Assistant

WSR 91-16-003
NOTICE OF PUBLIC MEETINGS
WHATCOM COMMUNITY COLLEGE
 [Memorandum—July 22, 1991]

The board of trustees of Whatcom Community College, District Number Twenty-One, has cancelled its regularly scheduled August 13, 1991, meeting.

WSR 91-16-004
RULES COORDINATOR
SHORELINE COMMUNITY COLLEGE
 [Filed July 25, 1991, 3:27 p.m.]

Dr. Chuck Fields, Vice-President for Student Services, is the agency rules coordinator for Shoreline Community College. His mailing address and phone number are as follows: Dr. Chuck Fields, Vice-President for Student Services, Shoreline Community College, 16101 Greenwood Avenue North, Seattle, WA 98133, phone 546-4641 or 274-4641 scan.

R. E. Bell
 President

WSR 91-16-005
PERMANENT RULES
DEPARTMENT OF AGRICULTURE
 [Order 2091—Filed July 25, 1991, 4:12 p.m.]

Date of Adoption: July 25, 1991.

Purpose: To set in rule the dates for license renewals.

Statutory Authority for Adoption: RCW 15.32.100, 15.32.110, 15.32.584, 69.07.040, 16.49.440, 16.49.630, 15.80.460, 15.80.470, 15.80.500, 16.58.060, 20.01.050, 22.09.050, 22.09.055, 22.09.070, 22.09.075, 17.21.070, 17.21.110, 17.21.126, 17.21.129, 17.21.220, 17.21.122, 15.58.200, 15.58.210, 15.58.220, 17.21.140, and 16.57.080.

Pursuant to notice filed as WSR 91-13-106 on June 19, 1991.

Changes Other than Editing from Proposed to Adopted Version: The following statement was added to WAC 16-146-110, 16-22-015, 16-23-014, 16-674-040, 16-605A-005, 16-694-020, 16-694-021, 16-212-125, 16-212-126, 16-212-128, and 16-228-020: Nothing herein shall be construed to limit the department's ability, as otherwise provided by law, to deny a license, to condition license renewal, or to enforce violations of applicable laws, subsequent to the expiration of a license.

The following statement was added to WAC 16-620-390 (underlined): (1) Owners of registered brands must file for renewal of registration by December 31st of odd-numbered years. Failure to do so will cause the brand to revert to the department and result in a penalty for later renewal as provided by RCW 16.57.080 if the department later reissues the brand to the prior registered owner.

Also added to WAC 16-620-390 was: (2) Nothing herein shall be construed to limit the department's ability, as otherwise provided by law, to deny a brand registration to condition brand registration renewal, or to enforce violations of applicable laws, subsequent to the expiration of a brand registration.

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

July 25, 1991

Michael V. Schwisow
 Deputy Director

Chapter 16-122 WAC
 MILK VENDORS

NEW SECTION

WAC 16-122-001 MILK VENDOR LICENSE EXPIRATION. Milk vendor licenses issued under RCW 15.32.100 shall expire on June 30th of each year.

Chapter 16-126 WAC
 MILK AND CREAM—BUYING IN BULK

NEW SECTION

WAC 16-126-001 LICENSE TO BUY MILK AND CREAM IN BULK. Licenses to buy milk or cream in bulk issued under RCW 15.32.110 shall expire on June 30th following the date of issuance.

NEW SECTION

WAC 16-124-011 DAIRY TECHNICIAN LICENSE. Dairy technician licenses issued under RCW 15.32.584 shall expire December 31st of each year.

Chapter 16-146 WAC
 FOOD PROCESSORS

NEW SECTION

WAC 16-146-100 FOOD PROCESSOR LICENSE. Licenses to operate a food processing plant or to process food issued under RCW 69.07.040 shall expire on the 31st day of March of each year.

NEW SECTION

WAC 16-146-110 LATE RENEWAL PENALTY FOR FOOD PROCESSOR LICENSE. (1) An additional fee shall be assessed for any license issued under chapter 69.07 RCW for which an application for renewal is not filed prior to April 1st in any year.

(2) Nothing herein shall be construed to limit the department's ability, as otherwise provided by law, to deny a license, to condition license renewal, or to enforce violations of applicable laws, subsequent to the expiration of a license.

NEW SECTION

WAC 16-22-011 LICENSE FOR CUSTOM FARM SLAUGHTERERS—CUSTOM SLAUGHTERING ESTABLISHMENTS—CUSTOM MEAT FACILITIES. Custom farm slaughterers, custom

slaughtering establishments, and custom meat facility licenses issued under RCW 16.49.440 shall expire on June 30th following the date of issuance.

NEW SECTION

WAC 16-22-015 LATE RENEWAL PENALTIES FOR CUSTOM FARM SLAUGHTERERS, CUSTOM SLAUGHTERING ESTABLISHMENTS, AND CUSTOM MEAT FACILITIES. (1) A late fee shall be assessed for any license issued under RCW 16.49.440 for which an application for renewal is not filed prior to July 1st of each year.

(2) Nothing herein shall be construed to limit the department's ability, as otherwise provided by law, to deny a license, to condition license renewal, or to enforce violations of applicable laws, subsequent to the expiration of a license.

NEW SECTION

WAC 16-23-012 CUSTOM MEAT FACILITY OPERATOR LICENSE. Custom meat facility operator licenses issued under RCW 16.49.630 shall expire on June 30th of each year.

NEW SECTION

WAC 16-23-014 CUSTOM MEAT FACILITY OPERATOR LICENSE—LATE RENEWAL PENALTY. (1) A late fee shall be assessed for any custom meat facility operator licenses issued under RCW 16.49.630 for which an application for renewal is not filed prior to July 1st of each year.

(2) Nothing herein shall be construed to limit the department's ability, as otherwise provided by law, to deny a license, to condition license renewal, or to enforce violations of applicable laws, subsequent to the expiration of a license.

NEW SECTION

WAC 16-674-030 WEIGHMASTER LICENSE. Weighmaster licenses issued under RCW 15.80.460 shall expire on June 30th following the date of issuance.

NEW SECTION

WAC 16-674-040 WEIGHMASTER LICENSE—LATE RENEWAL PENALTY. (1) Renewal applications for weighmaster licenses issued under chapter 15.80 RCW not filed by July of any one year are subject to a penalty as provided by RCW 15.80.470.

(2) Nothing herein shall be construed to limit the department's ability, as otherwise provided by law, to deny a license, to condition license renewal, or to enforce violations of applicable laws, subsequent to the expiration of a license.

NEW SECTION

WAC 16-674-050 WEIGHER LICENSE. Weigher licenses issued under RCW 15.80.500 shall expire on June 30th following the date of issuance.

Chapter 16-605A WAC CERTIFIED FEED LOTS

NEW SECTION

WAC 16-605A-005 CERTIFIED FEED LOT LICENSE EXPIRATION—LATE RENEWAL PENALTY. (1) Certified feed lot licenses issued under RCW 16.58.060 shall expire on June 30th following the date of issuance.

(2) Applicants filing for license renewal after June 30th shall be subject to an additional assessment as provided by RCW 16.58.060.

(3) Nothing herein shall be construed to limit the department's ability, as otherwise provided by law, to deny a license, to condition license renewal, or to enforce violations of applicable laws, subsequent to the expiration of a license.

NEW SECTION

WAC 16-694-020 COMMISSION MERCHANT LICENSE. Commission merchant licenses issued under RCW 20.01.040 shall require renewal on or before January 1st of each year. Commission merchant licenses shall expire December 31st following date of issuance.

NEW SECTION

WAC 16-694-021 COMMISSION MERCHANT LICENSE—LATE RENEWAL PENALTY. (1) Applications for renewal of commission merchant, dealer, broker, or cash buyer licenses not filed prior to January 1st of any year shall be assessed a penalty as provided by RCW 20.01.050.

(2) Nothing herein shall be construed to limit the department's ability, as otherwise provided by law, to deny a license, to condition license renewal, or to enforce violations of applicable laws, subsequent to the expiration of a license.

NEW SECTION

WAC 16-212-125 LICENSES; WAREHOUSE, TERMINAL WAREHOUSE, COUNTRY WAREHOUSE—LATE RENEWAL PENALTY. (1) If the application for renewal of a warehouse license or licenses is not received by the department prior to June 30th of any year a penalty shall be assessed as provided by RCW 22.09.050.

(2) Nothing herein shall be construed to limit the department's ability, as otherwise provided by law, to deny a license, to condition license renewal, or to enforce violations of applicable laws, subsequent to the expiration of a license.

NEW SECTION

WAC 16-212-126 GRAIN DEALER LICENSE—LATE RENEWAL PENALTY. (1) If the application for renewal of a grain dealer license is not received by the department prior to June 30th of any year a penalty shall be assessed as provided by RCW 22.09.055.

(2) Nothing herein shall be construed to limit the department's ability, as otherwise provided by law, to deny a license, to condition license renewal, or to enforce violations of applicable laws, subsequent to the expiration of a license.

NEW SECTION

WAC 16-212-127 WAREHOUSE LICENSE EXPIRATION. Warehouse licenses issued under RCW 22.09.070 shall expire on June 30th after the date of issuance.

NEW SECTION

WAC 16-212-128 GRAIN DEALER LICENSE EXPIRATION. Grain dealer licenses issued under RCW 22.09.075 shall expire on June 30th after the date of issuance.

NEW SECTION

WAC 16-620-390 RENEWAL OF REGISTERED BRANDS. (1) Owners of registered brands must file for renewal of registration by December 31st of odd-numbered years. Failure to do so will cause the brand to revert to the department and result in a penalty for later renewal as provided by RCW 16.57.080 if the department later reissues the brand to the prior registered owner.

(2) Nothing herein shall be construed to limit the department's ability, as otherwise provided by law, to deny a brand registration, to condition brand registration renewal, or to enforce violations of applicable laws, subsequent to the expiration of a brand registration.

NEW SECTION

WAC 16-228-020 PESTICIDE LICENSES—RENEWAL DATES—PENALTIES. (1) The following pesticide licenses shall expire on the December 31st following their issuance:

- (a) Commercial pesticide applicator licenses issued under the authority of RCW 17.21.070;
- (b) Commercial pesticide operator licenses issued under the authority of RCW 17.21.110;
- (c) Private applicator licenses issued under the authority of RCW 17.21.126;
- (d) Public operator licenses issued under the authority of RCW 17.21.220.

(2) The following pesticide licenses shall expire on the fifth December 31st following their issuance:

- (a) Private-commercial applicator licenses issued under the authority of RCW 17.21.122;
- (b) Pesticide dealer-manager licenses issued under the authority of RCW 15.58.200;
- (c) Demonstration and research licenses issued under the authority of RCW 17.21.129.

(3) The following pesticide licenses shall expire on the final day of February of each year:

- (a) Pest control consultant licenses issued under the authority of RCW 15.58.210;
- (b) Public pest control consultant licenses issued under the authority of RCW 15.58.220.

(4) Pesticide renewal applications for licenses issued under the authority of chapter 17.21 RCW shall be filed on or before January 1st of the appropriate year.

(5) If an application for renewal of any pesticide license issued under the authority of chapter 17.21 RCW is not filed on or prior to January 1st following the expiration date of the license, a penalty shall be assessed as provided in RCW 17.21.140.

(6) If an application for renewal of a pesticide dealer license issued under the authority of chapter 15.58 RCW is not filed on or before the master license expiration date, the master license delinquency fee shall be assessed under chapter 19.02 RCW and shall be paid by the applicant before the renewal license is issued.

(7) If an application for renewal of any license issued under the authority of chapter 15.58 RCW, other than the pesticide dealer license, is not filed on or before the expiration date of the license, penalty equivalent to the license fee shall be assessed and added to the original fee, and shall be paid by the applicant before the renewal license is issued.

(8) Nothing herein shall be construed to limit the department's ability, as otherwise provided by law, to deny a license, to condition license renewal, or to enforce violations of applicable laws, subsequent to the expiration of a license.

WSR 91-16-006

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 91-55—Filed July 26, 1991, 8:36 a.m., effective July 25 [26], 1991, 12:01 a.m.]

Date of Adoption: July 25, 1991.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order: Amending WAC 220-56-325.

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 catch rate for spot shrimp in the northern section of Shrimp District 1 has declined over the past four years, with the lowest rate on record in June 1991. Any further harvest would endanger the resource.

Effective Date of Rule: 12:01 a.m. July 25 [26], 1991.

July 25, 1991

Judith Merchant

Deputy

for Joseph R. Blum

Director

NEW SECTION

WAC 220-56-32500T SHRIMP FISHERY — PUGET SOUND. Notwithstanding the provisions of

WAC 220-56-325, effective 12:01 a.m. July 26, 1991, until further notice, it is unlawful to take or possess shrimp taken for personal use from Shrimp District 1, north of a line from Diamond Point to Cape George.

WSR 91-16-007
EMERGENCY RULES
DEPARTMENT OF FISHERIES

[Order 91-54—Filed July 26, 1991, 8:38 a.m., effective July 30, 1991, 11:59 p.m.]

Date of Adoption: July 25, 1991.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order:
Repealing WAC 220-56-19000I.

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 coho quota in Marine Area 3 has been met.

Effective Date of Rule: 11:59 p.m. July 30, 1991.

July 25, 1991
Judith Merchant
Deputy
for Joseph R. Blum
Director

NEW SECTION

WAC 220-56-19000J SALTWATER SEASONS AND BAG LIMITS. Notwithstanding the provisions of WAC 220-56-180 and WAC 220-56-190, effective immediately until further notice, it is unlawful to fish for salmon in Marine Areas 1-4, except as provided for in this section:

(1) Areas and times open to salmon angling:

(a) Marine Area 4 east of the Bonilla-Tatoosh Line - August 19 through September 26, 1991 or until the coho quota of 16,000 is met - Saturday through Thursdays only.

(b) Marine Area 2 - June 24 through September 26, 1991 or until overall chinook quota (40,000) or coho sub-quota of 88,400 is met - Sunday through Thursdays only.

(c) Marine Area 1, except closed in the ocean area surrounding the Columbia River mouth bounded by a line extending six nautical miles due west from North Head 46°18'00" north latitude to 124°13'18" west longitude, then southerly along a line 167 true to the Washington Oregon border - June 24 through September 15, 1991 or until overall chinook quota of (40,000) or coho sub-area quota of 109,500 is met - Sunday through Thursdays only.

(d) In those waters south of the Red Buoy Line at the mouth of the Columbia River open September 16 through September 26, 1991 or until overall chinook quota (40,000) or coho sub-area quota of 7,000 is met - seven days a week.

(2) Bag Limit - 2 salmon per day, minimum size limit in all ocean waters; chinook salmon 24 inches in length and coho salmon 16 inches in length.

(3) Single point barbless hooks unless otherwise provided for.

(4) Shore based anling from the north jetty of the Columbia River is allowed and single point barbed hooks may be used.

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

REPEALER

The following section of the Washington Administrative Code is repealed effective 11:59 p.m. July 30, 1991:

WAC 220-56-19000I SALTWATER SEASONS AND BAG LIMITS. (91-51)

Reviser's note: The spelling 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 91-16-008
PREPROPOSAL COMMENTS
DEPARTMENT OF REVENUE
[Filed July 26, 1991, 9:30 a.m.]

Subject of Possible Rule Making: WAC 458-20-228 Returns, remittances, penalties, interest, extensions, stay of collection.

Persons may comment on this subject in writing or by attending the public meeting. Written comments should be addressed to: Les Jaster, Rules Coordinator, Department of Revenue, Interpretation and Appeals, General Administration Building, Mailstop AX-02, Olympia, Washington 98504. Public meeting scheduled at: Evergreen Plaza Building, 2nd Floor Conference Room, 711 Capitol Way South, Olympia, WA, on September 10, 1991, at 10:00 a.m. (Written comments will be accepted to this date.)

Other Information or Comments by Agency at this Time, if any: The rule will be amended to implement chapter 142, Laws of 1991. The rule will discuss changes in interest and penalty amounts. It is proposed to include a discussion of the negligence penalty and the evasion penalty. A copy of the rule draft is available upon request. Contact Roseanna Hodson, (206) 586-4281.

July 25, 1991
Les Jaster
Rules Coordinator

WSR 91-16-009
PREPROPOSAL COMMENTS
DEPARTMENT OF REVENUE
 [Filed July 26, 1991, 9:33 a.m.]

Subject of Possible Rule Making: WAC 458-20-229 Refunds.

Persons may comment on this subject in writing or by attending the public meeting. Written comments should be addressed to: Les Jaster, Rules Coordinator, Department of Revenue, Interpretation and Appeals, General Administration Building, Mailstop AX-02, Olympia, Washington 98504. Public meeting scheduled at: Evergreen Plaza Building, 2nd Floor Conference Room, 711 Capitol Way South, Olympia, WA, on September 10, 1991, at 10:00 a.m. (Written comments will be accepted to this date.)

Other Information or Comments by Agency at this Time, if any: The rule will be amended to implement chapter 142, Laws of 1991. The rule will indicate the circumstances under which refunds will be considered in the event of successful challenges on constitutional grounds. The rule will discuss procedures for obtaining refunds. A copy of the rule draft is available upon request. Contact Roseanna Hodson, (206) 586-4281.

July 25, 1991
 Les Jaster
 Rules Coordinator

WSR 91-16-010
PROPOSED RULES
DEPARTMENT OF REVENUE
 [Filed July 26, 1991, 9:36 a.m.]

Original Notice.

Title of Rule: Amending WAC 458-20-255 Carbonated beverage and syrup tax.

Purpose: To implement change of chapter 80, Laws of 1991, effective June 1, 1991.

Statutory Authority for Adoption: RCW 82.32.300.

Statute Being Implemented: Chapter 82.64 RCW.

Summary: Chapter 80, Laws of 1991 changed the carbonated beverage and syrup tax from a first possession to a tax upon the activity of selling carbonated beverage or syrup.

Name of Agency Personnel Responsible for Drafting and Implementation: Steve Zagelow, 711 Capitol Way, #205, Olympia, (206) 586-4291; 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 amendment implements the chapter 80, Laws of 1991 legislative change of the carbonated beverage and syrup tax from a possession tax to tax upon the activity of selling carbonated beverages and syrup. The act and the rule amendment requires the wholesaler collecting the tax to separately state the amount of the

tax on an instrument of sale. This rule was emergency adopted on May 24, 1991.

Proposal does not change existing rules.

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

The Department of Revenue has reviewed administrative provisions contained in this rule in order to lessen the economic impact on small businesses.

A Small Business Economic Impact Statement is not required for the following reason(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 September 17, 1991, at 9:30 a.m.

Submit Written Comments to: Steve Zagelow, Sr. A.L.J., Department of Revenue, Interpretation and Appeals, General Administration Building, Mailstop AX-02, FAX 586-7603, Olympia, Washington, 98504, by September 17, 1991.

Date of Intended Adoption: September 24, 1991.

July 25, 1991
 Edward L. Faker
 Assistant Director

AMENDATORY SECTION (Amending Order 89-13, filed 8/3/89)

WAC 458-20-255 CARBONATED BEVERAGE AND SYRUP TAX. 1) INTRODUCTION. Under the provisions of chapter ((27+)) 80, Laws of 19((89))91, a tax ((carbonated beverage and syrup tax)) is imposed, effective ((July)) June 1, ((1989)) 1991, upon the volume of carbonated beverages and syrups ((possessed)) sold at wholesale and retail in this state with specific credits and exemptions provided. This tax is an excise tax upon the ((privilege of possessing)) business activity of selling carbonated beverages or syrups in this state. It is imposed in addition to all other taxes of an excise or property tax nature and is not in lieu of any other such taxes.

((a)) The tax provisions relate exclusively to the possession of carbonated beverages and syrups. The incidence or privilege which incurs tax liability is simply the possession of the carbonated beverages or syrup and is imposed upon any possession of carbonated beverages or syrup in this state by any person who is not expressly exempt of the tax. However, it is the intent of the law that the economic burden of the tax should fall upon the first such possession in this state. Therefore, the law provides that if the tax has not been paid upon any carbonated beverage or syrup the department may collect the tax from any person who has had possession. The amount of tax paid then constitutes a debt owed by the first person having had taxable possession to the person who pays the tax.))

(2) DEFINITIONS. For purposes of this section the following terms will apply.

(a) "Tax" means the carbonated beverage or syrup tax imposed by chapter ((27+)) 80, Laws of 19((89))91.

(b) "Carbonated beverage" has its ordinary meaning and includes any nonalcoholic liquid intended for human consumption which contains carbon dioxide.

(i) Thus, "carbonated beverage" includes but is not limited to soft drinks, "soda pop," mineral waters, seltzers, fruit juices, or any other nonalcoholic beverages, including carbonated waters, which are produced for human consumption and which contain any amount of carbon dioxide.

(ii) However, "carbonated beverage" does not include bromides or other carbonated liquids commonly sold as pharmaceuticals.

((c)) "Possession" means the control of a carbonated beverage or syrup located within this state and includes both actual and constructive possession:

(i) "Actual possession" occurs when the person with control has physical possession:

(ii) "Constructive possession" occurs when the person with control does not have physical possession:

(iii) "Control" means the power to sell or use a carbonated beverage or syrup or to authorize the sale or use by another.))

~~((d))~~ (c) "Previously taxed carbonated beverage or syrup" means a carbonated beverage or syrup in respect to which a tax has been paid under this chapter. A "previously taxed carbonated beverage" includes carbonated beverages in respect to which the tax has been paid on either the carbonated beverage or on the syrup in the carbonated beverage.

(i) Example. A retailer who produces a carbonated beverage by adding water and carbonation to a syrup, upon which the tax has been paid to and collected by a ~~((prior possessor))~~ wholesaler ~~((, possesses a "previously taxed carbonated beverage or syrup" and))~~ incurs no additional tax liability ~~((as))~~ because the tax has been paid upon the syrup ~~((used in the production process))~~ and collected by the wholesaler.

~~((e))~~ (d) "Syrup" means a concentrated liquid which is added to carbonated water to produce a carbonated beverage.

(i) Thus, "syrup" includes the concentrated liquid marketed by manufacturers to which the purchaser adds water and/or carbon dioxide, or, carbonated water to produce a carbonated beverage.

~~((f))~~ (e) "State" means for the credit provisions of this section:

(i) A state of the United States other than Washington, or any political subdivision of such other state,

(ii) The District of Columbia, and

(iii) Any foreign country or political subdivision thereof.

~~((g))~~ (f) Except as otherwise expressly defined in this section, the definitions of terms provided in chapters 82.04, 82.08, and 82.12 RCW apply equally for this section. Other terms not expressly defined in these chapters or this section are to be given their common and ordinary meanings.

(3) TAX IMPOSITION, RATE AND MEASURE.

(a) The tax is imposed upon the wholesale or retail business activity ~~((privilege))~~ of ~~((possessing))~~ selling carbonated beverages or syrups within this state. The tax shall be paid by the buyer to the wholesaler and each wholesaler shall collect the tax from the buyer unless the wholesaler is prohibited from collecting the tax from the buyer under the Constitution of this state or the Constitution or laws of the United States in which case the wholesaler is liable for the amount of the tax. The amount of the tax required to be collected by the wholesaler is a debt from the buyer to the wholesaler until the tax is paid by the buyer to the wholesaler. A wholesaler who fails or refuses to collect the tax with the intent to violate the provisions of this chapter or to gain some advantage directly or indirectly, is guilty of a misdemeanor. When a retailer sells carbonated beverages or uses syrup which the retailer has purchased from an out-of-state wholesaler who has not collected the tax, the retailer must report and pay the tax.

(i) When a ~~((manufacturer or))~~ bottler produces a carbonated beverage end product, the measure of the tax shall be the volume of the carbonated beverage ~~((produced))~~ end product sold at wholesale or retail ~~((and not an ingredient in the production process))~~.

(ii) Manufacturers of syrup are taxable on the ~~((possession))~~ business activity of selling syrup only when such syrup is removed from the production process ~~((for purposes of sale or other transfer of possession))~~ and sold without further processing by them or another manufacturer or bottler.

(iii) Example. An ingredient used in the manufacturing process by a ~~((manufacturer or))~~ bottler of carbonated beverages is never taxed even if the ingredient is a syrup. Therefore, a manufacturer of syrup who ~~((uses, or))~~ sells ~~((or transfers possession of))~~ an ingredient to another manufacturer of syrup or a bottler, is not taxed on the ingredient ~~((possessed))~~ sold even if the ingredient is a syrup. The product ~~((used,))~~ sold ~~((or transferred))~~ is not a taxable syrup but an ingredient in the manufacturing process. The ~~((using or))~~ purchasing manufacturer or bottler is taxed upon the end product produced by such manufacturer of syrup or bottler, or by a contract bottler hired by him.

Similarly, a manufacturer of syrup or bottler who receives a product from an out of state source for use as an ingredient in the manufacturing or bottling process ~~((is not taxed on the possession of the ingredient even if the ingredient is a syrup. The manufacturer of the carbonated beverage))~~ is taxed ~~((upon))~~ when the end product produced is sold.

(b) The tax rate and measure for carbonated beverages is eighty-four one thousandths of a cent per ounce. The tax rate and measure for syrup is seventy five cents per gallon. Fractional amounts shall be taxed proportionally.

(4) EXEMPTIONS. The following are exempt from the tax:

(a) Any successive possession of a previously taxed carbonated beverage or syrup.

(i) In order to verify the payment of the tax, all persons selling or otherwise transferring possession of taxed beverages or syrup, except retailers, shall separately itemize the amount of the tax on the invoice, bill of lading, or other ~~((delivery document))~~ instrument of sale. Beer and wine wholesalers selling carbonated beverages or syrup upon which the tax has been paid and who are prohibited under RCW 68.28.010 from having a direct or indirect financial interest in any retail business may, in lieu of a separate itemization of the amount of the tax, provide a statement on the instrument of sale that the carbonated beverage and syrup tax has been paid. For purposes of the payment and the itemization of the tax, the tax computed on standard units of a product, cases, liters, gallons, etc., may be stated in an amount rounded to the nearest cent. ~~((To allow sufficient time for the installation of equipment and procedures necessary to itemize the tax, the requirement for itemization of the tax shall take effect November 1, 1989.))~~ In competitive bid documents, the tax will be considered to not be included in the bid price unless the bid documents separately itemizes the tax. In either case, the tax must be separately itemized on the instrument of sale except when the separate itemization is prohibited by law.

(ii) Any person prohibited by federal or state law, ruling or requirement from itemizing the tax on an invoice, bill of lading, or other document of delivery shall retain the documentation necessary for verification of the payment of the tax.

(iii) A subsequent ~~((possessor))~~ sale of carbonated beverages or syrups sold or delivered upon an invoice, bill of lading, or other document of sale which contains a separate itemization of the tax shall be exempt from the tax.

(iv) However, a ~~((possessor))~~ subsequent sale of carbonated beverages or syrups sold or delivered to the subsequent seller upon an invoice, bill of lading or other document of sale which does not contain a separate itemization of the tax is conclusively presumed to be ~~((the first possessor of the))~~ previously untaxed carbonated beverage or syrup ~~((in this state))~~ and the wholesaler ~~((is liable for))~~ must report and pay the tax. The retailer must report and pay the tax when the retailer purchases from an out-of-state wholesaler who has not collected the tax.

(v) This exemption for taxes previously paid is available for any person ~~((in successive possession of a))~~ selling previously taxed carbonated beverage or syrup even though the previous payment may have been satisfied by the use of credits or offsets available to the ~~((previous person in possession))~~ prior seller.

(vi) Example. Company A sells to Company B ~~((brings))~~ a carbonated beverage or syrup ~~((into this state))~~ upon which it has paid a similar carbonated beverage or syrup tax in another state. Company A takes a credit against its Washington tax liability in the amount of the other state's tax paid. It ~~((then sells the substance to Company B, and))~~ provides Company B with an invoice containing a separate itemization of the tax. Company B's ~~((possession))~~ subsequent sale is tax exempt even though Company A has not directly paid Washington's tax but has used a credit against its Washington liability.

(b) Any carbonated beverage or syrup that is transferred to a point outside the state for use outside the state.

(i) The exemption for ~~((possessions))~~ the sale of exported carbonated beverages or syrups ~~((for export sale or use))~~ may be taken by any ~~((possessor))~~ seller within the chain of distribution of such products in this state. To perfect its entitlement to this exemption the ~~((possessor))~~ seller of such carbonated beverage or syrup must take from its buyer or transferee of the carbonated beverage or syrup a written certification in substantially the following form:

Certificate of Tax Exempt Export Carbonated Beverages or Syrup

I hereby certify that the carbonated beverages or syrups specified herein, purchased by ~~((or transferred to))~~ the undersigned, from ~~((seller))~~ ~~((or transferor))~~, are for export for use or sale outside Washington state. I will become liable for and pay any carbonated beverage or syrup tax due upon all or any part of such products which ~~((are))~~ is not so exported outside Washington state. This certificate is given with full knowledge of, and subject to the legally prescribed penalties for fraud and tax evasion.

Registration No. _____ Type of Business _____
 ((If applicable))
 Firm Name _____
 Registered Name (If different) _____
 Authorized Signature _____
 Title _____
 Identity of Carbonated Beverages or Syrups. _____
 (Kind and amount by volume)
 Date _____

This certificate may be used so long as some portion of the product is exported. ~~((Transfers))~~ Sellers are under no obligation to verify the amount of the product to be exported by their ~~((transferees))~~ buyers providing such certificates. ~~((Transferees))~~ Buyers providing such certificates are, however, subject to penalties and interest, for any late payment of tax due on products not exported.

(ii) Each successive ~~((possessor))~~ sale of such carbonated beverages or syrups must, in turn, take a certification in substantially this form from any other person to whom such carbonated beverages or syrups are sold ~~((or transferred in this state))~~. Failure to take and keep such certifications as part of its permanent records will incur carbonated beverage or syrup tax liability by such sellers ~~((or transferees of carbonated beverages or syrups))~~ if the tax has not been previously paid.

(iii) Persons ~~((in possession of carbonated beverages or syrups))~~ who themselves export or cause the exportation of such products to persons outside this state for further sale or use outside this state must keep the proofs of actual exportation required by WAC 458-20-193 ~~((Parts A or C))~~.

(c) Persons or activities which the state is prohibited from taxing under the United States Constitution are tax exempt.

(i) This exemption extends to the U.S. Government, its agencies and instrumentalities, and to any ~~((possession))~~ sale the taxation of which has been expressly reserved or preempted under the laws of the United States. This exemption applies only ~~((when))~~ to purchases by the United States, its agencies and instrumentalities ~~((is the first possessor of carbonated beverages or syrup in this state))~~. The exemption does not apply to persons who ~~((possess))~~ sell carbonated beverages or syrups ~~((for sale or delivery))~~ to agencies and instrumentalities of the United States located in this state. When the United States or its agencies or instrumentalities purchases carbonated beverages or syrup from a wholesaler who is required to collect this tax from its buyer, the wholesaler itself is liable for, and must report and pay, the tax on the volume of product sold to the United States or its agencies or instrumentalities.

~~((ii))~~ The tax will not apply with respect to any possession of any carbonated beverage or syrup purchased, extracted, produced or manufactured outside this state which is shipped or delivered into this state until the interstate transportation of such carbonated beverage or syrup has finally ended in this state. Thus, out of state sellers or producers need not pay the tax on carbonated beverages or syrups shipped directly to customers in this state. The customers must pay the tax upon their first possession unless the out of state seller chooses to pay the tax and evidences such payment on its invoice to its customer, or the customer is otherwise expressly exempt.

~~((iii))~~ Out of state sellers or producers will be subject to tax upon carbonated beverages or syrups shipped or delivered into storage (including public storage), or, to distribution centers, or, to other in-state facilities owned, leased, or otherwise controlled by them.

~~((iv))~~ However, the tax will not apply with respect to possessions of carbonated beverages or syrups which are only temporarily stored or possessed in this state in connection with through, interstate movement of the substances from points of origin to points of destination both of which are outside of this state.)

(d) The ~~((possession))~~ sale of any carbonated beverages or syrups prior to ~~((July 1, 1989))~~ June 1, 1991 is tax exempt. Sales of carbonated beverages and syrups after June 1, 1991 are exempt if carbonated beverage and syrup possession tax has been paid on the product. ~~((This exemption extends to current inventories and stocks of carbonated beverages or syrups on hand on July 1, 1989 when the tax first takes effect. The intent is that the carbonated beverage or syrup tax has no retroactive application.))~~

~~((f))~~ It is the intent, under the law, that this exemption will apply to the carbonated beverages or syrups throughout their succeeding chain of distribution ~~((in the possession of any person.))~~ for the life of those carbonated beverages or syrups. That is, carbonated beverages or syrups already possessed as of ~~((June 30, 1989))~~ May 31, 1991 and

upon which the possession carbonated beverage and syrup tax has been paid will not incur another tax liability ~~((in the possession of any person at any time))~~ upon the sale of the product after May 31, 1991.

~~((ii))~~ Persons who already possess any carbonated beverages or syrups on June 30, 1989 must use a first-in-first-out (FIFO) accounting method for depleting such supplies, supported by their purchase, sales, or transfer records. For purposes of this exemption only, persons may choose to account for product possessed as of June 30, 1989 on a product by product basis or a total volume basis.

~~((iii))~~ Because this exemption will follow the carbonated beverage or syrup into the possession of any subsequent or succeeding possessors, sellers of such exempt current inventory of carbonated beverages or syrups should provide their registered buyers in this state with a separately itemized statement on the invoice, bill of lading, or other delivery document indicating that the product is tax exempt inventory.)

~~((e))~~ Any sale at wholesale of a trademarked carbonated beverage or syrup by any person to a person commonly known as a bottler who is appointed by the owner of the trademark to manufacture, distribute and sell such trademarked carbonated beverage within a specific geographic territory.

(5) CREDIT. Credit shall be allowed against the taxes imposed in this section for any carbonated beverage or syrup tax paid to another state with respect to the same carbonated beverage or syrup. The amount of the credit shall not exceed the tax liability arising under this chapter with respect to that carbonated beverage or syrup.

(a) "Carbonated beverage or syrup tax" means a tax:

(i) That is imposed on the ~~((act or privilege of possessing))~~ sale at wholesale of carbonated beverages or syrup and is not generally imposed on other activities or privileges; and

(ii) That is measured by the value or volume of the carbonated beverage or syrup ~~((possessed))~~.

(b) In order for this credit to apply, the other state's tax must be significantly similar to Washington's tax in all its various respects. The taxable incident must be ~~((possessing))~~ the wholesale sale of carbonated beverages or syrups without deductions for costs of doing business, such that the other state's tax does not constitute an income tax or added value tax.

(c) This credit may be taken for the amount of any other state's qualifying tax which has actually been paid as a result of the same carbonated beverage or syrup being previously ~~((possessed))~~ sold by the same person in another taxing jurisdiction before Washington State's tax is incurred.

(d) The amount of credit is limited to the amount of tax paid in this state upon ~~((possession))~~ the wholesale sale of the same carbonated beverage or syrup in this state. Also, the credit may not be applied against any tax paid or owed in this state other than the carbonated beverage tax imposed by chapter ~~((271))~~ 80, Laws of ~~((1989))~~ 1991.

~~((6))~~ RECURRENT TAX LIABILITY. It is the intent of the law that all carbonated beverages or syrups possessed in this state should incur this tax liability only once unless they are expressly exempt. This is true of carbonated beverages or syrups used as ingredients of products as well as the manufactured end product itself. When a manufacturer is in possession of both syrup and carbonated beverage and where the syrup is an ingredient or step in the production of the carbonated beverage end product, the measure of the tax shall be the carbonated beverage produced and not the syrup which is only an ingredient in the production process.

(a) Manufacturers are taxable on the possession of syrup only when such syrup is removed from the production process for purposes of sale or other transfer of possession without further processing by them or another manufacturer or bottler.

(b) Example. When a retailer (soda fountain, convenience store, fast food outlet, etc.) who produces carbonated beverages by combining syrup with water and carbon dioxide purchases the syrup from an out-of-state seller who is not the first possessor of the syrup in this state, the retailer incurs tax liability as the first possessor of the syrup in this state. The tax is measured by the volume of syrup first possessed.)

~~((7))~~ (6) HOW AND WHEN TO PAY TAX.

(a) The tax must be reported on a special line of the combined excise tax return designated "carbonated beverage or syrup". The volume reported shall be the net volume subject to tax, i.e., the gross volume ~~((possessed))~~ sold less volume exempt.

(b) The tax is due for payment together with the timely filing of the return upon which it is reported, covering the tax reporting period during which the carbonated beverage or syrup is ~~((first possessed within this state))~~ sold. ~~((Any person who is not expressly exempt of the tax and who possesses any carbonated beverage or syrup in this~~

state, without having proof that the tax has previously been paid on that carbonated beverage or syrup, must report and pay the tax.)

(i) A wholesaler making a wholesale sale of carbonated beverage or syrup in this state must collect the tax from the buyer and report and pay it to the department. The buyer is not obligated to report or pay the tax.

(ii) A retailer making a retail sale in this state of carbonated beverage or syrup purchased from an out-of-state wholesaler who has not collected the tax must collect the tax from the buyer and report and pay it to the department. The buyer is not obligated to report or pay the tax.

(c) The taxable incident or event is the ((possession)) sale of the carbonated beverage or syrup. Tax is due for payment by the first ((possessor)) seller, whether wholesaler or retailer, of carbonated beverage or syrup upon which the tax has not been paid ((in this state whether or not the carbonated beverage or syrup has been sold or transferred or whether, if sold, the purchase price has been paid in part or in full)). It is the intent of the law that all carbonated beverages or syrups sold in this state should incur this tax liability only once unless they are expressly exempt.

(d) Various circumstances may arise whereby a person will sell carbonated beverages or syrups in this state, some of which have been previously taxed in this or other states and some of which may not. In such cases formulary tax reporting may be used, only after receipt of a special ruling issued by the department of revenue authorizing such formulary reporting.

((d)) Special provision for manufacturers, bottlers, and wholesalers: Because it is not possible to know, at the time of first possession in this state, whether a carbonated beverage or syrup may be used or sold in a manner which would entitle the first possession to tax exemption, manufacturers, bottlers, wholesalers, and other persons giving their suppliers export exemption certificates who possess carbonated beverages or syrups may report the tax and take any available exemptions and credits at the time that such carbonated beverages or syrups are withdrawn from storage for purposes of their sale, transfer of possession, export, or consumption.)

((f)) (7) HOW AND WHEN TO CLAIM CREDIT. Any tax credit available to the taxpayer should be claimed and offset against tax liability reported on the same excise tax return when possible. The tax return form provides a line for reporting tax on carbonated beverages and syrups and the credit shall be taken on the line for taking "other credits" as an offset against the tax reported. A statement showing the computation of the credit must be provided. It is not required that any other documents or other evidences of entitlement to credits be submitted with the report. Such proofs must be retained in permanent records for the purpose of verification of credits taken.

((9) CARBONATED BEVERAGES OR SYRUPS ON CONSIGNMENT. Consignees who possess carbonated beverages or syrups in this state with the power to sell such things, in their own name or on behalf of a disclosed or undisclosed consignor have "control" of the product and are liable for payment of the tax unless the tax has been paid by a prior possessor. The exemption for previously taxed carbonated beverages or syrups is available for such consignees if the consignor or the previous possessor has paid the tax and the consignee has retained the document of sale or delivery containing a separately itemized statement of the payment of the tax. Possession of consigned carbonated beverages or syrups by a consignee who has control of the product does not constitute constructive possession by the consignor.

(10) Various circumstances may arise whereby a person will possess carbonated beverages or syrups in this state, some of which have been previously taxed in this or other states and some of which may not. In such cases formulary tax reporting may be used, only after receipt of a special ruling issued by the department of revenue authorizing such formulary reporting.

(a) Example: Fungible carbonated beverages or syrups from sources both within and outside this state are commingled in common storage facilities. Formulary reporting may be appropriate based upon volume percentages reflecting the ratio of in-state production to out-of-state production or other form of acquisition.)

(8) NOTICE TO CONSUMERS BY RETAILERS THAT PURCHASE PRICE INCLUDES WASHINGTON DRUG FUND TAX. Chapter 80, Laws of 1991 authorizes the voluntary posting or print advertising by certain retailers that the price of the product includes the Washington Drug Fund Tax. The intent of this voluntary program is to increase public and consumer awareness of the state's drug problem and its enforcement measures.

((H)) (9) ADMINISTRATIVE PROVISIONS. The provisions of chapters 82.32 and 82.04 RCW regarding due dates, reporting periods, tax return requirements, interest and penalties, tax audits and limitations, disputes and appeals, and all such general administrative provisions apply equally to the carbonated beverage or syrup tax.

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 91-16-011
PERMANENT RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION

[Order 91-12—Filed July 26, 1991, 10:45 a.m.]

Date of Adoption: July 26, 1991.

Purpose: To update RCW references.

Citation of Existing Rules Affected by this Order:
Amending WAC 392-140-336, 392-140-337, 392-192-005, 392-192-040, 392-191-001 - 392-191-085, 392-127-004 - 392-127-011, and 392-142-005 - 392-142-250.

Statutory Authority for Adoption: HB 2276, chapter 33, Laws of 1990.

Pursuant to notice filed as WSR 91-12-006 on May 28, 1991.

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

July 26, 1991

Judith A. Billings
Superintendent of
Public Instruction

AMENDATORY SECTION (Amending Order 10, filed 6/1/90, effective 7/2/90)

WAC 392-127-004 AUTHORITY. The authority for this chapter is RCW ((28A.41.170)) 28A.150.290(1) which empowers the superintendent of public instruction to make such rules and regulations as are necessary for the administration of chapter ((28A.41)) 28A.150 RCW, including RCW ((28A.41.110)) 28A.150.100(2) which sets forth for each school district as a minimum, a ratio in the basic education program of forty-six certificated instructional staff per one thousand annual average full-time equivalent students.

AMENDATORY SECTION (Amending Order 10, filed 6/1/90, effective 7/2/90)

WAC 392-127-006 PURPOSE. The purpose of this chapter is to set forth the policies and procedures used by the superintendent of public instruction to determine the following:

(1) Compliance of school districts with the statutory ratio of certificated instructional staff per one thousand full-time equivalent students in kindergarten through twelfth grade set forth in RCW ((28A.41.110)) 28A.150.100(2).

(2) The monetary penalty associated with not maintaining this ratio.

AMENDATORY SECTION (Amending Order 10, filed 6/1/90, effective 7/2/90)

WAC 392-127-011 OTHER RATIO REQUIREMENTS. School districts are advised that compliance with this chapter does not ensure compliance with the following statutes:

(1) RCW ((~~28A.41.130~~) 28A.150.250, which requires that the ratio of students per classroom teacher in kindergarten through third grade be no greater than the ratio of students per classroom teacher in fourth through twelfth grade.

(2) Section 502(10), chapter 19, Laws of 1989 1st sess. (uncodified), (Omnibus Appropriations Act) which sets forth a staffing and funding process to increase certificated instructional staff ratios in kindergarten through third grade to a level greater than that provided in statute.

AMENDATORY SECTION (Amending Order 13, filed 6/1/90, effective 7/2/90)

WAC 392-140-336 1989-90 THROUGH 1993-94 SCHOOL YEAR ENROLLMENT OF RETURNING HIGH SCHOOL STUDENTS—APPLICABLE PROVISIONS AND AUTHORITY. The provisions of WAC 392-140-336 through 392-140-338 apply to enrollment of high school students for the 1989-90 through 1993-94 school years as identified in RCW ((~~28A.120.092~~) 28A.175.090. The authority for WAC 392-140-336 through 392-140-901 is RCW ((~~28A.120.800~~) 28A.630.810 directing the superintendent of public instruction to adopt rules and regulations as necessary to carry out RCW ((~~28A.120.092~~) 28A.175.090.

AMENDATORY SECTION (Amending Order 13, filed 6/1/90, effective 7/2/90)

WAC 392-140-337 1989-90 THROUGH 1993-94 SCHOOL YEAR ENROLLMENT OF RETURNING HIGH SCHOOL STUDENTS—AUTHORITY TO REPORT FOR APPORTIONMENT PURPOSES. School districts are authorized to report those nonresident high school students enrolled pursuant to RCW ((~~28A.120.092~~) 28A.175.090 according to those procedures authorized in chapters 392-121, 392-122, and 392-141 WAC.

AMENDATORY SECTION (Amending Order 21, filed 1/2/90, effective 2/2/90)

WAC 392-142-005 AUTHORITY. The authority for this chapter is RCW ((~~28A.41.170~~) 28A.160.140 which authorizes the superintendent of public instruction to adopt rules and regulations for the proper administration of chapter ((~~28A.41~~) 28A.160 RCW, which includes state depreciation and replacement payments for school buses as specified in RCW ((~~28A.41.540~~) 28A.160.200.

AMENDATORY SECTION (Amending Order 21, filed 1/2/90, effective 2/2/90)

WAC 392-142-095 DEFINITION—STATE SUPPORTED SPECIFICATIONS. As used in this chapter,

"state supported specifications," means the specifications developed pursuant to chapter 392-143 WAC (Transportation—Specifications for school buses) plus added equipment, components, or requirements judged by the advisory committee formed pursuant to RCW ((~~28A.41.540~~) 28A.160.200 to produce minimum long-range operating costs and to accommodate transportation of students with handicapping conditions.

AMENDATORY SECTION (Amending Order 21, filed 1/2/90, effective 2/2/90)

WAC 392-142-235 ALLOCATION OF STATE DEPRECIATION PAYMENT FOR SCHOOL BUSES PURCHASED AFTER SEPTEMBER 1, 1975, AND BEFORE SEPTEMBER 1, 1982. The superintendent of public instruction shall apportion each school district's annual school bus depreciation payment as calculated in WAC 392-142-230 according to the schedule set forth in RCW ((~~28A.48.010~~) 28A.510.250.

AMENDATORY SECTION (Amending Order 21, filed 1/2/90, effective 2/2/90)

WAC 392-142-250 ALLOCATION OF STATE DEPRECIATION PAYMENT SUPPORT—SCHOOL BUSES PURCHASED AFTER SEPTEMBER 1, 1982. The superintendent of public instruction shall apportion school bus depreciation payments each school year calculated:

(1) Pursuant to WAC 392-142-235 in:

(a) The September apportionment payment for those school buses issued school bus operating permits in prior school years; or

(b) The first apportionment payment after the issuance of the school bus operating permit for school buses purchased in the current school year;

(2) Pursuant to WAC 392-142-240 according to the schedule set forth in RCW ((~~28A.48.010~~) 28A.510.250.

AMENDATORY SECTION (Amending Order 20, filed 1/2/90, effective 2/2/90)

WAC 392-191-001 AUTHORITY. The general authority for this chapter is RCW ((~~28A.67.065~~) 28A.405.100 which authorizes the superintendent of public instruction to adopt minimum criteria for the evaluation by districts of the professional performance capabilities and development of certificated classroom teachers and certificated support personnel. This general authority is supplemented by RCW ((~~28A.67.225~~) 28A.405.150 which authorizes the superintendent of public instruction to develop minimum procedural standards for evaluation of certificated classroom teachers and certificated support personnel conducted pursuant to RCW ((~~28A.67.065~~) 28A.405.100.

AMENDATORY SECTION (Amending Order 41, filed 11/2/90, effective 12/3/90)

WAC 392-191-007 EVALUATION REQUIREMENTS. Local school districts shall establish and implement on or before September 1, 1991, an evaluation program consisting of the following:

(1) Evaluation criteria meeting the minimum standards specified in WAC 392-191-010 and 392-191-020;

(2) Evaluation procedures meeting the minimum standards specified in WAC 392-191-025 through 392-191-045;

(3) Evaluation criteria and procedures as specified in RCW ((28A.67.225)) 28A.405.100 and ((28A.67.065)) 28A.405.150;

(4) Additional criteria and procedural standards as may be established pursuant to the bargaining process set forth in chapter 41.59 RCW.

AMENDATORY SECTION (Amending Order 41, filed 11/2/90, effective 12/3/90)

WAC 392-191-030 MINIMUM PROCEDURAL STANDARDS—FREQUENCY OF EVALUATION. Each school year the frequency of evaluation shall be:

(1) All classroom teachers and certificated support personnel shall be observed for the purposes of evaluation at least twice in the performance of their assigned duties.

(2) At least one observation shall be a minimum of thirty minutes.

(3) New employees shall be observed at least once for a total observation time of thirty minutes during the first ninety calendar days of their employment period.

(4) Total observation time for each employee for each school year shall be not less than sixty minutes: **PROVIDED**, That after an employee has four years of satisfactory evaluations, a school district may use a short form of evaluation pursuant to RCW ((28A.67.065)) 28A.405.100(5).

AMENDATORY SECTION (Amending Order 41, filed 11/2/90, effective 12/3/90)

WAC 392-191-035 MINIMUM PROCEDURAL STANDARDS—CONDUCT OF THE EVALUATION. The conduct of the evaluation of classroom teachers and certificated support personnel shall include, at a minimum, the following:

(1) Observation and written comment pursuant to RCW ((28A.67.065)) 28A.405.100 by the principal or his/her designee at the school to which the certificated employee is assigned.

(2) The opportunity for the employee to attach written comments to his/her evaluation report.

(3) For certificated classroom teachers, the minimum criteria set forth in WAC 392-191-010; and for certificated support personnel the minimum criteria set forth in WAC 392-191-020. Nothing in this chapter shall be construed to prohibit a local school district from developing an evaluation instrument which contains criteria in excess of those established by the superintendent of public instruction.

(4) When appropriate, suggestions for improvement should be part of the principal's or his/her designee's comments.

AMENDATORY SECTION (Amending Order 41, filed 11/2/90, effective 12/3/90)

WAC 392-191-040 MINIMUM PROCEDURAL STANDARDS—PROCEDURES TO BE USED IN MAKING EVALUATIONS. The following procedures shall be used in making evaluations:

(1) The procedures stipulated in RCW ((28A.67.065)) 28A.405.100 shall be used by principals or their designees conducting evaluations of certificated classroom teachers and certificated support personnel.

(2) Following each observation, or series of observations, the principal or his/her designee shall promptly document the results of the evaluation in writing, and shall provide the employee with a copy thereof within three days after such report is prepared.

(3) Each classroom teacher and each certificated support person shall have the opportunity for a minimum of two confidential conferences during each school year with his/her principal or principal's designee either following receipt of the written evaluation results, or at a time mutually satisfactory to the participants. The sole purpose of each such conference shall be to provide additional information to aid the principal or his or her designee in evaluating the teacher or certificated support person (e.g., providing direction, assistance, guidance, encouragement to the employee).

(4) If other evaluators are used, additional procedures may be adopted pursuant to local policy.

AMENDATORY SECTION (Amending Order 20, filed 1/2/90, effective 2/2/90)

WAC 392-191-075 PROFESSIONAL GROWTH COMPONENT—COMMITTEE MEMBERSHIP. Each local school district shall establish in accordance with local district policy a professional growth planning/review committee which shall include, at a minimum, representatives of the following groups:

(1) Certificated classroom teachers. A minimum of one teacher from the K-8 level and one teacher from the high school level if the local school district provides education services to any grades beyond the sixth grade.

(2) Certificated support personnel. A minimum of one itinerant staff person, if the school district employs itinerant personnel, and a minimum of one other representative of counseling, assessment, library and/or other certificated support staff, if the school district employs nonitinerant certificated support staff.

(3) Central office administrators. A minimum of one representative.

(4) Building level administrators. A minimum of one administrator from the K-8 level and one administrator from the high school level if the local school district provides education services to any grades beyond the sixth grade.

(5) Additional persons. Local school districts may add additional members to the committee.

(6) **PROVIDED**, That the local school district committee established under the In-Service Training Act of 1977—Administration of funds—Rules—Requirements for local districts—In-Service training task force, RCW

((28A.71.210)) 28A.415.040, may be used by the school district as the professional growth committee.

AMENDATORY SECTION (Amending Order 20, filed 1/2/90, effective 2/2/90)

WAC 392-191-085 PROFESSIONAL GROWTH COMPONENT—SHORT FORM OF EVALUATION. Nothing in the professional growth component shall preclude a district from combining the short form of evaluation, RCW ((28A.67.065)) 28A.405.100, with its professional growth models.

AMENDATORY SECTION (Amending Order 42, filed 11/2/90, effective 12/3/90)

WAC 392-192-005 AUTHORITY. The authority for these standards is RCW ((28A.67.225)) 28A.405.150 which authorizes the superintendent of public instruction to develop minimum procedural standards for evaluation of certificated classroom teachers and certified support personnel conducted pursuant to RCW ((28A.67.065)) 28A.405.100.

AMENDATORY SECTION (Amending Order 42, filed 11/2/90, effective 12/3/90)

WAC 392-192-040 PROFESSIONAL GROWTH PROGRAM—COMMITTEE. Each district shall establish a professional growth committee which shall develop the district's professional growth program in accordance with the procedures in this chapter. The professional growth committee shall include, at a minimum, representatives of the following groups:

(1) Certificated classroom teachers. A minimum of one teacher from the K-8 level and one teacher from the high school level if the local school district provides education services to students K-12.

(2) Certificated support personnel. A minimum of one itinerant staff person, if the school district employs itinerant personnel, and a minimum of one other representative of counseling, assessment, library and/or other certificated support staff, if the school district employs nonitinerant certificated support staff.

(3) Central office administrators. A minimum of one representative.

(4) Building level administrators. A minimum of one administrator from the K-8 level and one administrator from the high school level if the local school district provides education services to students K-12.

(5) Additional persons, if the local school district so desires.

(6) PROVIDED, That the local school district committee established under the In-Service Training Act, RCW ((28A.71.210)) 28A.415.040, may be used by the school district as the professional growth committee.

WSR 91-16-012
PROPOSED RULES
OFFICE OF
INSURANCE COMMISSIONER

[Filed July 26, 1991, 11:09 a.m.]

Continuance of WSR 91-13-076.

Title of Rule: Amendments to the Washington health insurance access (high risk health pool) regulation.

Other Identifying Information: Insurance Commissioner Matter No. R 91-4.

Date of Intended Adoption: August 1, 1991.

July 26, 1991

Melodie Bankers

Assistant Deputy Commissioner

for Dick Marquardt

Insurance Commissioner

WSR 91-16-013
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Institutions)

[Filed July 26, 1991, 3:50 p.m.]

Original Notice.

Title of Rule: WAC 275-54-290 Patient rights; and 275-55-241 Rights of patient.

Purpose: This revision clarifies procedures for mental health providers to follow relating to the involuntary administration of antipsychotic medications.

Statutory Authority for Adoption: Chapter 105, Laws of 1991.

Statute Being Implemented: Chapter 105, Laws of 1991.

Summary: Individuals maintain the right to make an informed decision regarding the use of antipsychotic medications. These proposed rules outline the circumstances under which antipsychotic medications may be administered over the person's objection or lack of consent.

Reasons Supporting Proposal: To implement ESSB 5672 relating to the involuntary administration of antipsychotic medications.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Kathy Burns, Mental Health, 753-0639.

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 September 10, 1991, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop 45805, Olympia, Washington 98504, by September 10, 1991.

Date of Intended Adoption: September 24, 1991.

July 26, 1991

Rosemary Carr

Acting Director

Administrative Services

AMENDATORY SECTION (Amending Order 2323, filed 12/23/85)

WAC 275-54-290 PATIENT RIGHTS. Absent a risk to self or others, minors treated under this chapter have the following rights, which shall be prominently posted in the evaluation and treatment facility:

- (1) To wear their own clothes and to keep and use personal possessions;
- (2) To keep and be allowed to spend a reasonable sum of their own money for canteen expenses and small purchases;
- (3) To have individual storage space for private use;
- (4) To have visitors at reasonable times;
- (5) To have reasonable access to a telephone, both to make and receive confidential calls;
- (6) To have ready access to letter-writing materials, including stamps, and to send and receive uncensored correspondence through the mail;
- (7) To discuss treatment plans and decisions with mental health professionals;
- (8) To have the right to adequate care and individualized treatment;
- (9) Not to consent to the administration of antipsychotic medications or the performance of electroconvulsive treatment or surgery, ~~(except)~~ unless the procedures below are followed:
 - (a) Emergency life-saving surgery ~~(upon him or her, and not to have electroconvulsive treatment or)~~ may be performed; however, nonemergency surgery ~~(in such circumstance unless ordered by)~~ may only be provided involuntarily upon an order of the court ~~(pursuant to a judicial hearing in which)~~;
 - (b) Antipsychotic medications may be administered involuntarily for up to thirty days if a nontreating physician concurs with the treating physician's decision to medicate. Thereafter, antipsychotic medications may be administered involuntarily only upon an order of the court;
 - (c) Electroconvulsive treatment may be administered involuntarily upon an order of the court;
 - (d) In any court proceeding the minor ~~(is)~~ must be present and represented by counsel, and the court shall appoint a psychiatrist, psychologist, or physician designated by the minor or the minor's counsel to testify on behalf of the minor. The minor's parent may exercise this right on the minor's behalf, and must be informed of any impending treatment;
 - (10) Not to have psychosurgery performed on ~~(him or her)~~ the minor under any circumstances.

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

AMENDATORY SECTION (Amending Order 1775, filed 3/11/82)

WAC 275-55-241 RIGHTS OF PATIENT. Any agency, facility, or component providing services defined in this chapter to persons with a mental disorder shall not withhold from any patient the following rights ~~(and)~~. The facility shall prominently post a list of such rights ~~(shall be prominently posted)~~ within the department or ward where such person is housed if the person is an inpatient or receiving services from an emergency component. Outpatient facilities or components shall prominently post a list of such rights drawn from the following as are appropriate to an outpatient facility or component ~~(and)~~ such list ~~(to)~~ shall be posted within the reception area. The agency, facility, or component shall ~~(specifically)~~ ensure, unless an imminent danger to the ~~(individual)~~ person or others would result, each patient shall have the rights listed in subsection (1)(a), ~~((1))~~ (j), ~~((1))~~ (l), ~~((1))~~ (p), (2)(a), (b), (3)(a), (c), (d), (f), and (g) of this section.

- (1) Rights of all patients. All patients shall have the right:

(a) ~~(The right)~~ Not to be restrained from sending written communications of the fact of the patient's detention, commitment, or admission ~~(any such communication will be mailed to the person to whom addressed by the person in charge of)~~. The facility, director, or ~~(his or her)~~ the facility's designee ~~(shall)~~ shall mail such written communication to the person to whom addressed;

(b) ~~(The right)~~ To adequate care and individualized treatment ~~(and)~~;

(c) ~~(The right)~~ To make an informed decision regarding the use of antipsychotic medication. Documentation shall be entered in the medical record of the physician's attempt to obtain informed consent and the reasons why antipsychotic medication is being administered over the patient's objection or lack of consent. The physician may administer antipsychotic medications over the patient's objection or lack of consent:

(i) When an emergency exists, provided there is a review of this decision within twenty-four hours. An emergency exists if:

(A) The patient presents an imminent likelihood of serious harm to self or others; and

(B) Medically acceptable alternatives to administration of antipsychotic medications are not available or are unlikely to be successful; and

(C) In the opinion of the physician, the patient's condition constitutes an emergency requiring that treatment be instituted before obtaining a second medical opinion.

(ii) For short-term treatment up to thirty days, provided there is an additional concurring medical opinion approving medication.

(iii) For continued treatment beyond thirty days through the hearing on any petition filed under RCW 71.05.370(7), provided the facility director or director's designee reviews the decision to medicate a patient. The director's review shall occur at least every sixty days.

(iv) Petitions for antipsychotic medications filed under the authority of RCW 71.05.370(7) shall be signed by an examining physician. All involuntary medication orders shall be consistent with the provisions of RCW 71.05.370 (7)(a) through (c), whether ordered by either a physician or the court.

(d) To wear ~~(his or her)~~ the patient's own clothes and to keep and use ~~(his or her)~~ the patient's own personal possessions, except when deprivation of same is essential to the protection and safety of the patient or other persons ~~(and)~~ ~~(The right)~~;

(e) To keep and be allowed to spend a reasonable sum of ~~(his or her)~~ the patient's own money ~~(and)~~ ~~(The right)~~;

(f) To access to individual storage space for ~~(his or her)~~ the patient's own private use ~~(and)~~ ~~(The right)~~;

(g) To have visitors at reasonable times ~~(and)~~ ~~(The right)~~;

(h) To have reasonable access to a telephone, both to make and receive confidential calls ~~(and)~~ ~~(The right)~~;

(i) To have ready access to letter writing material, including stamps, and to send and receive uncensored correspondence through the mails ~~(and)~~ ~~(The right)~~;

(j) Not to consent to the performance of ~~(shock treatment)~~ electroconvulsive therapy or surgery, except emergency life-saving surgery, upon ~~(him or her)~~ the patient, and not to have ~~(shock treatment)~~ electroconvulsive therapy or nonemergency surgery in such circumstances unless ordered by a court ~~(pursuant to)~~ under a judicial hearing where:

(i) The patient is present and represented by counsel ~~(and)~~; and

(ii) The court appoints a psychiatrist, psychologist, or physician designated by such patient or ~~(his or her)~~ the patient's counsel to testify on behalf of the patient ~~(Reference)~~ as described under RCW 71.05.210, 71.05.370, and 71.05.380 ~~(and)~~ ~~(The right)~~;

(k) To dispose of property and sign contracts unless the patient has been adjudicated ~~(as)~~ incompetent in a court proceeding directed to the particular issue ~~(and)~~ ~~(The right)~~;

(l) Not to have psychosurgery performed under any circumstances ~~(and)~~ ~~(The right)~~;

(m) To object to detention or request release through writ of habeas corpus ~~(and)~~ ~~(No person shall)~~;

(n) To maintain the right to be presumed ~~(incompetent or)~~ competent and not lose any civil rights as a consequence of receiving evaluation or treatment for a mental disorder ~~(and)~~ ~~(The right)~~;

(o) Of access to attorneys, courts, and other legal redress ~~(and)~~ ~~(The right)~~;

(p) To have all information and records compiled, obtained, or maintained in the course of receiving services kept confidential, ~~(pursuant to)~~ under the provisions of RCW 71.05.390 through 71.05.420.

(2) Rights of all voluntary patients. All voluntary patients shall have the right to:

(a) ~~((The right to))~~ Release, unless involuntary commitment proceedings are initiated. Specific patients' rights to release are as follows:

(i) Adult patient, no guardian – Release at request of patient((-));

(ii) Adult admitted by guardian – Release at request of guardian or patient((-);

(iii) Minor, thirteen years of age or under – Release at request of parent(s), conservator, guardian, or other person entitled to custody((-);

(iv) Minor, fourteen years of age or over – Release upon request of both minor and ~~((his or her))~~ the minor's parent(s), conservator, guardian, or other person entitled to custody. If requested by minor only, release on next judicial day.

(b) ~~((The right to))~~ A review of condition and status at least each one hundred and eighty days(~~(-Reference))~~ as required under RCW 71.05.050, 71.05.380, and 72.23.070((-and 71.05.380)).

(3) ~~((Rights of))~~ All involuntary patients shall:

(a) Unless released within seventy-two hours as defined ~~((by))~~ under WAC 275-55-020(21), ((all involuntary adult patients)) have a right to a judicial hearing not more than seventy-two hours, as defined, after initial detention to determine whether probable cause exists to detain such patient after seventy-two hours for a further period up to fourteen days((-);

(b) Have the right to:
(i) Communicate immediately with an attorney((-); and, if indigent, the right to have an attorney appointed to represent the patient before and at such hearing((-); and ~~((the right to))~~

(ii) Be told the name and address of the attorney appointed((-);

(c) Have the right to remain silent((-);

(d) Have the right to be told statements the patient makes may be used in the involuntary proceedings((-);

(e) Have the right to present evidence and to cross-examine witnesses testifying against the patient at the probable cause hearing((-);

(f) Have the right to refuse medication beginning twenty-four hours ((prior to)) before any court proceeding wherein the patient has the right to attend and which bears upon the continued commitment of the patient((-);

(g) When taken into custody by a peace officer and then placed in a facility without prior authorization by the county-designated mental health professional, the involuntary patient shall be:

(i) Examined by a mental health professional within three hours of the patient's arrival((-); and ~~((shall be))~~

(ii) Released within twelve hours unless the county-designated mental health professional files a supplemental petition for initial detention and the detained person receives a copy(~~(-Reference))~~ as described under RCW 71.05.150(5)(()).

WSR 91-16-014
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Filed July 26, 1991, 3:53 p.m.]

Original Notice.

Title of Rule: WAC 388-33-135 Effective date of change in eligibility.

Purpose: To implement SHB 1052 passed by 1991 state legislature, which amended RCW 74.04.005. It extends the general assistance to pregnant women program (GA-S) eligibility from six weeks following the birth of a child that is relinquished for adoption to the end of the month in which the six week period ends.

Statutory Authority for Adoption: Chapter 126, Laws of 1991.

Statute Being Implemented: Chapter 126, Laws of 1991.

Summary: For GA-S and AFDC recipients, this amendment extends the eligibility period for recipients

whose eligibility is based on the relinquishment of their only child for adoption. This amendment extends the eligibility period from six weeks following the birth of the child to the end of the month in which the six week period ends.

Reasons Supporting Proposal: This rule amendment is necessary to amend RCW 74.04.005 to extend the GA-S program and clarify program eligibility. The intent of the bill was to clarify the intent of the original legislation to continue general assistance only to women who relinquish their child for adoption. It also changed the language to extend eligibility under this criteria from six weeks following the birth of the child to the end of the month in which the six week period ends for ease of administration.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Rose Mary Micheli, Income Assistance, 586-3913.

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 September 10, 1991, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop 45805, Olympia, Washington 98504, by September 10, 1991.

Date of Intended Adoption: September 24, 1991.

July 26, 1991

Rosemary Carr

Acting Director

Administrative Services

AMENDATORY SECTION (Amending Order 3045, filed 8/1/90, effective 9/1/90)

WAC 388-33-135 EFFECTIVE DATE OF CHANGE IN ELIGIBILITY. (1) A change in circumstances is any change affecting eligibility or continued payment of the grant previously authorized.

(2) When a change in income including the receipt of a lump-sum payment causes ineligibility for more than one month, the recipient shall be ineligible effective the first day of the month of receipt. All assistance the recipient receives shall be an overpayment and subject to recovery under chapter 388-44 WAC.

(3) If the change causes ineligibility for one month only, refer to WAC 388-33-355.

(4) Except as provided in subsection (5) of this section, when a change of circumstances other than increased income renders the assistance unit or any member of the assistance unit ineligible, the effective date of the recipient's ineligibility shall be the first day of the month following the month in which the change occurred. For ineligibility of striking workers, see WAC 388-24-042.

(5) Effective ~~((June 7, 1990, when a))~~ July 28, 1991, the effective date of ineligibility for a recipient of ~~((AFDC or))~~ general assistance based on ~~((pregnancy gives birth to her child and relinquishes that))~~ the relinquishment of a child for adoption, ~~((the effective date of the recipient's ineligibility))~~ as described under WAC 388-37-030(3), shall be the first day of the month following the month in which the period of six weeks following the date of the birth of the child ~~((as described under WAC 388-37-030(3)))~~ ends.

WSR 91-16-015
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Filed July 26, 1991, 3:55 p.m.]

Original Notice.

Title of Rule: New WAC 388-37-029 General assistance retrospective budgeting supplement for AFDC or FIP recipients.

Purpose: To implement ESHB 1330 passed by the legislature which made appropriations and authorized expenditures for the fiscal biennium ending January 30, 1993. The bill appropriated funds to administer a retrospective budgeting supplement for recipients of AFDC who suffer a two-month lag in receiving an assistance increase when they experience a loss of income below the payment standard due to reduced or lost wages.

Statutory Authority for Adoption: Chapter 16, Laws of 1991, 1st sp. sess.

Statute Being Implemented: Chapter 16, Laws of 1991, 1st sp. sess.

Summary: The department will supplement AFDC or FIP grants with general assistance funds when clients experience a reduction of income below the payment standard due to loss or reduction of wages or unemployment benefits or other unforeseen circumstances.

Reasons Supporting Proposal: Under ESHB 1330, the legislature appropriated \$1,008,000 to fund the provision in RCW 74.04.005 which allows the state to supplement grants of AFDC recipients due to loss of income that continues to be budgeted due to the retrospective budgeting process.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Rose Mary Micheli, Income Assistance, 586-3913.

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 September 10, 1991, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop 45805, Olympia, Washington 98504, by September 10, 1991.

Date of Intended Adoption: September 24, 1991.

July 26, 1991
 Rosemary Carr
 Acting Director
 Administrative Services

NEW SECTION

WAC 388-37-029 GENERAL ASSISTANCE RETROSPECTIVE BUDGETING SUPPLEMENT FOR AFDC OR FIP RECIPIENTS. (1) Within funds appropriated by the legislature, the department shall provide a general assistance supplemental payment to recipients of Aid to Families with Dependent Children (AFDC) or the Family Independence Program (FIP) who experience a temporary reduction in monthly income below their entitled benefit payment level. The temporary reduction occurs due to the retrospective budgeting of income.

(2) To qualify for the supplement, the recipient's loss of income must be due to one of the following reasons:

(a) Loss or reduction of wages due to termination of employment or reduction of hours;

(b) Loss or reduction of unemployment benefits; or

(c) Termination or reduction of other forms of regularly budgeted monthly income for reasons beyond the recipient's control.

(3) The department shall authorize payment based on the following conditions:

(a) The amount of the general assistance supplement cannot exceed the difference between the appropriate AFDC or FIP grant payment standard, including authorized additional requirements and FIP incentives, for the assistance unit and the total amount of the net income actually received; and

(b) The total net income received in the month must be below the AFDC or FIP payment standard, including authorized additional requirements and FIP incentives, for the assistance unit. In determining net income, the department shall not allow as deductions from gross income:

(i) Grant reductions for repayment of overpayments;

(ii) Earned income exemptions; or

(iii) Income lost that is not an allowable deduction according to AFDC or FIP income rules.

(c) Income disregards for the general assistance program as given in WAC 388-28-575 apply to this supplement.

(4) The authorization of this retrospective budgeting supplement is limited to the specific amount of money the legislature appropriated for this supplemental assistance. When the department has expended the amount appropriated, the supplemental assistance benefit will end.

WSR 91-16-016
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Filed July 26, 1991, 3:57 p.m.]

Original Notice.

Title of Rule: WAC 388-37-030 Continuing general assistance—Eligible persons.

Purpose: To implement SHB 1052 passed by 1991 state legislature, which amended RCW 74.04.005. It extends the general assistance to pregnant women program (GA-S) eligibility from six weeks following the birth of a child that is relinquished for adoption to the end of the month in which the six week period ends.

Statutory Authority for Adoption: Chapter 126, Laws of 1991.

Statute Being Implemented: Chapter 126, Laws of 1991.

Summary: For GA-S and AFDC recipients, this amendment extends the eligibility period for recipients whose eligibility is based on the relinquishment of their only child for adoption. This amendment extends the eligibility period from six weeks following the birth of the child to the end of the month in which the six week period ends.

Reasons Supporting Proposal: This rule amendment is necessary to amend RCW 74.04.005 to extend the GAS program and clarify program eligibility. The intent of the bill was to clarify the intent of the original legislation to continue general assistance only to women who relinquish their child for adoption. It also changed the language to extend eligibility under this criteria from six weeks following the birth of the child to the end of the month in which the six week period ends for ease of administration.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Rose Mary Micheli, Income Assistance, 586-3913.

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 September 10, 1991, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop 45805, Olympia, Washington 98504, by September 10, 1991.

Date of Intended Adoption: September 24, 1991.

July 26, 1991
Rosemary Carr
Acting Director
Administrative Services

AMENDATORY SECTION (Amending Order 3045, filed 8/1/90, effective 9/1/90)

WAC 388-37-030 CONTINUING GENERAL ASSISTANCE—ELIGIBLE PERSONS. When other eligibility is established, the department shall grant continuing general assistance to the following:

(1) Incapacitated persons. As used in this section, an incapacitated person shall mean a person physically, emotionally, or mentally unable to work as a result of a condition expected to continue for ~~((sixty))~~ ninety days or more from date of application, except as provided under WAC 388-37-038 (1) and (2). A person incapacitated by alcoholism or drug addiction is not included in this definition, but an alcoholic or drug addict incapacitated due to other mental or physical conditions may be eligible for general assistance. Incapacity refers to a person's capacity to earn income by employment. A person's incapacity does not refer to the availability or lack of job opportunities.

(a) Eligible persons are:

(i) An incapacitated single person eighteen years of age or older;
(ii) A married couple if both persons are incapacitated; or
(iii) The incapacitated spouse in the case of a married couple when only one person is employable. The income and resources of the employable spouse shall be considered as described under WAC 388-28-500 (1)(a) and (b).

(b) An incapacitated person shall accept and follow through on required available medical treatment, which is reasonably expected to render the person able to work, unless there is good cause for failure to do so.

The department shall make the "good cause" determination based on the criteria under WAC 388-37-037(5).

(c) An incapacitated person may also receive medical services provided under the state-financed medical care services program as defined under WAC 388-86-120.

(2) Pregnant women who are:

(a) Income and resource eligible for the aid to families with dependent children program; and

(b) In their first or second trimester of pregnancy; or

(c) Members of a two-parent household during a time when the aid to dependent children—employable (AFDC-E) program is in effect, but do not meet categorical eligibility for AFDC-E. These women may receive a continuing general assistance grant for the duration of their pregnancy.

(3) Effective June 7, 1990, to women who:

(a) ~~((Relinquishing))~~ Relinquish a child for adoption; and

(b) ~~Are~~ receiving general assistance under WAC 388-37-030(2); or
(c) ~~((Losing))~~ Lose AFDC or FIP eligibility because an eligible child does not reside in the household ~~((and))~~;

(d) ~~((Whose))~~ Effective July 28, 1991, assistance granted under subsection (3) of this section ~~((is))~~ shall be limited to the end of the month in which the period of six weeks ~~((beginning with))~~ following the date of the birth of the child ends.

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 91-16-017
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Filed July 26, 1991, 3:59 p.m.]

Original Notice.

Title of Rule: WAC 388-87-015 Billing limitations.

Purpose: To implement the state law changing the medical vendor's billing time period from 120 days to within 12 months.

Statutory Authority for Adoption: Chapter 103, Laws of 1991.

Statute Being Implemented: Chapter 103, Laws of 1991.

Summary: The vendor or provider of medical care to an eligible recipient shall submit final charges no later than twelve months from the date of service.

Reasons Supporting Proposal: This rule amendment is necessary to implement a state law change.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Bobbe Andersen, Medical Assistance, 753-0529.

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

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

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

Proposal Changes the Following Existing Rules: See above.

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

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on September 10, 1991, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop 45805, Olympia, Washington 98504, by September 10, 1991.

Date of Intended Adoption: September 24, 1991.

July 26, 1991
Rosemary Carr
Acting Director
Administrative Services

AMENDATORY SECTION (Amending Order 2566, filed 12/11/87)

WAC 388-87-015 BILLING LIMITATIONS. (1) Providers shall submit ~~((their charges at least monthly and shall present))~~ their final charges ~~((within one hundred twenty days after))~~ no later than twelve months from the date ((the)) of service ((was rendered. See RCW 74.09.160)).

(2) An exception to subsection (1) of this section shall be made as a result of a:

(a) ~~((A))~~ Fair hearing decision or court order ~~((which is))~~ favorable to the recipient; ~~((or))~~

(b) ~~((A))~~ Retroactive or delayed certification for a medical ~~((assistance))~~ program (see chapter 388-80 WAC for definition of retroactive); or

(c) Timely filed Medicare claim for which Medicaid may pay relating to the same Medicare/Medicaid services. A provider shall submit the billing within six months of the Medicare claim disposition.

(3) For exceptions found under subsection (2) of this section, providers shall present final charges to the department ~~((within one hundred twenty days of))~~ no later than twelve months from the date:

(a) ~~((The date))~~ Of the fair hearing decision;

(b) The ~~((date the))~~ court order was entered; or

(c) ~~((The date))~~ Of the retroactive or delayed certification for medical coverage.

(4) ~~((If the charges are not presented within the one hundred twenty-day period, the provider shall not present))~~ For services rendered before July 28, 1991, final charges shall not be a charge(s) against the state unless ((prior extension in writing has been given by the division of medical assistance)) the final charges are presented within one hundred twenty days from the date of service.

(5) ~~((Providers shall submit their rebills or adjustments to charges within six months from the date of the most recent or original denial or payment.~~

(6) ~~Providers shall submit Medicare/Medicaid billings within six months of the Medicare statement))~~ Within the twelve-month billing period, a provider shall bill known liable third parties before consideration of payment from the department.

WSR 91-16-018
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Filed July 26, 1991, 4:02 p.m.]

Original Notice.

Title of Rule: WAC 388-87-105 Payment—Medical care outside state of Washington.

Purpose: To incorporate the change in HB 1125.

Statutory Authority for Adoption: Chapter 103, Laws of 1991.

Statute Being Implemented: Chapter 103, Laws of 1991.

Summary: Out of state providers have 12 months to bill from the time the provider receives the provider number.

Reasons Supporting Proposal: This rule is necessary to incorporate the change in state law regarding the billing time period for out of state medical providers.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Bobbe Andersen, Medical Assistance, 753-0529.

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

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

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

Proposal Changes the Following Existing Rules: See above.

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

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on September 10, 1991, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop 45805, Olympia, Washington 98504, by September 10, 1991.

Date of Intended Adoption: September 24, 1991.

July 26, 1991
Rosemary Carr
Acting Director
Administrative Services

AMENDATORY SECTION (Amending Order 2501, filed 6/1/87)

WAC 388-87-105 PAYMENT—MEDICAL CARE OUTSIDE STATE OF WASHINGTON. (1) Medical care furnished in designated bordering cities is not considered to be out-of-state care. Payment is made to the provider of service as for care provided within the state of Washington. Provider licensure requirements are those of the state in which care is rendered.

(2) Payment shall not be authorized for out-of-state medical care furnished to state-funded recipients.

(3) The three-month retroactive coverage shall apply to out-of-state care given for covered medical care to eligible clients.

(4) Out-of-state providers, who do not have a current provider number (agreement), shall be furnished with necessary billing forms, instructions, and a core provider agreement.

(5) Upon receipt of the signed core provider agreement from the out-of-state provider a provider number shall be issued.

(6) Final charges from out-of-state providers without a current provider number must be presented ~~((within one hundred twenty days))~~ no later than twelve months from the date of the issuance of a provider number. ~~((In no case shall the state of Washington be liable for payment of charges received beyond one year from the termination of services:))~~

(7) Out-of-state providers with a current provider number (agreement) are subject to the billing requirements of WAC 388-87-015.

(8) If the deductible or coinsurance portions of Medicare are claimed, it will be necessary for the provider to submit his billing to the intermediary or carrier in his own state on the appropriate Medicare billing form. If the state of Washington is checked as being responsible for medical billing on the form, the intermediary or carrier may bill on behalf of the provider or may return the billing to the provider for ~~((submitting))~~ submission to the state.

(9) Approved out-of-state ~~((skilled))~~ nursing ~~((home))~~ facility reimbursement rate is the lower of:

(a) The billed amount; or

(b) The adjusted state-wide average reimbursement rate for in-state ~~((skilled))~~ nursing ~~((home))~~ facility care.

(10) The reimbursement rate for out-of-state hospitals is the lower of:

(a) The billed amount; or

(b) The adjusted state-wide average reimbursement rate for in-state hospitals.

(11) The reimbursement for other out-of-state services is the lower of:

(a) The billed amount; or

(b) The rate paid by the Washington state Title XIX Medicaid program.

WSR 91-16-019
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3210—Filed July 26, 1991, 4:04 p.m., effective July 28, 1991, 12:01 a.m.]

Date of Adoption: July 26, 1991.

Purpose: To implement ESHB 1330 passed by the legislature which made appropriations and authorized expenditures for the fiscal biennium ending January 30, 1993. The bill appropriated funds to administer a retrospective budgeting supplement for recipients of AFDC who suffer a two-month lag in receiving an assistance increase when they experience a loss of income below the payment standard due to reduced or lost wages.

Statutory Authority for Adoption: Chapter 16, Laws of 1991 1st sp. sess.

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: Under ESHB 1330, the legislature appropriated \$1,008,000 to fund the provision in RCW 74.04.005 which allows the state to supplement grants of AFDC recipients due to loss of income that continues to be budgeted due to the retrospective budgeting process.

Effective Date of Rule: July 28, 1991, 12:01 a.m.

July 26, 1991
 Rosemary Carr
 Acting Director
 Administrative Services

NEW SECTION

WAC 388-37-029 GENERAL ASSISTANCE RETROSPECTIVE BUDGETING SUPPLEMENT FOR AFDC OR FIP RECIPIENTS. (1) *Within funds appropriated by the legislature, the department shall provide a general assistance supplemental payment to recipients of Aid to Families with Dependent Children (AFDC) or the Family Independence Program (FIP) who experience a temporary reduction in monthly income below their entitled benefit payment level. The temporary reduction occurs due to the retrospective budgeting of income.*

(2) *To qualify for the supplement, the recipient's loss of income must be due to one of the following reasons:*

(a) *Loss or reduction of wages due to termination of employment or reduction of hours;*

(b) *Loss or reduction of unemployment benefits; or*

(c) *Termination or reduction of other forms of regularly budgeted monthly income for reasons beyond the recipient's control.*

(3) *The department shall authorize payment based on the following conditions:*

(a) *The amount of the general assistance supplement cannot exceed the difference between the appropriate*

AFDC or FIP grant payment standard, including authorized additional requirements and FIP incentives, for the assistance unit and the total amount of the net income actually received; and

(b) *The total net income received in the month must be below the AFDC or FIP payment standard, including authorized additional requirements and FIP incentives, for the assistance unit. In determining net income, the department shall not allow as deductions from gross income:*

(i) *Grant reductions for repayment of overpayments;*

(ii) *Earned income exemptions; or*

(iii) *Income lost that is not an allowable deduction according to AFDC or FIP income rules.*

(c) *Income disregards for the general assistance program as given in WAC 388-28-575 apply to this supplement.*

(4) *The authorization of this retrospective budgeting supplement is limited to the specific amount of money the legislature appropriated for this supplemental assistance. When the department has expended the amount appropriated, the supplemental assistance benefit will end.*

WSR 91-16-020
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3211—Filed July 26, 1991, 4:06 p.m., effective July 28, 1991, 12:01 a.m.]

Date of Adoption: July 26, 1991.

Purpose: To implement SHB 1052 passed by 1991 state legislature, which amended RCW 74.04.005. It extends the general assistance to pregnant women program (GA-S) eligibility from six weeks following the birth of a child that is relinquished for adoption to the end of the month in which the six week period ends.

Citation of Existing Rules Affected by this Order: Amending WAC 388-37-030 Continuing general assistance—Eligible persons.

Statutory Authority for Adoption: Chapter 126, Laws of 1991.

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

Reasons for this Finding: This rule amendment is necessary to amend RCW 74.04.005 to extend the GA-S program and clarify program eligibility. The intent of the bill was to clarify the intent of the original legislation to continue general assistance only to women who relinquish their child for adoption. It also changed the language to extend eligibility under this criteria from six weeks following the birth of the child to the end of the month in which the six week period ends for ease of administration.

Effective Date of Rule: July 28, 1991, 12:01 a.m.

July 26, 1991
Rosemary Carr
Acting Director
Administrative Services

AMENDATORY SECTION (Amending Order 3045, filed 8/1/90, effective 9/1/90)

WAC 388-37-030 CONTINUING GENERAL ASSISTANCE—ELIGIBLE PERSONS. When other eligibility is established, the department shall grant continuing general assistance to the following:

(1) **Incapacitated persons.** As used in this section, an incapacitated person shall mean a person physically, emotionally, or mentally unable to work as a result of a condition expected to continue for ~~((sixty))~~ ninety days or more from date of application, except as provided under WAC 388-37-038 (1) and (2). A person incapacitated by alcoholism or drug addiction is not included in this definition, but an alcoholic or drug addict incapacitated due to other mental or physical conditions may be eligible for general assistance. Incapacity refers to a person's capacity to earn income by employment. A person's incapacity does not refer to the availability or lack of job opportunities.

(a) **Eligible persons are:**

(i) An incapacitated single person eighteen years of age or older,

(ii) A married couple if both persons are incapacitated; or

(iii) The incapacitated spouse in the case of a married couple when only one person is employable. The income and resources of the employable spouse shall be considered as described under WAC 388-28-500 (1)(a) and (b).

(b) An incapacitated person shall accept and follow through on required available medical treatment, which is reasonably expected to render the person able to work, unless there is good cause for failure to do so.

The department shall make the "good cause" determination based on the criteria under WAC 388-37-037(5).

(c) An incapacitated person may also receive medical services provided under the state-financed medical care services program as defined under WAC 388-86-120.

(2) **Pregnant women who are:**

(a) Income and resource eligible for the aid to families with dependent children program; and

(b) In their first or second trimester of pregnancy; or

(c) Members of a two-parent household during a time when the aid to dependent children—employable (AFDC-E) program is in effect, but do not meet categorical eligibility for AFDC-E. These women may receive a continuing general assistance grant for the duration of their pregnancy.

(3) **Effective June 7, 1990, to women who:**

(a) ~~((Relinquishing))~~ Relinquish a child for adoption; and

(b) Are receiving general assistance under WAC 388-37-030(2); or

(c) ~~((Losing))~~ Lose AFDC or FIP eligibility because an eligible child does not reside in the household(~~(; and))~~).

(d) ~~((Whose))~~ Effective July 28, 1991, assistance granted under subsection (3) of this section ((is)) shall be limited to the end of the month in which the period of six weeks ((beginning with)) following the date of the birth of the child ends.

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 91-16-021
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3212—Filed July 26, 1991, 4:08 p.m., effective July 28, 1991, 12:01 a.m.]

Date of Adoption: July 26, 1991.

Purpose: To implement SHB 1052 passed by 1991 state legislature, which amended RCW 74.04.005. It extends the general assistance to pregnant women program (GA-S) eligibility from six weeks following the birth of a child that is relinquished for adoption to the end of the month in which the six week period ends.

Citation of Existing Rules Affected by this Order: Amending WAC 388-33-135 Effective date of change in eligibility.

Statutory Authority for Adoption: Chapter 126, Laws of 1991.

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

Reasons for this Finding: This rule amendment is necessary to amend RCW 74.04.005 to extend the GA-S program and clarify program eligibility. The intent of the bill was to clarify the intent of the original legislation to continue general assistance only to women who relinquish their child for adoption. It also changed the language to extend eligibility under this criteria from six weeks following the birth of the child to the end of the month in which the six week period ends for ease of administration.

Effective Date of Rule: July 28, 1991, 12:01 a.m.

July 26, 1991
Rosemary Carr
Acting Director
Administrative Services

AMENDATORY SECTION (Amending Order 3045, filed 8/1/90, effective 9/1/90)

WAC 388-33-135 EFFECTIVE DATE OF CHANGE IN ELIGIBILITY. (1) A change in circumstances is any change affecting eligibility or continued payment of the grant previously authorized.

(2) When a change in income including the receipt of a lump-sum payment causes ineligibility for more than one month, the recipient shall be ineligible effective the first day of the month of receipt. All assistance the recipient receives shall be an overpayment and subject to recovery under chapter 388-44 WAC.

(3) If the change causes ineligibility for one month only, refer to WAC 388-33-355.

(4) Except as provided in subsection (5) of this section, when a change of circumstances other than increased income renders the assistance unit or any member of the assistance unit ineligible, the effective date of the recipient's ineligibility shall be the first day of the month following the month in which the change occurred. For ineligibility of striking workers, see WAC 388-24-042.

(5) Effective ~~((June 7, 1990, when a))~~ July 28, 1991, the effective date of ineligibility for a recipient of ((AFDC or)) general assistance based on ((pregnancy gives birth to her child and relinquishes that)) the relinquishment of a child for adoption, ((the effective date of the recipient's ineligibility)) as described under WAC 388-37-030(3), shall be the first day of the month following the month in which the period of six weeks following the date of the birth of the child ((as described under WAC 388-37-030(3))) ends.

WSR 91-16-022
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3213—Filed July 26, 1991, 4:10 p.m., effective July 28, 1991, 12:01 a.m.]

Date of Adoption: July 26, 1991.

Purpose: To implement the state law changing the medical vendor's billing time period from 120 days to within 12 months.

Citation of Existing Rules Affected by this Order: Amending WAC 388-87-015 Billing limitations.

Statutory Authority for Adoption: Chapter 103, Laws of 1991.

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

Reasons for this Finding: This rule is necessary to implement a state law change.

Effective Date of Rule: July 28, 1991, 12:01 a.m.

July 26, 1991
Rosemary Carr
Acting Director
Administrative Services

AMENDATORY SECTION (Amending Order 2566, filed 12/11/87)

WAC 388-87-015 BILLING LIMITATIONS. (1) Providers shall submit ~~((their charges at least monthly and shall present))~~ their final charges ~~((within one hundred twenty days after))~~ no later than twelve months from the date ((the)) of service ((was rendered. See RCW 74.09.160)).

(2) An exception to subsection (1) of this section shall be made as a result of a:

(a) ~~((A))~~ Fair hearing decision or court order ~~((which is))~~ favorable to the recipient; ~~((or))~~

(b) ~~((A))~~ Retroactive or delayed certification for a medical ~~((assistance))~~ program (see chapter 388-80 WAC for definition of retroactive); or

(c) Timely filed Medicare claim for which Medicaid may pay relating to the same Medicare/Medicaid services. A provider shall submit the billing within six months of the Medicare claim disposition.

(3) For exceptions found under subsection (2) of this section, providers shall present final charges to the department ~~((within one hundred twenty days of))~~ no later than twelve months from the date:

(a) ~~((The date))~~ Of the fair hearing decision;

(b) The ~~((date the))~~ court order was entered; or

(c) ~~((The date))~~ Of the retroactive or delayed certification for medical coverage.

(4) ~~((If the charges are not presented within the one hundred twenty day period, the provider shall not present))~~ For services rendered before July 28, 1991, final charges shall not be a charge((s)) against the state unless ((prior extension in writing has been given by the division of medical assistance)) the final charges are presented within one hundred twenty days from the date of service.

(5) ~~((Providers shall submit their rebills or adjustments to charges within six months from the date of the most recent or original denial or payment.~~

(6) Providers shall submit Medicare/Medicaid billings within six months of the Medicare statement)) Within the twelve-month billing period, a provider shall bill known liable third parties before consideration of payment from the department.

WSR 91-16-023
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3214—Filed July 26, 1991, 4:12 p.m., effective July 28, 1991, 12:01 a.m.]

Date of Adoption: July 26, 1991.

Purpose: To incorporate the change in HB 1125.

Citation of Existing Rules Affected by this Order: Amending WAC 388-87-105 Payment—Medical care outside state of Washington.

Statutory Authority for Adoption: Chapter 103, Laws of 1991.

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

Reasons for this Finding: This rule is necessary to incorporate the change in state law regarding the billing time period for out of state medical providers.

Effective Date of Rule: July 28, 1991, 12:01 a.m.

July 26, 1991

Rosemary Carr
Acting Director

Administrative Services

AMENDATORY SECTION (Amending Order 2501, filed 6/1/87)

WAC 388-87-105 PAYMENT—MEDICAL CARE OUTSIDE STATE OF WASHINGTON. (1) Medical care furnished in designated bordering cities is not considered to be out-of-state care. Payment is made to the provider of service as for care provided within the state of Washington. Provider licensure requirements are those of the state in which care is rendered.

(2) Payment shall not be authorized for out-of-state medical care furnished to state-funded recipients.

(3) The three-month retroactive coverage shall apply to out-of-state care given for covered medical care to eligible clients.

(4) Out-of-state providers, who do not have a current provider number (agreement), shall be furnished with necessary billing forms, instructions, and a core provider agreement.

(5) Upon receipt of the signed core provider agreement from the out-of-state provider a provider number shall be issued.

(6) Final charges from out-of-state providers without a current provider number must be presented (~~within one hundred twenty days~~) no later than twelve months from the date of the issuance of a provider number. (~~In no case shall the state of Washington be liable for payment of charges received beyond one year from the termination of services.~~)

(7) Out-of-state providers with a current provider number (agreement) are subject to the billing requirements of WAC 388-87-015.

(8) If the deductible or coinsurance portions of Medicare are claimed, it will be necessary for the provider to submit his billing to the intermediary or carrier in his own state on the appropriate Medicare billing form. If the state of Washington is checked as being responsible for medical billing on the form, the intermediary or carrier may bill on behalf of the provider or may return the

billing to the provider for ~~((submitting))~~ submission to the state.

(9) Approved out-of-state ~~((skilled))~~ nursing ~~((home))~~ facility reimbursement rate is the lower of:

(a) The billed amount; or

(b) The adjusted state-wide average reimbursement rate for in-state ~~((skilled))~~ nursing ~~((home))~~ facility care.

(10) The reimbursement rate for out-of-state hospitals is the lower of:

(a) The billed amount; or

(b) The adjusted state-wide average reimbursement rate for in-state hospitals.

(11) The reimbursement for other out-of-state services is the lower of:

(a) The billed amount; or

(b) The rate paid by the Washington state Title XIX Medicaid program.

WSR 91-16-024

PERMANENT RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Public Assistance)

[Order 3215—Filed July 26, 1991, 4:15 p.m.]

Date of Adoption: July 26, 1991.

Purpose: To incorporate rules for the expedited Medicaid disability program.

Citation of Existing Rules Affected by this Order: Amending WAC 388-85-115.

Statutory Authority for Adoption: RCW 74.08.090.

Pursuant to notice filed as WSR 91-11-017 on May 3, 1991.

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

July 26, 1991

Rosemary Carr
Acting Director

Administrative Services

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 91-16-025
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Institutions)

[Order 3216—Filed July 26, 1991, 4:17 p.m., effective July 28, 1991,
 12:01 a.m.]

Date of Adoption: July 26, 1991.

Purpose: This revision clarifies procedures for mental health providers to follow relating to the involuntary administration of antipsychotic medications.

Citation of Existing Rules Affected by this Order: Amending WAC 275-54-290 and 275-55-241.

Statutory Authority for Adoption: Chapter 105, Laws of 1991.

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

Reasons for this Finding: To implement ESSB 5672 relating to the involuntary administration of antipsychotic medications.

Effective Date of Rule: July 28, 1991, 12:01 a.m.

July 26, 1991
 Rosemary Carr
 Acting Director
 Administrative Services

AMENDATORY SECTION (Amending Order 2323, filed 12/23/85)

WAC 275-54-290 PATIENT RIGHTS. Absent a risk to self or others, minors treated under this chapter have the following rights, which shall be prominently posted in the evaluation and treatment facility:

(1) To wear their own clothes and to keep and use personal possessions;

(2) To keep and be allowed to spend a reasonable sum of their own money for canteen expenses and small purchases;

(3) To have individual storage space for private use;

(4) To have visitors at reasonable times;

(5) To have reasonable access to a telephone, both to make and receive confidential calls;

(6) To have ready access to letter-writing materials, including stamps, and to send and receive uncensored correspondence through the mail;

(7) To discuss treatment plans and decisions with mental health professionals;

(8) To have the right to adequate care and individualized treatment;

(9) Not to consent to the administration of antipsychotic medications or the performance of electroconvulsive treatment or surgery, ((except)) unless the procedures below are followed:

(a) Emergency life-saving surgery((; upon him or her, and not to have electroconvulsive treatment or)) may be performed; however, nonemergency surgery ((in such circumstance unless ordered by)) may only be provided

involuntarily upon an order of the court ((pursuant to a judicial hearing in which));

(b) Antipsychotic medications may be administered involuntarily for up to thirty days if a nontreating physician concurs with the treating physician's decision to medicate. Thereafter, antipsychotic medications may be administered involuntarily only upon an order of the court;

(c) Electronconvulsive treatment may be administered involuntarily upon an order of the court;

(d) In any court proceeding the minor ((is)) must be present and represented by counsel, and the court shall appoint a psychiatrist, psychologist, or physician designated by the minor or the minor's counsel to testify on behalf of the minor. The minor's parent may exercise this right on the minor's behalf, and must be informed of any impending treatment;

(10) Not to have psychosurgery performed on ((him or her)) the minor under any circumstances.

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

AMENDATORY SECTION (Amending Order 1775, filed 3/11/82)

WAC 275-55-241 RIGHTS OF PATIENT. Any agency, facility, or component providing services defined in this chapter to persons with a mental disorder shall not withhold from any patient the following rights(; ~~and~~). The facility shall prominently post a list of such rights ((shall be prominently posted)) within the department or ward where such person is housed if the person is an inpatient or receiving services from an emergency component. Outpatient facilities or components shall prominently post a list of such rights drawn from the following as are appropriate to an outpatient facility or component((;)) and such list ((to)) shall be posted within the reception area. The agency, facility, or component shall ((specifically)) ensure, unless an imminent danger to the ((individual)) person or others would result, each patient shall have the rights listed in subsection (1)(a), ((+)) (j), ((+)) (l), ((+)) (p), (2)(a), (b), (3)(a), (c), (d), (f), and (g) of this section.

(1) Rights of all patients. All patients shall have the right:

(a) ((The right)) Not to be restrained from sending written communications of the fact of the patient's detention, commitment, or admission((; any such communication will be mailed to the person to whom addressed by the person in charge of)). The facility, director, or ((his or her)) the facility's designee((;)) shall mail such written communication to the person to whom addressed;

(b) ((The right)) To adequate care and individualized treatment((;));

(c) ((The right)) To make an informed decision regarding the use of antipsychotic medication. Documentation shall be entered in the medical record of the physician's attempt to obtain informed consent and the reasons why antipsychotic medication is being administered over the patient's objection or lack of consent. The

physician may administer antipsychotic medications over the patient's objection or lack of consent:

(i) When an emergency exists, provided there is a review of this decision within twenty-four hours. An emergency exists if:

(A) The patient presents an imminent likelihood of serious harm to self or others; and

(B) Medically acceptable alternatives to administration of antipsychotic medications are not available or are unlikely to be successful; and

(C) In the opinion of the physician, the patient's condition constitutes an emergency requiring that treatment be instituted before obtaining a second medical opinion.

(ii) For short-term treatment up to thirty days, provided there is an additional concurring medical opinion approving medication.

(iii) For continued treatment beyond thirty days through the hearing on any petition filed under RCW 71.05.370(7), provided the facility director or director's designee reviews the decision to medicate a patient. The director's review shall occur at least every sixty days.

(iv) Petitions for antipsychotic medications filed under the authority of RCW 71.05.370(7) shall be signed by an examining physician. All involuntary medication orders shall be consistent with the provisions of RCW 71.05.370 (7)(a) through (c), whether ordered by either a physician or the court.

(d) To wear ~~((his or her))~~ the patient's own clothes and to keep and use ~~((his or her))~~ the patient's own personal possessions, except when deprivation of same is essential to the protection and safety of the patient or other persons~~((-(d) The right));~~

(e) To keep and be allowed to spend a reasonable sum of ~~((his or her))~~ the patient's own money~~((-(e) The right));~~

(f) To access to individual storage space for ~~((his or her))~~ the patient's own private use~~((-(f) The right));~~

(g) To have visitors at reasonable times~~((-(g) The right));~~

(h) To have reasonable access to a telephone, both to make and receive confidential calls~~((-(h) The right));~~

(i) To have ready access to letter writing material, including stamps, and to send and receive uncensored correspondence through the mails~~((-(i) The right));~~

(j) Not to consent to the performance of ~~((shock treatment))~~ electroconvulsive therapy or surgery, except emergency life-saving surgery, upon ~~((him or her))~~ the patient, and not to have ~~((shock treatment))~~ electroconvulsive therapy or nonemergency surgery in such circumstances unless ordered by a court ~~((pursuant to))~~ under a judicial hearing where:

(i) The patient is present and represented by counsel~~((:));~~ and

(ii) The court appoints a psychiatrist, psychologist, or physician designated by such patient or ~~((his or her))~~ the patient's counsel to testify on behalf of the patient~~((-(Reference))~~ as described under RCW 71.05.210, 71.05.370, and 71.05.380~~((-(j) The right)).~~

(k) To dispose of property and sign contracts unless the patient has been adjudicated ~~((an))~~ as incompetent in a court proceeding directed to the particular issue~~((-(k) The right));~~

(l) Not to have psychosurgery performed under any circumstances~~((-(l) The right));~~

(m) To object to detention or request release through writ of habeas corpus~~((-(m) No person shall));~~

(n) To maintain the right to be presumed ~~((incompetent or))~~ competent and not lose any civil rights as a consequence of receiving evaluation or treatment for a mental disorder~~((-(n) The right));~~

(o) Of access to attorneys, courts, and other legal redress~~((-(o) The right));~~

(p) To have all information and records compiled, obtained, or maintained in the course of receiving services kept confidential, ~~((pursuant to))~~ under the provisions of RCW 71.05.390 through 71.05.420.

(2) Rights of all voluntary patients. All voluntary patients shall have the right to:

(a) ~~((The right to))~~ Release, unless involuntary commitment proceedings are initiated. Specific patients' rights to release are as follows:

(i) Adult patient, no guardian – Release at request of patient~~((:));~~

(ii) Adult admitted by guardian – Release at request of guardian or patient~~((:));~~

(iii) Minor, thirteen years of age or under – Release at request of parent(s), conservator, guardian, or other person entitled to custody~~((:));~~

(iv) Minor, fourteen years of age or over – Release upon request of both minor and ~~((his or her))~~ the minor's parent(s), conservator, guardian, or other person entitled to custody. If requested by minor only, release on next judicial day.

(b) ~~((The right to))~~ A review of condition and status at least each one hundred and eighty days~~((-(Reference))~~ as required under RCW 71.05.050, 71.05.380, and 72.23.070~~((-(and 71.05.380)).~~

(3) ~~((Rights of))~~ All involuntary patients shall:

(a) Unless released within seventy-two hours as defined ~~((by))~~ under WAC 275-55-020(21), ~~((all involuntary adult patients))~~ have a right to a judicial hearing not more than seventy-two hours, as defined, after initial detention to determine whether probable cause exists to detain such patient after seventy-two hours for a further period up to fourteen days~~((:));~~

(b) Have the right to:

(i) Communicate immediately with an attorney~~((:));~~ and, if indigent, the right to have an attorney appointed to represent the patient before and at such hearing~~((:));~~ and ~~((the right to))~~

(ii) Be told the name and address of the attorney appointed~~((:));~~

(c) Have the right to remain silent~~((:));~~

(d) Have the right to be told statements the patient makes may be used in the involuntary proceedings~~((:));~~

(e) Have the right to present evidence and to cross-examine witnesses testifying against the patient at the probable cause hearing~~((:));~~

(f) Have the right to refuse medication beginning twenty-four hours ~~((prior to))~~ before any court proceeding wherein the patient has the right to attend and which bears upon the continued commitment of the patient~~((:));~~

(g) When taken into custody by a peace officer and then placed in a facility without prior authorization by the county-designated mental health professional, the involuntary patient shall be:

(i) Examined by a mental health professional within three hours of the patient's arrival(;;); and ((~~shall be~~))

(ii) Released within twelve hours unless the county-designated mental health professional files a supplemental petition for initial detention and the detained person receives a copy((-Reference)) as described under RCW 71.05.150(5)((;)).

**WSR 91-16-026
PERMANENT RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION**

[Order 91-13—Filed July 26, 1991, 4:23 p.m.]

Date of Adoption: June 21, 1991.

Purpose: To repeal sections that should have been repealed when revisions were last made.

Citation of Existing Rules Affected by this Order: Repealing WAC 392-191-060, 392-191-065, 392-191-070, 392-191-075, 392-191-080, 392-191-085, 392-191-090, and 392-191-095.

Statutory Authority for Adoption: RCW 28A.67.065.

Pursuant to notice filed as WSR 91-10-104 on May 1, 1991.

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

July 26, 1991
Judith A. Billings
Superintendent of
Public Instruction

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 392-191-060 PROFESSIONAL GROWTH COMPONENT.

WAC 392-191-065 PROFESSIONAL GROWTH COMPONENT—PURPOSE.

WAC 392-191-070 PROFESSIONAL GROWTH COMPONENT—IMPLEMENTATION.

WAC 392-191-075 PROFESSIONAL GROWTH COMPONENT—COMMITTEE MEMBERSHIP.

WAC 392-191-080 PROFESSIONAL GROWTH COMPONENT—SOURCES OF INFORMATION.

WAC 392-191-085 PROFESSIONAL GROWTH COMPONENT—SHORT FORM OF EVALUATION.

WAC 392-191-090 PROFESSIONAL GROWTH COMPONENT—RECORDS.

WAC 392-191-095 PROFESSIONAL GROWTH COMPONENT—TIMELINE.

WSR 91-16-027

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 91-56—Filed July 26, 1991, 4:35 p.m., effective July 28, 1991, 12:01 a.m.]

Date of Adoption: July 26, 1991.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-47-700.

Statutory Authority for Adoption: RCW 75.08.080.

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

Reasons for this Finding: Restrictions in Areas 4B, 5, 6, 6A, 6C, 7, and 7A provide protection for United States and Canadian origin chinook stocks. Openings in Areas 7B and 7C provide opportunity to harvest non-Indian allocation of chinook destined for the Nooksack-Samish region of origin, and to prevent wastage. All other Puget Sound areas are closed to prevent overharvest of local salmon stocks.

Effective Date of Rule: 12:01 a.m., July 28, 1991.

July 26, 1991
Joseph R. Blum
Director

NEW SECTION

WAC 220-47-701 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY. Notwithstanding the provisions of Chapter 220-47 WAC, effective 12:01 AM Sunday July 28, 1991, until further notice, it is unlawful to take, fish for, or possess salmon or Atlantic salmon for commercial purposes taken from the following Puget Sound Salmon Management and Catch Reporting Areas except in accordance with the following open periods and mesh and area restrictions:

* Areas 4B, 5, 6, 6A, 6C, 7, and 7A - Under the control of the Pacific Salmon Commission. Drift gill net gear restricted to 5-inch minimum, 6-inch maximum mesh when open.

* Areas 7B and 7C - Gillnets using 7-inch minimum mesh may fish from 7 PM to 9:30 AM nightly, Monday, and Tuesday, July 29, 30.

* Areas 6B, 6D, 7D, 7E, 8, 8A, 8D, 9, 9A, 10, 10A, 10C, 10D, 10E, 10F, 10G, 11, 11A, 12, 12A, 12B, 12C, 12D, 13, 13A, 13C, 13D, 13E, 13F, 13G, 13H, 13I, 13J, and 13K, all freshwater areas, and exclusion zones provided for in WAC 220-47-307 except as modified herein - Closed.

REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 AM Sunday July 28, 1991:

WAC 220-47-700 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY (91-49)

WSR 91-16-028

ATTORNEY GENERAL OPINION
Cite as: AGO 1991 No. 26
[July 24, 1991]

FIREARMS—MILITARY—APPLICATION OF MACHINE GUN PROHIBITION TO MEMBERS OF THE ARMED FORCES

RCW 9.41.190 prohibits the ownership or possession of a machine gun. This prohibition does not apply to any officer or member of the armed forces. The exception to the machine gun prohibition for officers or members of the armed forces is not related to the discharge of the officer's or member's official duties.

Requested by:

Honorable Gary A. Nelson
State Senator, District 21
9710 Wharf Street
Edmonds, Washington 98020

WSR 91-16-029

PROPOSED RULES
EMPLOYMENT SECURITY DEPARTMENT
[Filed July 29, 1991, 11:02 a.m.]

Continuance of WSR 91-11-051.

Title of Rule: Employer notice and separation determination rules.

Purpose: This notice is to continue the July 24, 1991, hearing to August 16, 1991, extend the comment period to August 30, 1991, and to continue the adoption date from August 9, 1991, to September 6, 1991.

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.

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.

Hearing Location: Training Room 1, Employment Security Training Facility, 106 Maple Park, Olympia, WA 98504, on Friday, August 16, 1991, at 1:30 p.m.

Submit Written Comments to: Wm. Eric Jordan, Rules Coordinator, Employment Security Department, 212 Maple Park, Mailstop KG-11, Olympia, WA 98504, by August 30, 1991.

Date of Intended Adoption: September 6, 1991.

July 24, 1991
Vernon E. Stoner
Commissioner

WSR 91-16-030

RULES COORDINATOR
TRAFFIC SAFETY COMMISSION
[Filed July 29, 1991, 3:40 p.m.]

This is to inform you that the Washington Traffic Safety Commission is designating Nancy Cleeves, as the rules coordinator in accordance with chapter 34.05 RCW.

WSR 91-16-031

ATTORNEY GENERAL OPINION
Cite as: AGO 1991 No. 27
[July 25, 1991]

COUNTIES—CITIES AND TOWNS—CIVIL SERVICE—SHERIFF—POLICE—SENIORITY STATUS OF CITY POLICE OFFICER TRANSFERRING TO COUNTY SHERIFF'S OFFICE

RCW 41.14.260 provides that a city police officer transferring to a county sheriff's office pursuant to RCW 41.14.250 shall have the same rights, benefits and privileges as the officer would have been entitled to if the officer had been a member of the sheriff's office since the beginning of the officer's employment with the city. Pursuant to this statute, the officer's seniority is determined by the date of the officer's original hire with the city.

Requested by:

Honorable Michael J. Sullivan
Pacific County Prosecuting Attorney
Post Office Box 45
South Bend, Washington 98586

WSR 91-16-032

WITHDRAWAL OF PROPOSED RULES
SUPERINTENDENT OF PUBLIC INSTRUCTION
[Filed July 30, 1991, 1:47 p.m.]

Pursuant to RCW 34.05.335, notice is hereby given to withdraw WAC 392-145-015 and 392-145-030 previously filed with the code reviser under WSR 91-03-074 and distributed in the 91-03 State Register.

Irene Vargas
Legal Services

WSR 91-16-033

PROPOSED RULES
DEPARTMENT OF HEALTH
(Medical Disciplinary Board)
[Filed July 30, 1991, 3:01 p.m.]

Original Notice.

Title of Rule: WAC 246-920-820 through 246-920-880 Election of board members.

Purpose: Repeal of sections.

Statutory Authority for Adoption: RCW 18.72.150.

Summary: ESHB 2071 adds a new section to chapter 18.72 RCW changing the election of physician members on the Medical Disciplinary Board to governor appointed members; and adds two new members.

Reasons Supporting Proposal: See above.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Bonnie King, Medical Disciplinary Board, Olympia, 753-2938.

Name of Proponent: Medical Disciplinary Board, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See Summary above.

Proposal Changes the Following Existing Rules: Repeals.

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

Hearing Location: West Coast Sea-Tac Hotel, 18220 Pacific Highway South, Sea-Tac, WA, on September 13, 1991, at 7:00 p.m.

Submit Written Comments to: Bonnie King, Medical Disciplinary Board, 1300 Quince Street S.E., Mailstop EY-25, Olympia, WA 98504, by September 9, 1991.

Date of Intended Adoption: September 13, 1991.

July 17, 1991

Bonnie King
Program Manager

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 246-920-820 ELECTION YEARS IN CONGRESSIONAL DISTRICTS.
- WAC 246-920-830 RESIDENTIAL REQUIREMENT.
- WAC 246-920-840 NOMINATING PETITIONS.
- WAC 246-920-850 ELIGIBILITY REQUIREMENT IN ELECTIONS.
- WAC 246-920-860 TIME OF ELECTION—BALLOTS.
- WAC 246-920-870 IDENTIFICATION BY CONGRESSIONAL DISTRICT.
- WAC 246-920-880 BALLOTS.

WSR 91-16-034

**NOTICE OF PUBLIC MEETINGS
LIQUOR CONTROL BOARD**

[Memorandum—July 26, 1991]

The Washington State Liquor Control Board will meet in public session on August 29 in Spokane at the Sheraton Hotel, N322 Spokane Falls Court beginning at 10:00 a.m. A regular board meeting will handle routine business items and the meeting will then be opened up for questions and comments by those who attend. (The meeting replaces the regularly scheduled Wednesday meeting of the board held in Olympia.) The Spokane meeting is the second in a series of meetings the board plans on conducting throughout the state in order to make themselves more readily available to the public.

**WSR 91-16-035
NOTICE OF PUBLIC MEETINGS
INTERAGENCY COMMITTEE
FOR OUTDOOR RECREATION**

[Memorandum—July 31, 1991]

The Interagency Committee for Outdoor Recreation will meet on September 19-20, 1991, beginning at 9:00 a.m. at the Tyee Motor Inn, Tumwater, Washington.

This meeting is a funding session of the IAC for the Washington Wildlife and Recreation Local Government Grant-in-Aid Program authorized by the state legislature (chapter 14, Laws of 1990 1st sp. sess.).

**WSR 91-16-036
WITHDRAWAL OF PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)**

[Filed July 31, 1991, 4:43 p.m.]

The Department of Social and Health Services, by this memorandum, withdraws WSR 91-15-063 and 91-16-016.

These two filings will be combined into one and will have the same hearing date.

Leslie F. James
Director
Administrative Services

**WSR 91-16-037
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)**

[Filed July 31, 1991, 4:47 p.m.]

Original Notice.

Title of Rule: WAC 388-37-030, 388-37-038, and 388-37-115.

Purpose: To implement SHB 1052 passed by the 1991 state legislature which amended RCW 74.04.005. It extends the general assistance to pregnant women program (GA-S) eligibility from six weeks following the birth of a child that is relinquished for adoption to the end of the month in which the six week period ends. To implement SB 5959 which requires applicants for the general assistance unemployable (GAU) program to be unable to work due to a mental or physical impairment for at least ninety days.

Statutory Authority for Adoption: Chapter 126, Laws of 1991 and chapter 10, Laws of 1991 1st sp. sess.

Statute Being Implemented: Chapter 126, Laws of 1991 and chapter 10, Laws of 1991 1st sp. sess.

Summary: For GA-S and aid to families with dependent children (AFDC) recipients, this amendment extends the eligibility period for recipients whose eligibility is based on the relinquishment of their only child for

adoption. This amendment extends the eligibility period from six weeks following the birth of the child to the end of the month in which the six week period ends. Changes the durational requirements for GAU incapacity from sixty to ninety days.

Reasons Supporting Proposal: This rule amendment is necessary to amend RCW 74.04.005 to extend the GA-S program and clarify program eligibility. The intent of the bill was to clarify the intent of the original legislation to continue general assistance only to women who relinquish their child for adoption. It also changed the language to extend eligibility under this criteria from six weeks following the birth of the child to the end of the month in which the six week period ends for ease of administration. Also this rule amendment is necessary to implement SB 5959.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Barbara Hargrave, Income Assistance, 753-3340.

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 September 10, 1991, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop 5805 [45805], Olympia, Washington 98504, by September 10, 1991.

Date of Intended Adoption: September 24, 1991.

July 26, 1991

Leslie F. James

Director

Administrative Services

AMENDATORY SECTION (Amending Order 3045, filed 8/1/90, effective 9/1/90)

WAC 388-37-030 CONTINUING GENERAL ASSISTANCE—ELIGIBLE PERSONS. When other eligibility is established, the department shall grant continuing general assistance to the following:

(1) Incapacitated persons. As used in this section, an incapacitated person shall mean a person physically, emotionally, or mentally unable to work as a result of a condition expected to continue for ~~((sixty))~~ ninety days or more from date of application, except as provided under WAC 388-37-038 (1) and (2). A person incapacitated by alcoholism or drug addiction is not included in this definition, but an alcoholic or drug addict incapacitated due to other mental or physical conditions may be eligible for general assistance. Incapacity refers to a person's capacity to earn income by employment. A person's incapacity does not refer to the availability or lack of job opportunities.

(a) Eligible persons are:

- (i) An incapacitated single person eighteen years of age or older;
- (ii) A married couple if both persons are incapacitated; or

(iii) The incapacitated spouse in the case of a married couple when only one person is employable. The income and resources of the employable spouse shall be considered as described under WAC 388-28-500 (1)(a) and (b).

(b) An incapacitated person shall accept and follow through on required available medical treatment, which is reasonably expected to render the person able to work, unless there is good cause for failure to do so.

The department shall make the "good cause" determination based on the criteria under WAC 388-37-037(5).

(c) An incapacitated person may also receive medical services provided under the state-financed medical care services program as defined under WAC 388-86-120.

(2) Pregnant women who are:

(a) Income and resource eligible for the aid to families with dependent children program; and

(b) In their first or second trimester of pregnancy; or

(c) Members of a two-parent household during a time when the aid to dependent children-employable (AFDC-E) program is in effect, but do not meet categorical eligibility for AFDC-E. These women may receive a continuing general assistance grant for the duration of their pregnancy.

(3) Effective June 7, 1990, women:

(a) Relinquishing a child for adoption; and

(b) Receiving general assistance under WAC 388-37-030(2); or

(c) Losing AFDC or FIP eligibility because an eligible child does not reside in the household; and

(d) Whose assistance granted under subsection (3) of this section is limited to six weeks beginning with the date of birth of the child.

AMENDATORY SECTION (Amending Order 2525, filed 8/21/87)

WAC 388-37-038 INCAPACITY—WAIVER OF MEDICAL DOCUMENTATION. (1) Incapacity will be considered to be established without medical documentation when the person:

(a) Has been determined to be eligible for any benefits based on Social Security Administration disability criteria;

(b) Is eligible for services from the division of developmental disabilities;

(c) Is sixty-five years of age or older.

(2) Incapacity will be considered established for a period of ~~((sixty))~~ ninety days without a psychiatric/psychological evaluation when the person is being released from inpatient psychiatric treatment and is participating in direct treatment services to meet his or her mental health needs as described in WAC 275-56-015(17), with the exception of:

(a) Clients admitted under the Involuntary Treatment Act (ITA), who are subsequently released without participating in direct treatment services;

(b) Clients voluntarily admitted to a psychiatric hospital or the psychiatric ward of a general hospital for evaluation and diagnosis only, who are released without participating in direct treatment services;

(c) Clients voluntarily admitted to a psychiatric hospital or the psychiatric ward of a general hospital for an acute, short-term episode, who are released without participating in direct treatment services; and

(d) Clients who leave ongoing inpatient psychiatric treatment against medical advice.

AMENDATORY SECTION (Amending Order 2259, filed 7/24/85)

WAC 388-37-115 PROGRESSIVE EVALUATION PROCESS STEP I—REVIEW OF MEDICAL DOCUMENTATION. The department will review medical documentation prior to making a determination of incapacity in order to insure the following requirements have been met:

(1) The medical report must contain sufficient information on which to determine incapacity per WAC 388-37-035(2). If the information received is not sufficient to determine incapacity, the department can require complete information before any incapacity decision is made.

(2) The medical report must be a written report from an authorized medical professional.

(3) The impairment(s) must be expected to last at least ~~((sixty))~~ ninety days from the date of application.

(4) The medical report must document the existence of a potentially incapacitating condition.

WSR 91-16-038
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Filed July 31, 1991, 4:50 p.m.]

Original Notice.

Title of Rule: WAC 388-87-007 Medical provider agreement.

Purpose: To incorporate administrative changes.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: RCW 74.08.090.

Summary: Providers shall bill according to the schedule of maximum allowance, current medical assistance drug listing and other applicable schedules. Providers may refund a payment to a recipient when the recipient paid during the retroactive eligibility period.

Reasons Supporting Proposal: To delete references to "formulary." To clarify when a provider may refund a payment to a recipient.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Bobbe Andersen, Medical Assistance, 586-0529.

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

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

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

Proposal Changes the Following Existing Rules: See above.

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

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on September 10, 1991, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop 5805 [45805], Olympia, Washington 98504, by September 10, 1991.

Date of Intended Adoption: September 24, 1991.

July 31, 1991
 Leslie F. James
 Director
 Administrative Services

AMENDATORY SECTION (Amending Order 2665, filed 8/2/88)

WAC 388-87-007 MEDICAL PROVIDER AGREEMENT. The department shall offer the medical care program through the use of enrolled providers of medical and other covered services. To be enrolled, a provider shall be licensed, if required, to provide said services, shall meet the conditions of eligibility defined in WAC 388-87-005, and shall sign and submit a standard contract form to the department agreeing to participate in the program according to the terms of this section. This contract form and participation by the provider according to the terms of this section shall constitute the agreement between the department and the provider. The department shall issue a contract provider number((s)) to an enrolled provider((s)) which is authorization to participate in the medical care program. Providers who participate in the medical care program are bound by the rules and standards set forth in this section and as issued by the department.

(1) Providers shall keep all records necessary to disclose the extent of services the provider furnishes to recipients of medical assistance.

(2) Providers shall furnish the department with any information it may request regarding payments claimed by the provider for furnishing services to recipients of medical assistance.

(3) The provider shall bill according to instructions issued by the department and accept payment for services according to the schedule of maximum allowances, the current medical assistance drug ((formulary)) listings and other applicable maximum payment levels or schedules. Such payment shall constitute complete remuneration for such services.

(4) The provider shall refund to the recipient any payment received directly from the recipient for services for which the department is responsible for payment. The department shall limit its responsibility for payment of services provided in a retroactive period, as defined in WAC 388-80-005, to cases in which the cost of the services has not been otherwise paid. ((It is appropriate, but not required, ((that)) a provider may refund to a recipient ((any)) a payment received in a retroactive period of eligibility for Medicaid. Such refund would be for services for which the department would otherwise be responsible for payment. After refunding ((to)) the recipient's payment, recipient, the provider may bill the department. Upon receipt of a medical coupon that identifies the patient as eligible retroactively, the provider shall not bill the recipient for any unpaid charges for covered services remaining from the retroactive period.

(5) Provider billing invoices submitted to the department shall contain the following language and verification: "I hereby certify under penalty of perjury, that the material furnished and service rendered is a correct charge against the state of Washington; the claim is just and due; that no part of the same has been paid and I am authorized to sign for the payee; and that all goods furnished and/or services rendered have been provided without discrimination on the grounds of race, creed, color, sex, religion, national origin, marital status, or the presence of any sensory, mental or physical handicap."

(6) Providers shall render all services without discrimination on the grounds of race, creed, color, sex, religion, national origin, marital status, or the presence of any sensory, mental or physical handicap.

(7) The department shall give a thirty-day written notice of action to suspend or withdraw the provider's number and contract authorization to participate in the medical care program. The thirty-day notice shall not be required if:

(a) A provider is convicted of a criminal offense related to participation in the Medicare/Medicaid program; or

(b) The provider's license is suspended or revoked; or

(c) Federal funding is revoked; or

(d) By investigation, the department can document a violation of law or contract; or

(e) In the opinion of the medical director, division of medical assistance, the quality of care provided is such that the health and safety of recipients is endangered.

(8) Providers shall render all services according to the applicable sections of the Revised Code of Washington, the Washington Administrative Code, federal regulations and program instructions issued by the department.

(9) Nothing in this section shall preclude the department and any provider or provider group or association from jointly negotiating or entering into another form of written agreement for provision of medical care services to eligible recipients. If such a contract involves the payment of Title XIX funds, the contract shall satisfy all requirements of the standard form contract as modified by any applicable federal waivers.

(10) The provider must meet the disclosure of ownership requirements of WAC 388-87-008.

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.

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 91-16-039
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3217—Filed July 31, 1991, 4:52 p.m., effective August 1, 1991, 12:01 a.m.]

Date of Adoption: July 31, 1991.

Purpose: To implement SHB 1052 passed by the 1991 state legislature which amended RCW 74.04.005. It extends the general assistance to pregnant women program (GA-S) eligibility from six weeks following the birth of a child that is relinquished for adoption to the end of the month in which the six week period ends. To implement SB 5959 which requires applicants for the general assistance unemployable (GAU) program to be unable to work due to a mental or physical impairment for at least ninety days.

Citation of Existing Rules Affected by this Order: Amending WAC 388-37-030, 388-37-038, and 388-37-115.

Statutory Authority for Adoption: Chapter 126, Laws of 1991 and chapter 10, Laws of 1991 1st sp. sess.

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

Reasons for this Finding: This rule amendment is necessary to amend RCW 74.04.005 to extend the GA-S program and clarify program eligibility. The intent of the bill was to clarify the intent of the original legislation to continue general assistance only to women who relinquish their child for adoption. It also changed the language to extend eligibility under this criteria from six weeks following the birth of the child to the end of the month in which the six week period ends for ease of administration. Also this rule amendment is necessary to implement SB 5959.

Effective Date of Rule: August 1, 1991, 12:01 a.m.

July 31, 1991

Leslie F. James

Director

Administrative Services

AMENDATORY SECTION (Amending Order 3045, filed 8/1/90, effective 9/1/90)

WAC 388-37-030 CONTINUING GENERAL ASSISTANCE—ELIGIBLE PERSONS. When other eligibility is established, the department shall grant continuing general assistance to the following:

(1) Incapacitated persons. As used in this section, an incapacitated person shall mean a person physically, emotionally, or mentally unable to work as a result of a condition expected to continue for ((sixty)) ninety days or more from date of application, except as provided under WAC 388-37-038 (1) and (2). A person incapacitated by alcoholism or drug addiction is not included in

this definition, but an alcoholic or drug addict incapacitated due to other mental or physical conditions may be eligible for general assistance. Incapacity refers to a person's capacity to earn income by employment. A person's incapacity does not refer to the availability or lack of job opportunities.

(a) Eligible persons are:

(i) An incapacitated single person eighteen years of age or older,

(ii) A married couple if both persons are incapacitated; or

(iii) The incapacitated spouse in the case of a married couple when only one person is employable. The income and resources of the employable spouse shall be considered as described under WAC 388-28-500 (1)(a) and (b).

(b) An incapacitated person shall accept and follow through on required available medical treatment, which is reasonably expected to render the person able to work, unless there is good cause for failure to do so.

The department shall make the "good cause" determination based on the criteria under WAC 388-37-037(5).

(c) An incapacitated person may also receive medical services provided under the state-financed medical care services program as defined under WAC 388-86-120.

(2) Pregnant women who are:

(a) Income and resource eligible for the aid to families with dependent children program; and

(b) In their first or second trimester of pregnancy; or

(c) Members of a two-parent household during a time when the aid to dependent children—employable (AFDC-E) program is in effect, but do not meet categorical eligibility for AFDC-E. These women may receive a continuing general assistance grant for the duration of their pregnancy.

(3) Effective June 7, 1990, women:

(a) Relinquishing a child for adoption; and

(b) Receiving general assistance under WAC 388-37-030(2); or

(c) Losing AFDC or FIP eligibility because an eligible child does not reside in the household; and

(d) Whose assistance granted under subsection (3) of this section is limited to six weeks beginning with the date of birth of the child.

AMENDATORY SECTION (Amending Order 2525, filed 8/21/87)

WAC 388-37-038 INCAPACITY—WAIVER OF MEDICAL DOCUMENTATION. (1) Incapacity will be considered to be established without medical documentation when the person:

(a) Has been determined to be eligible for any benefits based on Social Security Administration disability criteria;

(b) Is eligible for services from the division of developmental disabilities;

(c) Is sixty-five years of age or older.

(2) Incapacity will be considered established for a period of ((sixty)) ninety days without a psychiatric/psychological evaluation when the person is being released from inpatient psychiatric treatment and is participating

in direct treatment services to meet his or her mental health needs as described in WAC 275-56-015(17), with the exception of:

(a) Clients admitted under the Involuntary Treatment Act (ITA), who are subsequently released without participating in direct treatment services;

(b) Clients voluntarily admitted to a psychiatric hospital or the psychiatric ward of a general hospital for evaluation and diagnosis only, who are released without participating in direct treatment services;

(c) Clients voluntarily admitted to a psychiatric hospital or the psychiatric ward of a general hospital for an acute, short-term episode, who are released without participating in direct treatment services; and

(d) Clients who leave ongoing inpatient psychiatric treatment against medical advice.

AMENDATORY SECTION (Amending Order 2259, filed 7/24/85)

WAC 388-37-115 **PROGRESSIVE EVALUATION PROCESS STEP I—REVIEW OF MEDICAL DOCUMENTATION.** The department will review medical documentation prior to making a determination of incapacity in order to insure the following requirements have been met:

(1) The medical report must contain sufficient information on which to determine incapacity per WAC 388-37-035(2). If the information received is not sufficient to determine incapacity, the department can require complete information before any incapacity decision is made.

(2) The medical report must be a written report from an authorized medical professional.

(3) The impairment(s) must be expected to last at least (~~sixty~~) ninety days from the date of application.

(4) The medical report must document the existence of a potentially incapacitating condition.

WSR 91-16-040
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3218—Filed July 31, 1991, 4:55 p.m., effective August 1, 1991, 12:01 a.m.]

Date of Adoption: July 31, 1991.

Purpose: To incorporate administrative changes.

Citation of Existing Rules Affected by this Order:
 Amending WAC 388-87-007, Medical provider agreement.

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: To delete references to "formulary." To clarify when a provider may refund a payment to a recipient.

Effective Date of Rule: August 1, 1991, 12:01 a.m.

July 31, 1991

Leslie F. James

Director

Administrative Services

AMENDATORY SECTION (Amending Order 2665, filed 8/2/88)

WAC 388-87-007 **MEDICAL PROVIDER AGREEMENT.** The department shall offer the medical care program through the use of enrolled providers of medical and other covered services. To be enrolled, a provider shall be licensed, if required, to provide said services, shall meet the conditions of eligibility defined in WAC 388-87-005, and shall sign and submit a standard contract form to the department agreeing to participate in the program according to the terms of this section. This contract form and participation by the provider according to the terms of this section shall constitute the agreement between the department and the provider. The department shall issue a contract provider number(s) to an enrolled provider(s) which is authorization to participate in the medical care program. Providers who participate in the medical care program are bound by the rules and standards set forth in this section and as issued by the department.

(1) Providers shall keep all records necessary to disclose the extent of services the provider furnishes to recipients of medical assistance.

(2) Providers shall furnish the department with any information it may request regarding payments claimed by the provider for furnishing services to recipients of medical assistance.

(3) The provider shall bill according to instructions issued by the department and accept payment for services according to the schedule of maximum allowances, the current medical assistance drug ((formulary)) listings and other applicable maximum payment levels or schedules. Such payment shall constitute complete remuneration for such services.

(4) The provider shall refund to the recipient any payment received directly from the recipient for services for which the department is responsible for payment. The department shall limit its responsibility for payment of services provided in a retroactive period, as defined in WAC 388-80-005, to cases in which the cost of the services has not been otherwise paid. (~~It is appropriate, but not required, ((that))~~) A provider may refund to a recipient (~~any~~) a payment received in a retroactive period of eligibility for Medicaid. Such refund would be for services for which the department would otherwise be responsible for payment. After refunding (~~to~~) the recipient's payment, recipient, the provider may bill the department. Upon receipt of a medical coupon that identifies the patient as eligible retroactively, the provider shall not bill the recipient for any unpaid charges for covered services remaining from the retroactive period.

(5) Provider billing invoices submitted to the department shall contain the following language and verification: "I hereby certify under penalty of perjury, that the material furnished and service rendered is a correct charge against the state of Washington; the claim is just and due; that no part of the same has been paid and I am authorized to sign for the payee, and that all goods furnished and/or services rendered have been provided without discrimination on the grounds of race, creed, color, sex, religion, national origin, marital status, or the presence of any sensory, mental or physical handicap."

(6) Providers shall render all services without discrimination on the grounds of race, creed, color, sex, religion, national origin, marital status, or the presence of any sensory, mental or physical handicap.

(7) The department shall give a thirty-day written notice of action to suspend or withdraw the provider's number and contract authorization to participate in the medical care program. The thirty-day notice shall not be required if:

(a) A provider is convicted of a criminal offense related to participation in the Medicare/Medicaid program; or

(b) The provider's license is suspended or revoked; or

(c) Federal funding is revoked; or

(d) By investigation, the department can document a violation of law or contract; or

(e) In the opinion of the medical director, division of medical assistance, the quality of care provided is such that the health and safety of recipients is endangered.

(8) Providers shall render all services according to the applicable sections of the Revised Code of Washington, the Washington Administrative Code, federal regulations and program instructions issued by the department.

(9) Nothing in this section shall preclude the department and any provider or provider group or association from jointly negotiating or entering into another form of written agreement for provision of medical care services to eligible recipients. If such a contract involves the payment of Title XIX funds, the contract shall satisfy all requirements of the standard form contract as modified by any applicable federal waivers.

(10) The provider must meet the disclosure of ownership requirements of WAC 388-87-008.

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.

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 91-16-041

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 91-58—Filed July 31, 1991, 5:43 p.m., effective August 1, 1991, 12:01 a.m.]

Date of Adoption: July 31, 1991.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order:
Repealing WAC 220-44-05000M.

Statutory Authority for Adoption: RCW 75.08.080.

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

Reasons for this Finding: The Pacific Fisheries Management Council has established a harvestable quota of groundfish. This regulation provides for harvest of the quota. This regulation is adopted at the recommendation of the Pacific Fisheries Management Council.

Effective Date of Rule: 12:01 a.m., August 1, 1991.

July 31, 1991

Judith Freeman

for Joseph R. Blum

Director

NEW SECTION

WAC 220-44-05000N COASTAL BOTTOM-FISH CATCH LIMITS. Notwithstanding the provisions of WAC 220-44-050, effective 12:01 a.m. August 1, 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 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) The following definitions apply to this section:

(a) Biweekly fishing period. Each of the following is defined as a biweekly fishing period (hours given are on a 24-hour basis):

0001 hours July 31 to 2400 hours August 13;

0001 hours August 14 to 2400 hours August 27;

0001 hours August 28 to 2400 hours September 10;

0001 hours September 11 to 2400 hours September 24;

0001 hours September 25 to 2400 hours October 8;

0001 hours October 9 to 2400 hours October 22;

0001 hours October 23 to 2400 hours November 19;

0001 hours November 20 to 2400 hours December 3;

0001 hours December 4 to 2400 hours December 17;

0001 hours December 18 to 2400 hours December 31;

(b) Vessel trip – A vessel trip is defined as having occurred upon the initiation of transfer of catch from a fishing vessel.

(c) Vessel trip limit – The amount of fish that may not be exceeded per vessel trip. All fish aboard a fishing vessel upon the initiation of transfer of catch are to be counted towards the vessel trip limit.

(d) Week – Wednesday through the following Tuesday.

(2) Widow rockfish – 10,000 pounds per vessel trip, not to exceed 20,000 pounds per biweekly fishing period. No minimum size.

(3) Shortbelly rockfish – no maximum poundage per biweekly fishing period. No minimum size.

(4) Pacific ocean perch – No trip limit for landings less than 1,000 pounds per vessel trip. Landings greater than 1,000 pounds but not to exceed 3,000 pounds allowed only if Pacific ocean perch represent 20 percent or less of fish aboard per vessel trip. No landings of more than 3,000 pounds per vessel trip. No minimum size.

(5) All other species of rockfish except widow, shortbelly, Pacific ocean perch and thornyhead or idiot rockfish (*Sebastes* spp.) – 12,500 pounds twice weekly, or 25,000 pounds weekly or 50,000 pounds biweekly of all other rockfish combined per biweekly fishing period, of which no more than 3,000 pounds may be yellowtail rockfish if landings are made twice weekly or weekly, or 5,000 pounds may be yellowtail rockfish if the landing is made biweekly. No minimum size.

(6) Deepwater complex – Sablefish, Dover sole, and thornyhead rockfish – 13,750 pounds twice weekly, or 27,500 pounds weekly, or 55,000 pounds biweekly of the deepwater complex per fishing period, of which no more than 6,250 pounds, 12,500 pounds, or 25,000 pounds may be thornyhead rockfish if landed twice weekly, weekly or biweekly, respectively. No restriction on vessel trips landing less than 4,000 pounds of the deepwater complex, except sable fish limited to 1,000 pounds per vessel trip. No size limit for dover sole and thornyhead rockfish.

The following limits apply to sablefish taken under this subsection:

(a) Trawl vessels – Landings above 1,000 pounds allowed only if sablefish represent 25 percent or less of the total combined weight of the deepwater complex on board. Minimum size 22 inches in length unless dressed, in which case minimum size 15.5 inches, from the anterior insertion of the first dorsal fin to the tip of the tail. To convert from dressed weight to round 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 weight of all deepwater complex species aboard, but not to exceed 5,000 pounds of undersize sablefish.

(b) Non-trawl vessels – No sablefish may be possessed.

(7) There is no limit on the number of landings of widow rockfish less than 3,000 pounds, Pacific Ocean perch less than 1,000 pounds, other rockfish less than 3,000 pounds, and deepwater complex less than 4,000 pounds of which not more than 1,000 pounds may be sablefish.

(8) It is unlawful during the 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.

(9) The fisher's copy of all fish receiving tickets showing landings of species provided for in this section shall be retained aboard the landing vessel for 90 days after landing.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-44-05000M COASTAL BOTTOM-FISH CATCH LIMITS (91-44)

WSR 91-16-042 PROPOSED RULES PERSONNEL BOARD [Filed August 1, 1991, 9:50 a.m.]

Original Notice.

Title of Rule: WAC 356-18-116 Leave due to unforeseen child care requirements.

Purpose: This rule establishes a policy for authorization of leave for child care needs.

Statutory Authority for Adoption: RCW 41.06.040.

Statute Being Implemented: RCW 41.06.150.

Summary: Changes policy for child care leave to family care leave.

Reasons Supporting Proposal: Expands child care leave to be more inclusive of more diverse family structures.

Name of Agency Personnel Responsible for Drafting: Dorothy Gerard, 521 Capitol Way South, 753-2708; Implementation and Enforcement: Department of Personnel.

Name of Proponent: Department of Personnel in conjunction with Workforce 2000 – Cluster 6B, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This rule establishes a policy for authorization of leave for child care needs. Expands child care leave to include other family members.

Proposal Changes the Following Existing Rules: Allows authorization of leave to diverse family structures.

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

Hearing Location: Department of Personnel, 521 Capitol Way South, Olympia, WA 98504, on September 12, 1991, at 10:00 a.m.

Submit Written Comments to: Dorothy Gerard, P.O. Box 1789, Mailstop FE-11, Olympia, WA 98507, by September 10, 1991.

Date of Intended Adoption: September 12, 1991.

July 29, 1991

Dee W. Henderson
Secretary

AMENDATORY SECTION (Amending Order 314, filed 2/24/89, effective 4/1/89)

WAC 356-18-116 LEAVE DUE TO UNFORESEEN ((CHLD)) FAMILY CARE REQUIREMENTS. Absence due to an employee's inability to report for or continue scheduled work due to unforeseen ((child)) family care requirements shall be authorized in any of the leave categories listed below at the employee's desire. No advance approval shall be required; however, the employee shall notify the agency at the beginning of the absence.

(1) Compensatory or exchange time.

(2) Vacation leave.

(3) Accrued sick leave (in accordance with WAC 356-18-060(8)).

(4) Leave without pay.

For purposes of this subsection "family" shall include:

(a) Spouse.

- (b) Son, daughter, grandchild, or foster child.
- (c) Grandparent or parent.
- (d) Son-in-law or daughter-in-law.
- (e) Brother, sister, niece, nephews, aunt, uncle, first cousin, brother-in-law, or sister-in-law.
- (f) Persons who reside in same home, who have reciprocal and natural and/or moral duties to and do provide support for one another.

WSR 91-16-043
PROPOSED RULES
PERSONNEL BOARD
 [Filed August 1, 1991, 9:53 a.m.]

Original Notice.

Title of Rule: WAC 356-05-493 Workforce diversity.

Purpose: Defines workforce diversity.

Statutory Authority for Adoption: RCW 41.06.040.

Statute Being Implemented: RCW 41.06.150.

Summary: A new definition for workforce diversity.

Reasons Supporting Proposal: The composition of the state workforce is becoming more diverse. Title 356 WAC should address the scope of the changes that are occurring.

Name of Agency Personnel Responsible for Drafting: Dorothy Gerard, 521 Capitol Way South, 753-2708; Implementation and Enforcement: Department of Personnel.

Name of Proponent: Department of Personnel in conjunction with Workforce 2000 - Cluster 6B, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This provides a thorough definition of workforce diversity that can be used by all state agencies.

Proposal does not change existing rules.

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

Hearing Location: Department of Personnel, 521 Capitol Way South, Olympia, WA 98504, on September 12, 1991, at 10:00 a.m.

Submit Written Comments to: Dorothy Gerard, P.O. Box 1789, Mailstop FE-11, Olympia, WA 98507, by September 10, 1991.

Date of Intended Adoption: September 12, 1991.

July 29, 1991
 Dee W. Henderson
 Secretary

NEW SECTION

WAC 356-05-493 WORKFORCE DIVERSITY. Diversity is defined as the condition of being different or having differences. Applied to the workforce it means that an increasing number of employees with a greater range of distinctions are and will be present within the workplace. This workforce includes persons with diverse ethnic and cultural backgrounds as well as persons with disabilities, workers of varying ages, veterans, females, and members of varying forms of family structures, religious preferences, and sexual orientations.

WSR 91-16-044
PROPOSED RULES
PERSONNEL BOARD
 [Filed August 1, 1991, 9:55 a.m.]

Original Notice.

Title of Rule: WAC 356-05-327 Protected group members.

Purpose: This rule identifies protected groups for affirmative action purposes.

Statutory Authority for Adoption: RCW 41.06.040.

Statute Being Implemented: RCW 41.06.150.

Summary: This proposal adds Pacific Islanders and Alaska natives to protected groups.

Reasons Supporting Proposal: This is a housekeeping change to reflect current affirmative action groupings.

Name of Agency Personnel Responsible for Drafting: Dorothy Gerard, 521 Capitol Way South, 753-2708; Implementation and Enforcement: Department of Personnel.

Name of Proponent: Department of Personnel in conjunction with Workforce 2000 - Cluster 6B, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This proposal reflects current affirmative action groupings by adding Pacific Islanders and Alaska natives.

Proposal Changes the Following Existing Rules: Changes rule by adding additional protected groups.

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

Hearing Location: Department of Personnel, 521 Capitol Way South, Olympia, WA 98504, on September 12, 1991, at 10:00 a.m.

Submit Written Comments to: Dorothy Gerard, P.O. Box 1789, Mailstop FE-11, Olympia, WA 98507, by September 10, 1991.

Date of Intended Adoption: September 12, 1991.

July 29, 1991
 Dee W. Henderson
 Secretary

AMENDATORY SECTION (Amending Order 267, filed 1/2/87)

WAC 356-05-327 PROTECTED GROUP MEMBERS. Protected groups for affirmative action purposes are: Persons between the ages of forty and seventy, people of disability, Vietnam Era veterans, disabled veterans, women, Asians and Pacific Islanders, ((b))Blacks, Hispanics, and ((n))Native Americans and Alaska Natives.

WSR 91-16-045
PROPOSED RULES
PERSONNEL BOARD
 [Filed August 1, 1991, 9:57 a.m.]

Original Notice.

Title of Rule: WAC 356-05-173 Flex-time.

Purpose: Establishes a definition for flex-time.

Statutory Authority for Adoption: RCW 41.06.040.

Statute Being Implemented: RCW 41.06.150.

Summary: To include a definition for flex-time.

Reasons Supporting Proposal: Flex-time is currently referenced in the WAC's. However, it is not defined.

Name of Agency Personnel Responsible for Drafting: Dorothy Gerard, 521 Capitol Way South, 753-2708; Implementation and Enforcement: Department of Personnel.

Name of Proponent: Department of Personnel in conjunction with Workforce 2000 - Cluster 6B, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This proposal will establish a definition for flex-time which is not currently defined in the merit system rules.

Proposal does not change existing rules.

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

Hearing Location: Department of Personnel, 521 Capitol Way South, Olympia, WA 98504, on September 12, 1991, at 10:00 a.m.

Submit Written Comments to: Dorothy Gerard, P.O. Box 1789, Mailstop FE-11, Olympia, WA 98507, by September 10, 1991.

Date of Intended Adoption: September 12, 1991.

July 29, 1991

Dee W. Henderson
Secretary

NEW SECTION

WAC 356-05-173 FLEX-TIME. These work schedules require fixed core hours of work and regular starting and quitting times other than 8 a.m to 5 p.m.

WSR 91-16-046

PROPOSED RULES

PERSONNEL BOARD

[Filed August 1, 1991, 9:58 a.m.]

Original Notice.

Title of Rule: WAC 356-05-260 Persons of disability.

Purpose: This is the new definition specified by the Americans with Disabilities Act. This definition will ensure consistency with the act.

Statutory Authority for Adoption: RCW 41.06.040.

Statute Being Implemented: RCW 41.06.150.

Summary: This is the new definition specified by the Americans with Disabilities Act.

Reasons Supporting Proposal: Creates consistency with the definition used by Americans with Disabilities Act.

Name of Agency Personnel Responsible for Drafting: Dorothy Gerard, 521 Capitol Way South, 753-2708; Implementation and Enforcement: Department of Personnel.

Name of Proponent: Department of Personnel in conjunction with Workforce 2000 - Cluster 6B, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This clarifies the definition of persons of disability. Anticipated effects: Minimal as the definition is close to the one it is replacing.

Proposal Changes the Following Existing Rules: This is the new definition specified by the Americans with Disabilities Act. This definition will ensure consistency with the act.

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

Hearing Location: Department of Personnel, 521 Capitol Way South, Olympia, WA 98504, on September 12, 1991, at 10:00 a.m.

Submit Written Comments to: Dorothy Gerard, P.O. Box 1789, Mailstop FE-11, Olympia, WA 98507, by September 10, 1991.

Date of Intended Adoption: September 12, 1991.

July 29, 1991

Dee W. Henderson
Secretary

AMENDATORY SECTION (Amending Order 267, filed 1/2/87)

WAC 356-05-260 PERSONS OF DISABILITY. (~~Persons with physical, mental, or sensory impairments that would impede those individuals in obtaining and maintaining permanent employment and promotional opportunities. The impairments must be material rather than slight, static and permanent in that they are seldom fully corrected by medical replacement, therapy, or surgical means.~~)

A person who has a physical or mental impairment that substantially limits one or more major life activities, e.g., seeing hearing, speaking, walking, breathing, performing manual tasks, learning, caring for oneself, and working.

WSR 91-16-047

PROPOSED RULES

PERSONNEL BOARD

[Filed August 1, 1991, 10:00 a.m.]

Original Notice.

Title of Rule: WAC 356-09-050 Affirmative action program—Testing.

Purpose: Establishes criteria for special testing for affirmative action purposes.

Statutory Authority for Adoption: RCW 41.06.040.

Statute Being Implemented: RCW 41.06.150.

Summary: This proposal changes the description of how often a test may be taken.

Reasons Supporting Proposal: The existing language can be a barrier to recruitment of individuals in affirmative action groups.

Name of Agency Personnel Responsible for Drafting: Dorothy Gerard, 521 Capitol Way South, 753-2708; Implementation and Enforcement: Department of Personnel.

Name of Proponent: Department of Personnel in conjunction with Workforce 2000 - Cluster 6B, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: When there is an underrepresentation of an affirmative action group on the register, the existing language in the rule can be a barrier to recruitment of individuals in affirmative action groups. This proposal changes the number of times and time periods in which a test may be taken.

Proposal Changes the Following Existing Rules: Allows applicants to meet minimum qualifications at the time of application when the applicant has not been tested within the past thirty calendar days. A test may not be taken more than three times in a twelve month period.

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

Hearing Location: Department of Personnel, 521 Capitol Way South, Olympia, WA 98504, on September 12, 1991, at 10:00 a.m.

Submit Written Comments to: Dorothy Gerard, P.O. Box 1789, Mailstop FE-11, Olympia, WA 98507, by September 10, 1991.

Date of Intended Adoption: September 12, 1991.

July 29, 1991

Dee W. Henderson
Secretary

AMENDATORY SECTION (Amending Order 267, filed 1/2/87)

WAC 356-09-050 AFFIRMATIVE ACTION PROGRAM—TESTING. (1) The department of personnel will make reasonable accommodations for persons of disability who require such during test procedures.

(2) The department of personnel may test a protected group member after the closing date of the recruitment announcement, provided:

- (a) A register exists for the class; and
- (b) The employing agency or the state has not met affirmative action goals for a specific protected group for that class or job category; and
- (c) The protected group's representation on the register is less than the availability for the protected group; and
- (d) The applicant is a member of the protected group identified in (b) and (c) of this subsection, and met minimum qualifications at the time ~~((the recruitment announcement closed))~~ of application; and
- (e) The protected group member has not been tested under the same recruitment announcement within the past ~~((twelve months))~~ thirty calendar days.

(f) The test may not be taken more than three times within a 12-month period unless the examination content has been substantially changed.

WSR 91-16-048

PROPOSED RULES

PERSONNEL BOARD

[Filed August 1, 1991, 10:01 a.m.]

Original Notice.

Title of Rule: WAC 356-30-300 Performance evaluation—Requirements—Monitoring.

Purpose: Establishes expectations for completion of employee performance evaluations.

Statutory Authority for Adoption: RCW 41.06.040.

Statute Being Implemented: RCW 41.06.150.

Summary: Includes an assessment of each supervisor's responsiveness to workforce diversity issues into their performance evaluation.

Reasons Supporting Proposal: Ensures that supervisors are responsible and accountable for responding to the needs of a diverse workforce.

Name of Agency Personnel Responsible for Drafting: Dorothy Gerard, 521 Capitol Way South, 753-2708; Implementation and Enforcement: Department of Personnel.

Name of Proponent: Department of Personnel in conjunction with Workforce 2000 - Cluster 6B, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Supervisors will be evaluated on their responsiveness to workforce diversity. Anticipated effects: Management will be more aware and responsive to workforce diversity issues.

Proposal Changes the Following Existing Rules: Requires supervisors to be evaluated on the responsiveness to workforce diversity.

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

Hearing Location: Department of Personnel, 521 Capitol Way South, Olympia, WA 98504, on September 12, 1991, at 10:00 a.m.

Submit Written Comments to: Dorothy Gerard, P.O. Box 1789, Mailstop FE-11, Olympia, WA 98507, by September 10, 1991.

Date of Intended Adoption: September 12, 1991.

July 29, 1991

Dee W. Henderson
Secretary

AMENDATORY SECTION (Amending WSR 89-23-070, filed 11/15/89)

WAC 356-30-300 PERFORMANCE EVALUATION—REQUIREMENTS—MONITORING. (1) Agencies shall evaluate the performance of their employees during their probationary or trial service periods and at least once a year thereafter.

(2) The annual evaluation will be conducted during the sixty-day period following the employee's anniversary date, except an agency can establish, on a consistent basis, a due date which better accommodates the agency's particular needs. The evaluation will cover the period ending with the established due date.

(3) Agencies will utilize the standardized employee performance evaluation procedures and forms prescribed by the director of personnel. The procedures shall include provisions whereby individual agencies may, with the approval of the director of personnel, supplement the process with special performance factors peculiar to the specific organizational needs.

(4) Each supervisor's annual evaluation shall include an assessment of his or her efforts toward achieving (a) the objectives of the agency's affirmative action program, and (b) responsiveness to workforce diversity issues.

(5) The procedures and forms shall:

(a) Be designed to aid in communications between supervisors and subordinates and clarify duties and expectations.

(b) Be designed to inform employees of their performance strengths and weaknesses.

(c) Be based on performance toward the goals and objectives of the agency and its subunits.

(d) Include provisions for the counseling and the development of employees.

(6) Each employee whose work is judged unsatisfactory shall be notified in writing of the areas in which the work is considered deficient. Unless the deficiency is extreme, the employee shall be given an opportunity to demonstrate improvement.

(7) Allowing probationary employees to gain permanent status or trial service employees to gain permanent status in the class to which

they have been promoted without completion of an evaluation may be regarded as neglect of duty, incompetence or insubordination on the part of the supervisor and may be cause for disciplinary action.

WSR 91-16-049
PROPOSED RULES
PERSONNEL BOARD
 [Filed August 1, 1991, 10:02 a.m.]

Original Notice.

Title of Rule: WAC 356-22-090 Examinations—Composition.

Purpose: This rule describes state examination process.

Statutory Authority for Adoption: RCW 41.06.040.

Statute Being Implemented: RCW 41.06.150.

Summary: The change requires that examinations be developed in a way that minimizes bias toward cultural differences.

Reasons Supporting Proposal: Ensures that during the design and administration of state examinations differences in cultural perspectives will be considered.

Name of Agency Personnel Responsible for Drafting: Dorothy Gerard, 521 Capitol Way South, 753-2708; **Implementation and Enforcement:** Department of Personnel.

Name of Proponent: Department of Personnel in conjunction with Workforce 2000 - Cluster 6B, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Examinations should be developed and administered without cultural bias. This addition should help ensure that examinations become less culturally biased.

Proposal Changes the Following Existing Rules: Changes rule only slightly to prepare for a diverse workforce.

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

Hearing Location: Department of Personnel, 521 Capitol Way South, Olympia, WA 98504, on September 12, 1991, at 10:00 a.m.

Submit Written Comments to: Dorothy Gerard, P.O. Box 1789, Mailstop FE-11, Olympia, WA 98507, by September 10, 1991.

Date of Intended Adoption: September 12, 1991.

July 29, 1991

Dee W. Henderson
Secretary

AMENDATORY SECTION (Amending Order 157, filed 6/15/81)

WAC 356-22-090 EXAMINATIONS—COMPOSITION. (1) The director of personnel, or designated representative, shall determine, by uniform standards, the appropriate examination for a register for a class and the tests, or combination of tests and relative weights to be assigned. Examinations shall be practical in nature and of such character as to determine the capacity of the applicant to perform the duties of the particular class of positions for which the applicant is competing as well as the applicant's general background and related knowledge, and shall be rated objectively. Examinations will be developed and administered in a manner that minimizes bias due to cultural

differences. A passing score may be required on each test included in the examination.

Examinations shall normally consist of one or a combination of the following:

(a) A written test.

(b) A performance test.

(c) An oral test.

(d) An evaluation of experience and training.

(2) When the director of personnel determines that the number of applicants responding to an examination announcement is excessive in relation to the number of projected job openings, the director may limit admission to the oral test to those scoring highest on a preliminary test which may be a written test, performance test, or an evaluation of experience and training. The number admitted to the oral test shall be at least twice the number of anticipated vacancies for the subsequent year or 20% of those applicants with passing scores, whichever is greater; but never less than 16 or the entire body of passing applicants, whichever is less.

(3) When the director of personnel determines that the number of applicants to be admitted to the oral examination will be limited by a screening procedure as authorized by WAC 356-22-090(2), the department will ensure that, in addition, a representative number of those protected group members who were accepted under the examination announcement and who passed the preliminary test are also admitted to the oral examination.

WSR 91-16-050
PROPOSED RULES
PERSONNEL BOARD
 [Filed August 1, 1991, 10:03 a.m.]

Original Notice.

Title of Rule: WAC 356-18-110 Vacation leave—Allowance.

Purpose: Establishes policy for authorization of vacation leave.

Statutory Authority for Adoption: RCW 41.06.040.

Statute Being Implemented: RCW 41.06.150.

Summary: Requires employers to grant vacation leave for religious observances to the extent that program requirements permit.

Reasons Supporting Proposal: Recognizes diversity in religious practices.

Name of Agency Personnel Responsible for Drafting: Dorothy Gerard, 521 Capitol Way South, 753-2708; **Implementation and Enforcement:** Department of Personnel.

Name of Proponent: Department of Personnel in conjunction with Workforce 2000 - Cluster 6B, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Encourages employers to grant vacation leave for religious observances, and takes into account the needs of a more diverse workforce.

Proposal Changes the Following Existing Rules: Extends vacation allowance to grant leave for religious observances.

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

Hearing Location: Department of Personnel, 521 Capitol Way South, Olympia, WA 98504, on September 12, 1991, at 10:00 a.m.

Submit Written Comments to: Dorothy Gerard, P.O. Box 1789, Mailstop FE-11, Olympia, WA 98507, by September 10, 1991.

Date of Intended Adoption: September 12, 1991.

July 29, 1991

Dee W. Henderson
Secretary

AMENDATORY SECTION (Amending Order 314, filed 2/24/89, effective 4/1/89)

WAC 356-18-110 VACATION LEAVE—ALLOWANCE. (1) Full-time employees shall not use or be compensated for vacation leave credits until completion of six months continuous state service. Employees whose payroll hours are usually less than 40 hours a week shall not use nor be compensated for vacation leave credits until completion of twelve continuous months of state service.

(2) All requests for vacation leave shall be in writing and must be approved in advance of the effective date unless used in lieu of sick leave or to respond to unforeseen child care requirements, or the supervisor chooses to approve the vacation leave on a retrospective basis.

(3) Vacation leave shall be charged in half-hour increments or in smaller increments as set by the employing agency.

(4) When considering requests for vacation leave the employing agency shall give due regard to the needs of the employee but may require that leave be taken when it will least interfere with the work of the agency.

(5) Vacation leave for religious observances should be granted to the extent program requirements permit.

WSR 91-16-051
PROPOSED RULES
PERSONNEL BOARD

[Filed August 1, 1991, 10:05 a.m.]

Original Notice.

Title of Rule: WAC 356-09-020 Affirmative action program—Equal employment opportunity policy statement.

Purpose: This rule establishes for state government a policy for affirmative action and equal employment opportunities.

Statutory Authority for Adoption: RCW 41.06.040.

Statute Being Implemented: RCW 41.06.150.

Summary: This proposal will add sexual orientation to each agency's policy regarding equal employment opportunities.

Reasons Supporting Proposal: Executive Order 85-09 includes sexual orientation under the equal employment opportunity statement.

Name of Agency Personnel Responsible for Drafting: Dorothy Gerard, 521 Capitol Way South, 753-2708; Implementation and Enforcement: Department of Personnel.

Name of Proponent: Department of Personnel in conjunction with Workforce 2000 - Cluster 6B, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This rule currently establishes for state government a policy for affirmative action and equal employment opportunities. The governor's Executive Order 85-09 added sexual orientation under the equal opportunity statement. This proposal reflects that change.

Proposal Changes the Following Existing Rules: Each agency head shall publish and endorse an equal employment opportunity policy statement that reflects the agency's policy of equal opportunity with respect to race, creed, color, national origin, sex, age, marital status, veteran status, or the presence of any sensory, mental or physical disability. This proposal adds sexual orientation to the above policy.

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

Hearing Location: Department of Personnel, 521 Capitol Way South, Olympia, WA 98504, on September 12, 1991, at 10:00 a.m.

Submit Written Comments to: Dorothy Gerard, P.O. Box 1789, Mailstop FE-11, Olympia, WA 98507, by September 10, 1991.

Date of Intended Adoption: September 12, 1991.

July 29, 1991

Dee W. Henderson
Secretary

AMENDATORY SECTION (Amending Order 267, filed 1/2/87)

WAC 356-09-020 AFFIRMATIVE ACTION PROGRAM—EQUAL EMPLOYMENT OPPORTUNITY POLICY STATEMENT. Each agency head shall publish and endorse an equal employment opportunity policy statement that reflects the agency's policy of equal opportunity with respect to race, creed, color, national origin, sex, age, marital status, veteran status, sexual orientation, or the presence of any sensory, mental or physical disability. Other elements of the statement will be in accordance with the department of personnel affirmative action program guidelines.

WSR 91-16-052
PERMANENT RULES
OFFICE OF

INSURANCE COMMISSIONER

[Order R 91-4—Filed August 1, 1991, 11:11 a.m.]

Date of Adoption: August 1, 1991.

Purpose: To define "involuntary termination" and state that in conflicts between the plan of operation and chapters 48.41 RCW or 284-91 WAC, the plan of operation shall be construed in accordance with these statutes and rules.

Citation of Existing Rules Affected by this Order: Amending WAC 284-91-025.

Statutory Authority for Adoption: RCW 48.02.060 and 48.41.170.

Pursuant to notice filed as WSR 91-13-076 on June 18, 1991; and WSR 91-16-012 on July 26, 1991.

Changes Other than Editing from Proposed to Adopted Version: Corrected typographical error in WAC 284-91-050(2) from \$100 deductible to \$1000.

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

August 1, 1991

David H. Rodgers
Chief Deputy
Insurance Commissioner
for Dick Marquardt
Insurance Commissioner

AMENDATORY SECTION (Amending Order R 88-4, filed 3/25/88)

WAC 284-91-025 PLAN OF OPERATION APPROVED. Pursuant to RCW 48.41.040(4) and after public hearing, the commissioner has determined that the Plan of Operation, as set forth in WAC 281-91-027, provides a sound basis for the fair, reasonable and equitable administration of the pool and provides for the sharing of pool losses on an equitable, proportionate basis among the members of the pool. It is ~~((hereby))~~ approved: PROVIDED HOWEVER, That if the plan of operation of the pool or any policy issued by the pool contains any condition or provision that does not conform to the requirements of chapter 48.41 RCW or this chapter, the plan of operation or any policy issued by the pool shall be construed and applied in accordance with such conditions and provisions as would have applied had the plan of operation or policy issued by the pool been in full compliance with chapter 48.41 RCW and this chapter.

NEW SECTION

WAC 284-91-050 INVOLUNTARY TERMINATIONS FOR OTHER THAN NONPAYMENT OF PREMIUMS. (1) For purposes of RCW 48.41.100, coverage under prior health insurance shall be deemed to have been involuntarily terminated for a reason other than nonpayment of premium, except where the insured person voluntarily ceased paying required premiums while otherwise eligible to continue such prior coverage. Therefore, as an example, loss of eligibility for group health insurance because of voluntary termination of employment by a person covered by an employer's group health insurance policy will not be deemed voluntary termination of the prior insurance coverage.

(2) For purposes of RCW 48.41.140(3), coverage under any prior health insurance will be deemed to have been involuntarily terminated for a reason other than nonpayment of premium, if the premium required to continue coverage under such insurance exceeds by one-third or more the premium required to cover the individual under the pool's one thousand dollar deductible plan.

WSR 91-16-053
EMERGENCY RULES
DEPARTMENT OF REVENUE
[Filed August 1, 1991, 11:15 a.m.]

Date of Adoption: August 1, 1991.

Purpose: To provide a method for the department to receive and others to provide private stumpage, log sales, and logging cost data for the computation of stumpage value tables required by RCW 84.33.091.

Statutory Authority for Adoption: RCW 82.32.300 and 84.33.096.

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: RCW 84.33.091 requires the department to publish stumpage value tables each January and July of each year. To publish the January 1992 tables the department requires the information from private stumpage and log sales and logging costs by September 30, 1991. This rule provides the method to receive/provide this information.

Effective Date of Rule: Immediately.

August 1, 1991
John B. Conklin
Assistant Director
Forest Tax

NEW SECTION

WAC 458-40-615 **TIMBER EXCISE TAX-STUMPAGE VALUES-REPORTING OF PRIVATE STUMPAGE AND LOG PURCHASE SALES AND APPLICABLE LOGGING COSTS TO THE DEPARTMENT.** (1) **INTRODUCTION:** The department is required to semi-annually publish stumpage tables. The department has designated areas containing similar growing, harvesting and marketing conditions to be used as units for the preparation and application of stumpage values. Stumpage tables for each species or subclassification within a stumpage value area are prepared on or before each December 31 for use the following January through June and on or before June 30 for use July through December. The stumpage value is the amount that each species or subclassification would sell for at a voluntary sale (public or private) made in the ordinary course of business for purposes of immediate harvest. The stumpage values are determined in a manner which makes reasonable allowances for age, size, quantity, costs of removal, accessibility to point of conversation, market conditions and all other relevant factors from:

(a) Gross proceeds from sales (public and/or private) on the stump of similar timber of like quality and character at similar locations and in similar quantities;

(b) Gross proceeds from sales (public and/or private) of logs adjusted to reflect only the portion of such proceeds attributable to value on the stump immediately prior to harvest; or

(c) a combination of (a) and (b) of this subsection.

(2) **REPORTING REQUIREMENT-IN GENERAL.** To enable the department to determine stumpage values, the department must have information on sales (public and private) of stumpage and sales of logs (public and private) and applicable logging costs. All public sales of stumpage and logs and applicable logging costs are available to the department through information sharing agreements. Private sales of stumpage and logs and applicable logging costs are reported to the department as provided in this section.

(3) **REPORTING OF STUMPAGE PURCHASES.** All private stumpage purchases in excess of 100,000 board feet are reported to the department on the informational return provided by the department. The buyer of stumpage must report each stumpage purchase.

(4) **REPORTING OF LOG SALES.** When requested by the department, the seller of woods-direct logs reports the sale to the department on the informational return provided by the department. For purposes of this section a "woods direct" sale is the first sale of harvested timber, and the seller of woods-direct logs is the harvester as provided in chapter 84.33 RCW. In its selection of when and from whom to request an informational return, the department shall select on the basis of need of the information for a designated stumpage value area and shall consider the administrative burden to the person providing the informational return.

(5) **REPORTING OF LOGGING COSTS.** When requested by the department, the stump-to-on-the-truck logging costs in terms of cost per MBF of the timber harvested of a logging contract are reported to the department on the informational return provided by the department. For purposes of this section, the person filing the informational return is the harvester as defined in chapter 84.33 RCW. In its selection of when and from whom to request an informational return, the department shall select on the basis of need of the information for a designated stumpage value area and shall consider the administrative burden to the person providing the informational return.

(6) **TIME OF REPORTING.**

(a) Purchases of stumpage. The informational returns are due to the department no later than the last working day of the month following the month in which the purchase occurred. Purchases occurring between October 1, 1990, and August 31, 1991, are reported to the department no later than September 30, 1991.

(b) Sales of logs and logging costs. The informational returns requested by the department are due to the department no later than the last working day of the month following the month in which the sale occurred. Sales or logging contracts occurring between October 1, 1990, and August 31, 1991, are reported to the department no later than September 30, 1991.

(7) **REPORTING—CONFIDENTIALITY OF INFORMATION.** All data submitted to the department in compliance with this section is confidential tax information protected under RCW 82.32.330. To the extent allowable by law, the department will not use or publish the informational return information in a manner where the data from a particular return can be identified.

(8) **INFORMATIONAL RETURN.** The return shall consist of an information page which contains the identification of the seller and buyer, the date of the sale, and such other information as the department may require for the identification of transaction. In addition to the information page, the informational return shall contain copies of the contract or other instrument of sale, a map of the location of the sale and a copy of the timber cruise of the subject timber, all supplied by the person filing the return.

(a) A supply of informational returns will be provided to those persons involved in transactions on a regular basis.

(b) Persons who do not receive a supply of informational returns from the department will be provided a

supply of informational returns upon a request to the department.

WSR 91-16-054
PERMANENT RULES
HIGHER EDUCATION
PERSONNEL BOARD
[Filed August 1, 1991, 11:27 a.m.]

Date of Adoption: August 1, 1991.

Purpose: Amendments specify exception to two-step movement on periodic increment date; specify excepted work period designation applies to classes and positions which meet the FLSA definitions; and clarify that leave is allowed to report for active duty.

Citation of Existing Rules Affected by this Order: Amending WAC 251-08-090, 251-09-020, and 251-22-170.

Statutory Authority for Adoption: RCW 28B.16.100.
Other Authority: HB 1364.

Pursuant to notice filed as WSR 91-13-095 and 91-13-096 on June 19, 1991.

Changes Other than Editing from Proposed to Adopted Version: In WAC 251-22-170, "she/he" was changed to "they."

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

August 1, 1991

John A. Spitz
Director

AMENDATORY SECTION (Amending Order 136, filed 9/25/85)

WAC 251-08-090 SALARY—PERIODIC INCREMENT. (1) Employees whose performance permits them to retain job status in the classified service shall receive periodic increments within the steps of the salary range. The salary of each employee shall be increased two steps on the periodic increment date and annually thereafter on the periodic increment date, not to exceed the maximum step of the range. An exception to the two step movement on the periodic increment date are those employees who occupy classes included in the higher education personnel board locality special pay plan per WAC 251-09-090 which applies only to University of Washington hospitals. The salary of each employee under this plan shall be increased as specified in the higher education personnel board hospital special pay plan.

(2) When the periodic increment date falls on the same effective date as another salary action, the periodic increment shall be applied prior to, and in addition to, any other action resulting in a salary increase or decrease.

AMENDATORY SECTION (Amending Order 108, filed 9/23/83, effective 10/24/83)

WAC 251-09-020 WORK PERIOD DESIGNATIONS. Each position will be assigned by the personnel officer to one of the work period designations identified below, and employees will be informed of their eligibility for overtime compensation.

(1) Scheduled work periods, within which there are three work schedules:

(a) Regular work schedule. The regular work schedule for full-time classified employees shall consist of five consecutive and uniformly scheduled eight hour days in a seven day period. Uniformly scheduled means a daily repetition of the same working hours and a weekly repetition of the same working days.

(b) Alternate work schedule. Operational necessity or employee convenience may require positions that are normally designated regular work schedule to work an alternate forty hour work schedule (other than five uniform and consecutive eight hour days in a seven day period), or as provided by the Washington state minimum wage law in conjunction with the federal law which provides for an eighty hour workweek in a fourteen day period for hospital personnel. Alternate work schedules shall be made available upon request of the director.

(c) Emergency response fire officer work schedule. Institutions which operate an emergency response fire department may establish work week schedules for emergency response personnel which provide for a daily work shift of twenty-four hours. The weekly schedule shall provide for at least forty-eight hours, but not more than fifty-six hours, as required to meet operational requirements. Emergency response personnel assigned to twenty-four hour schedules shall be subject to the following conditions:

(i) All rules in chapter 251-22 WAC shall apply.

(ii) Changes to the established work schedule shall be made as provided in WAC 251-09-025.

(iii) Shift differential shall not be paid.

(iv) Overtime shall be paid for work performed in excess of the scheduled daily work shift or the scheduled work week. The overtime compensation shall be as provided in WAC 251-09-030 (2) and (3).

(v) Holidays shall be as provided in WAC 251-22-040 and 251-22-045. When assigned to work on a designated holiday, emergency response personnel shall receive their regular daily pay plus eight hours of holiday pay. Compensation for the eight hours of holiday time shall be at the rate of time and one-half.

(2) Nonscheduled work period. The nonscheduled work period designation applies to those positions for which the hours cannot be scheduled but which work a forty hour week and do not meet any of the other work period designations. The personnel officer shall designate positions as nonscheduled in accordance with the institution's procedure approved by the director.

(3) Excepted work period. The excepted work period designation applies to classes and positions which meet the ~~((HEPB))~~ Fair Labor Standards Act definitions of executive, administrative, or professional employees ~~((and are assigned to salary ranges twenty-three and above. Qualifying classes will be approved by the director))~~. Each personnel officer will be responsible for determining the positions designated "excepted" at his/her institution. ~~((The personnel officer will develop a procedure for verifying "excepted" positions which will be available for review by the director.))~~

AMENDATORY SECTION (Amending WSR 89-22-018, filed 10/24/89, effective 12/1/89)

WAC 251-22-170 ~~MILITARY ((TRAINING))~~ LEAVE. (1) Employees shall be entitled to military leave with pay not to exceed fifteen working days in any one calendar year ((for)) in order to report for active duty, when called, or to take part in active training duty in such manner and at such time as they may be ordered to active duty or active training duty in the Washington National Guard(;) or of the Army, Navy, Air Force, Coast Guard, or Marine(, or Naval Reserve forces) Corps reserve of the United States ((for annual field training or otherwise discharging reserve obligations)) or of any organized reserve or armed forces of the United States.

(2) Such leave shall be in addition to any vacation and sick leave to which an employee is entitled and shall not result in any ~~((loss))~~ reduction of benefits, performance ratings, privileges or pay.

(3) During military ~~((training))~~ leave, the employee shall receive the normal base pay.

(4) Employees required to appear during working hours for a physical examination to determine physical fitness for military service shall receive full pay for the time required to complete the examination.

WSR 91-16-055

NOTICE OF PUBLIC MEETINGS OLYMPIC COLLEGE

[Memorandum—July 29, 1991]

Previously, I wrote to the code reviser and stated Olympic College would hold the August 27 board meeting in Shelton. However, that has been changed. The Olympic College board of trustees will meet in the Board Room at Olympic College in Bremerton as usual.

The board of trustees will, however, meet at Olympic College Shelton, Shelton, Washington, on September 24, 1991, at 7:30 p.m. Dinner before the meeting will begin at 6:00 p.m. and be held at the Orient Express Restaurant in Shelton. This is a change from the published location of the Board Room, Olympic College, Bremerton, Washington. The day, date, and time remain the same as previously published.

WSR 91-16-056

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

[Filed August 1, 1991, 4:42 p.m.]

Original Notice.

Title of Rule: WAC 388-15-820, 388-15-840, 388-15-850, 388-15-860, 388-15-870, and 388-15-880.

Purpose: WAC will conform to current Medicaid personal care guidelines and regulations.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: RCW 74.08.090.

Summary: Amended rules more clearly define when and where personal care services are provided.

Reasons Supporting Proposal: This rule amendment is necessary to bring WAC into compliance with current payment standards and program requirements.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Cheryl Allen, Aging and Adult Services, 585-2562 [586-2562].

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 September 10, 1991, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop 5805 [45805], Olympia, Washington 98504, by September 10, 1991.

Date of Intended Adoption: September 24, 1991.

August 1, 1991

Leslie F. James

Director

Administrative Services

AMENDATORY SECTION (Amending Order 2950, filed 3/1/90, effective 4/1/90)

WAC 388-15-820 MEDICAID PERSONAL CARE SERVICES—DEFINITIONS. (1) "Applicant" means a person applying for Medicaid personal care services.

(2) "Client" means a person determined eligible for Medicaid personal care services.

(3) "Community residence" means:

(a) ((The)) A client's own home, whether in a building owned or rented by the client;

(b) A licensed adult family home under department contract;

(c) A licensed boarding home under department contract;

(d) A licensed children's foster family home; or

(e) A licensed group care facility.

(4) "Direct personal care services" means assistance with tasks involving direct client care which are directly related to the client's medical condition. Such assistance is limited to allowable help with the tasks listed under subdivisions (a), (b), (c), (d), (e), (f), (g), (h), (i), (j), (k), and (l) of this subsection. The type of help allowable for each task shall not include assistance that must be provided only by a licensed health professional.

(a) "Personal hygiene" means assistance with care of hair, teeth, dentures, shaving, filing of nails, other basic personal hygiene, and grooming needs. Personal hygiene includes supervising a client when performing the tasks, assisting the client when caring for own appearance, and performing grooming tasks for the client when unable to care for own appearance.

(b) "Dressing" means assistance with dressing and undressing. Dressing includes supervising and guiding a client when the client is dressing and undressing, assisting with difficult tasks such as tying shoes and buttoning, and completely dressing or undressing the client when unable to participate in dressing or undressing self.

(c) "Bathing" means assisting a client to wash self. Bathing includes supervising the client able to bathe self when guided, assisting the client with difficult tasks such as getting in or out of the tub or washing back, and completely bathing the client if totally unable to wash self.

(d) "Eating" means assistance with eating. Eating includes supervising a client when able to feed self if guided, assisting with difficult tasks such as cutting food or buttering bread, and feeding the client when unable to feed self.

(e) "Toileting" means assistance with bladder or bowel problems. Toileting includes supervising ((the)) a client when able to care for own toileting needs if guided, helping the client to and from the bathroom, assisting with bedpan routines, diapering and lifting client on and off the toilet. Toileting may include performing routine peri/colostomy/catheter tasks, for the client when client is able to supervise the activities.

(f) "Ambulation" means assisting the client to move around. Ambulation includes supervising ((the)) a client when walking alone or with the help of a mechanical device such as a walker if guided, assisting with difficult parts of walking such as climbing stairs, supervising the client if the client is able to propel a wheelchair if guided, pushing the wheelchair, and providing constant physical assistance to the client if totally unable to walk alone or with a mechanical device.

(g) "Transfer" means assistance with getting in and out of a bed or wheelchair or on and off the toilet or in and out of the bathtub. Transfer includes supervising ((the)) a client when able to transfer if guided, providing steadying, and helping the client when the client assists in own transfer. Lifting the client when client is unable to assist in ((their)) own transfer requires specialized training.

(h) "Positioning" means assisting ((the)) a client to assume a desired position. Positioning includes assistance in turning and positioning to prevent secondary disabilities, such as contractures and balance deficits.

(i) "Self-medication" means assisting ((the)) a client to self-administer medications prescribed by attending physician. Self-medication includes reminding the client of when it is time to take prescribed medication, handing the medication container to the client, and opening a container.

(j) "Body care" means assisting ((the)) a client with exercises, skin care including the application of ointments or lotions, changing dry bandages or dressings not requiring professional judgment. Body care excludes foot care beyond washing of feet and filing toenails. Body care excludes foot care for a client((s)) who ((are)) is diabetic or ((have)) has poor circulation. Body care excludes changing bandages or dressings when sterile procedures are required. Provision of body care tasks is limited. The client must be able to supervise the provision of these tasks.

(k) "Travel to medical services" means accompanying or transporting ((the)) a client to a physician's office or clinic in the local area to obtain medical diagnosis or treatment.

(l) "Essential shopping" means assistance with shopping to meet ((the)) a client's health care or nutritional needs. Limited to brief, occasional trips in the local area to shop for food, medical necessities, and household items required specifically for the health and maintenance of the client. Essential shopping includes assisting when the client can participate in shopping and doing the shopping when the client is unable to participate.

(5) "Handicapping condition" means a medical condition which causes a functional impairment in activities of daily living.

(6) "Household assistance" means assistance with incidental household services provided as an integral, but subordinate part of the personal care furnished directly to ((the)) a client. Household assistance shall be considered an integral part of personal care when such assistance is directly related to a medical condition or to a service reflected in the client's service plan and is furnished along with a direct personal care service. The department shall not authorize household assistance as a Medicaid personal care task in an adult family home, licensed boarding home, children's foster family home, or children's group care facility.

(a) "Meal preparation" means assistance with preparing meals. Meal preparation includes planning meals including special diets, assisting a client((s)) able to participate in meal preparation, preparing meals for the client((s)) unable to participate, and cleaning up after meals. This task may not be authorized to just plan meals or clean up after meals. The client must need assistance with actual meal preparation.

(b) "Laundry" means washing, drying, ironing, and mending clothes and linens used by ((the)) a client or helping the client perform these tasks.

(c) "Housework" means performing or helping ((the)) a client perform those periodic tasks required to maintain the client in a safe and healthy environment. Activities performed can include ((such things

as)) cleaning the kitchen and bathroom, sweeping, vacuuming, mopping, cleaning the oven, and defrosting the freezer, shoveling snow. Washing inside windows and walls is allowed, but is limited to twice a year. Assistance with housework is limited to those areas of the home which are actually used by the client. This task is not a maid service and does not include yard care.

(d) "Wood supply" means splitting, stacking, or carrying wood for ((the)) a client and used as the sole source of fuel for heating and/or cooking. This task is limited to splitting, stacking, or carrying wood the client has at own home. Using a chain saw or felling trees is not allowable.

(7) "Immediate family member" means ((the)) a client's husband or wife, parent, or child.

(8) "Medicaid personal care services" means medically-oriented tasks, directed at ((the)) a client or the client's immediate environment, that are necessitated by ((a)) the client's handicapping condition. Such services shall be:

(a) Based on an assessment of applicant/client needs;

(b) Provided in conformance with a service plan ordered by ((the)) a client's attending physician;

(c) Reviewed by a registered nurse at least every ninety days;

(d) Performed by qualified and trained personal care aides, excluding members of ((the)) a client's immediate family.

(e) Services shall be provided in a clients own home when the client is present in the home.

(9) "Medically-oriented tasks" means direct personal care services, household assistance provided as an integral but subordinate part of the personal care furnished directly to ((the)) a client, and supervision.

(10) "Personal care aide" means a person meeting the qualification and training requirements established by the department and providing direct personal care services to a client((s)). This person may be an employee of a qualified agency provider or may be under contract as a qualified individual provider.

(11) "Personal care provider" means a qualified agency provider or a qualified individual provider who is not a member of a clients immediate family and is under department contract to provide Medicaid personal care services.

(12) "Personal care service plan" means a plan which is:

(a) Developed by the department in cooperation with appropriate community agency staff;

(b) Written and describes the personal care services which will be provided, frequency of provision, and expected outcomes;

(c) Ordered by ((the)) a client's attending physician.

(13) "Physician" means a doctor of medicine, osteopathy or podiatry, as defined under WAC 388-80-005(54), or ((the)) a client's Christian Science practitioner.

(14) "Physician's order" means written approval by ((the)) a client's attending physician of the specific personal services to be provided to the client.

(15) "Qualified agency provider" means a community agency which applied for licensing as a home care agency or home health agency.

(16) "Qualified individual provider" means a person meeting the individual provider qualifications established by the department.

(17) "Supervision" means being available to:

(a) Help ((the)) a client with personal care tasks that cannot be scheduled (toileting, ambulation, transfer, positioning, some medication assistance); and/or

(b) Provide protective supervision to a client who cannot be left alone because of confusion, forgetfulness, or lack of judgment.

AMENDATORY SECTION (Amending Order 2856, filed 8/29/89, effective 9/29/89)

WAC 388-15-840 MEDICAID PERSONAL CARE SERVICES—ASSESSMENT—AUTHORIZATION. (1) The department shall provide an assessment of an individual((s)) applying for, or being referred for, Medicaid personal care services.

(2) The department shall use the approved assessment form in an interview with ((the)) an applicant documenting:

(a) The applicant's functional capability to perform personal care tasks essential to health or safety;

(b) Current and potential care contributions by formal and informal supports available to ((the)) an applicant;

(c) ((The)) An applicant's preference for how care is provided.

(3) When children are assessed, the assessor shall consider the personal care applicant's age in determining if the degree of personal care needed is appropriate to the child's age, or the result of the applicant's functional impairment. The need for personal care services shall only

be assessed for needs exceeding the level of age appropriate personal care.

(4) Assessment and reassessment shall be performed within the department—established time frames.

(5) The department shall be responsible for authorizing Medicaid personal care services.

(6) The number of hours authorized shall be based on ((the)) an applicant/client's need for assistance with Medicaid personal care tasks as determined through the assessment process. Points shall be awarded for each task according to the degree of assistance needed, and the point total shall be converted into maximum allowable hours. The procedure for conversion of points to hours of service shall comply with WAC 388-15-212(7).

(7) ((The)) A client's attending physician shall review and reauthorize the client's service plan at least once every ((six)) twelve months.

AMENDATORY SECTION (Amending Order 2856, filed 8/29/89, effective 9/29/89)

WAC 388-15-850 MEDICAID PERSONAL CARE SERVICES—NURSE OVERSIGHT. (1) A registered nurse shall visit ((the)) a client at least once every ninety days to:

(a) Review the client's medical and/or mental condition;

(b) Review the service plan determining if revisions are required and, if so, recommend revisions;

(c) Review the client's need for continued care;

(d) Assess the quality of personal care services received;

(e) Assess the personal care provider's need for additional training.

(2) The registered nurse shall document the result of an oversight visit on the department—prescribed form.

AMENDATORY SECTION (Amending Order 2856, filed 8/29/89, effective 9/29/89)

WAC 388-15-860 MEDICAID PERSONAL CARE SERVICES—PERSONAL CARE AIDE QUALIFICATIONS. (1) The department shall:

(a) Define minimum qualifications for a personal care aide((s)) and require an aide((s)) meet the qualifications;

(b) Define minimum orientation and training requirements for a personal care aide((s)) and require documentation stating minimum requirements are met;

(c) Definitions for minimum qualifications and training requirements for a personal care aide((s)) shall be contained in the department's field manual for Medicaid personal care.

AMENDATORY SECTION (Amending Order 2950, filed 3/1/90, effective 4/1/90)

WAC 388-15-870 MEDICAID PERSONAL CARE SERVICES—SERVICE PROVISION SYSTEM. (1) Area agencies on aging shall contract with qualified agency providers to perform Medicaid personal care services at the department—established rate.

(2) Area agencies on aging shall provide or contract for registered nurse oversight for personal care services.

(3) The department shall contract with area agencies on aging to assume the above responsibilities.

(4) The department shall contract with a qualified individual provider((s)) to perform Medicaid personal care services at the department—established rate.

(5) Agency providers shall deliver services to an adult client((s)) in the clients' own residences unless the personal care service plan exceeds eighty-five hours per month. An individual provider((s)) may deliver services to ((children)) a child in the child's own residence regardless of the hours authorized. A client((s)) shall have freedom of choice in selecting a qualified agency provider.

(6) An individual provider((s)) under contract with the department shall deliver services to a client((s)) in the client((s))'s own residence when the personal care service plan exceeds eighty-five hours per month. Clients shall have freedom of choice in selecting a qualified individual provider.

(7) Adult family home (AFH) sponsors or licensed boarding home staff shall provide services to clients in an AFH or licensed boarding home. Foster parents ((or group care facility staff)) shall provide services to children in a foster family home ((or group care facility)). Clients shall have freedom of choice in selecting a licensed AFH or

boarding home, provided the AFH or boarding home can meet their personal care needs.

AMENDATORY SECTION (Amending Order 2950, filed 3/1/90, effective 4/1/90)

WAC 388-15-880 PAYMENT AND AUTHORIZATION. Payment and authorization.

(1) In the individual provider program, the department pays an hourly rate directly to the service provider. No in-home personal care service plans shall authorize services by an individual provider unless the service need exceeds eighty-five hours per month.

(2) In the contracted program, the department pays the contractor who pays the service provider.

(3) ~~((The department pays an hourly rate of five dollars and thirty-six cents for actual hours worked in providing)) Rates paid for the provision of Medicaid personal care ((services)) shall be established by the department. Current maximum rates shall be contained in the departments social service payment system appendices A, E, and C.~~

(4) No contractor shall pay service providers performing Medicaid personal care services less than five dollars and fifteen cents per hour.

(5) ~~((Authorizations for contracted Medicaid personal care services shall not exceed eight hundred four dollars and ninety-five cents per month:~~

~~(6) Authorizations for in-home Medicaid personal care services by an individual provider shall not exceed seven hundred seventy-two dollars and ten cents per month:~~

~~(7)) Authorizations for Medicaid personal care in an adult family home shall not exceed sixty hours of service per month.~~

~~((#)) (6) Authorizations for Medicaid personal care in a licensed boarding home under department contract shall not exceed thirty hours per month.~~

~~((#)) (7) Payment shall not be made for services provided exceeding the department's authorization.~~

WSR 91-16-057
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Institutions)

[Filed August 1, 1991, 4:44 p.m.]

Original Notice.

Title of Rule: WAC 275-55-115 and 275-59-071, Transfer of a patient between state-operated hospitals.

Purpose: This issuance clarifies procedures for notification of authorities prior to the transfer of patients between state-operated hospitals by including notice to regional support networks.

Statutory Authority for Adoption: RCW 74.05.560.

Statute Being Implemented: RCW 74.05.560.

Summary: This rule outlines criteria and time frames for determining the appropriateness of a patient transfer between state-operated hospitals. The rule is amended to reflect the authority of the Department of Social and Health Services to transfer patients and includes regional support network authority to request such a transfer.

Reasons Supporting Proposal: This rule amendment is necessary to implement RCW 72.23.290 relating to the authority of the Department of Social and Health Services to transfer patients between state-operated hospitals. Includes regional support network authority to request such a transfer. Affirms that the decision to transfer must be in the best interest of the patient.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Kathy Burns, Mental Health Division, 753-0639.

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 September 10, 1991, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop 5805 [45805], Olympia, Washington 98504, by September 10, 1991.

Date of Intended Adoption: September 24, 1991.

August 1, 1991

Leslie F. James

Director

Administrative Services

AMENDATORY SECTION (Amending Order 2724, filed 11/7/88)

WAC 275-55-115 TRANSFER OF A PATIENT BETWEEN STATE-OPERATED HOSPITALS. In some instances, it is appropriate for the department to transfer a patient currently residing in a state hospital ~~((to be transferred))~~ to another state hospital for ongoing hospitalization. The department shall accomplish the transfer with the utmost care given to the therapeutic needs of the patient. This section describes the procedures for handling a patient transfer between state hospitals in a manner consistent with the best interest of the patient.

(1) The department may use the following criteria ~~((if present, shall determine))~~ when determining the appropriateness of a patient transfer:

(a) The patient's family ~~((lives))~~ resides within the receiving hospital's catchment area; or

(b) The patient's primary home of residence is in the receiving hospital's catchment area; or

(c) A particular service or need of the patient is better met at the receiving hospital; ~~((and))~~ or

(d) Transfer to the receiving hospital may facilitate community discharge due to the availability of community service in the receiving hospital's catchment area; or

(e) The county, regional support network, or patient requests a transfer.

(2) Prior to any proposed transfer of a patient, the state hospital shall comply with the following ~~((procedure when transferring a patient)):~~

(a) ~~((The state hospital shall notify the patient, and the patient's guardian, five days prior to the patient's:~~

(i) Transfer to another state hospital; and

(ii) Hearing if the patient is a court-ordered commitment.

~~((b))~~ (b) The sending facility, at the ~~((direction))~~ request of the superintendent, shall ~~((contact the designated liaison at the))~~ in writing forward information necessary to make a decision on whether transfer is appropriate to the receiving ~~((facility who shall obtain information necessary to make a decision relevant to the propriety of the transfer))~~ facility's liaison;

~~((c))~~ The designated liaison at the receiving facility shall discuss his or her recommendation with the superintendent for approval or denial of the transfer proposal;

(d) The receiving superintendent shall make the final determination for the transfer within five days of receipt of the transfer proposal;

~~((e))~~ (b) The receiving facility's designated liaison ~~((at the receiving facility shall notify the liaison at))~~ shall recommend appropriate action to the superintendent of the sending facility ~~((of the decision))~~ who shall respond in writing within five calendar days of receipt of the transfer request;

(c) If the receiving facility accepts the proposed patient transfer, the sending facility shall notify the patient, guardian and attorney, if known, at least five days before the proposed patient transfer;

~~((ff))~~ (d) The sending facility is responsible for all patient transfer arrangements, e.g., transportation, staff escort, etc., and shall coordinate the day and time of arrival with the receiving facility's liaison; and

~~((g))~~ (e) The sending facility shall arrange for the transfer of patient's medical record to the receiving facility ((and for the transfer of the official court file, if the patient is an involuntary civil or criminal commitment, to the receiving court)).

(3) The sending state hospital shall document the following in the patient's record:

(a) Physician documentation of the medical suitability of the patient for transfer; and

(b) Social worker documentation regarding:

(i) Justification as to why the transfer is considered in the patient's best interests;

(ii) The patient's wishes regarding transfer((;

(iii) The family and guardian's wishes regarding transfer and their involvement. Documentation that the family and guardian was notified of the pending transfer;

(iv) Consultation with the patient advocacy agency; and

(v) Notification of the patient's attorney)).

~~(4) ((The state hospital shall comply with the following additional procedure if the patient is a civil or criminal court-ordered commitment:~~

~~(a) Prior to transfer, the department shall file and serve a motion for transfer upon the patient, the patient's attorney, and the patient's guardian, if any;~~

~~(b)) If a transfer is proposed for a ((civilly committed patient, the attorney general's office is responsible for taking the necessary legal action. If a transfer is proposed for a criminally committed patient, the local prosecuting attorney's office is responsible for taking the necessary legal action;~~

~~(c) The patient shall have the same rights with respect to notice, hearing, and counsel as for an involuntary treatment proceeding, except that the patient shall have no right to a jury trial. The issue determined at the hearing is whether the proposed transfer is in the patient's best interest;~~

~~(d) The department shall set a hearing and shall notify the patient of the patient's right to refuse medication or medications for twenty-four hours prior to the hearing; and~~

~~(e) If the transfer is approved by the court, the court shall enter a change of venue order to the receiving county. Also, the court shall enter an amended order to indicate the change in facilities, unless the patient's current court order commits the patient to both the sending and receiving facility under RCW 72.23.290 and 72.68.032 through 72.68.037) court-ordered patient, the sending facility shall contact the prosecuting attorney's office for persons committed for up to fourteen days or the attorney general's office for persons committed for ninety or hundred eighty days to determine if legal action is necessary prior to the transfer.~~

AMENDATORY SECTION (Amending Order 2724, filed 11/7/88)

WAC 275-59-071 TRANSFER OF A PATIENT BETWEEN STATE-OPERATED HOSPITALS. In some instances, it is appropriate for the department to transfer a patient currently residing in a state hospital ~~((to be transferred))~~ to another state hospital for ongoing hospitalization. The department shall accomplish the transfer with the utmost care given to the therapeutic needs of the patient. This section describes the procedures for handling a patient transfer between state hospitals in a manner consistent with the best interest of the patient.

(1) The department may use the following criteria((, if present, shall determine)) when determining the appropriateness of a patient transfer:

(a) The patient's family ~~((lives))~~ resides within the receiving hospital's catchment area; or

(b) The patient's primary home of residence is in the receiving hospital's catchment area; or

(c) A particular service or need of the patient is better met at the receiving hospital; ~~((and))~~ or

(d) Transfer to the receiving hospital may facilitate community discharge due to the availability of community service in the receiving hospital's catchment area; or

(e) The county, regional support network, or patient requests a transfer.

~~(2) Prior to any proposed transfer of a patient, the state hospital shall comply with the following ((procedure when transferring a patient)):~~

~~(a) ((The state hospital shall notify the patient, and the patient's guardian, five days prior to the patient's:~~

~~(i) Transfer to another state hospital; and~~

~~(ii) Hearing if the patient is a court-ordered commitment.~~

~~(b)) The sending facility, at the ((direction)) request of the superintendent, shall ((contact the designated liaison at the)) in writing forward information necessary to make a decision on whether transfer is appropriate to the receiving facility's ((who shall obtain information necessary to make a decision relevant to the propriety of the transfer)) liaison;~~

~~((c) The designated liaison at the receiving facility shall discuss his or her recommendation with the superintendent for approval or denial of the transfer proposal;~~

~~(d) The receiving superintendent shall make the final determination for the transfer within five days of receipt of the transfer proposal;~~

~~(e)) (b) The receiving facility's designated liaison ((at the receiving facility shall notify the liaison at)) shall recommend appropriate action to the superintendent who shall respond to the sending facility ((of the decision)) in writing within five calendar days of receipt of the request;~~

~~((ff))~~ (c) If the receiving facility accepts the proposed patient transfer, the sending facility shall notify the patient, guardian, and attorney, if known, at least five days before the proposed patient transfer;

~~(d) The sending facility is responsible for all patient transfer arrangements, e.g., transportation, staff escort, etc., and shall coordinate the day and time of arrival with the receiving facility's liaison; and~~

~~((g))~~ (e) The sending facility shall arrange for the transfer of patient's medical record to the receiving facility ((and for the transfer of the official court file, if the patient is an involuntary civil or criminal commitment, to the receiving court)).

(3) The sending state hospital shall document the following in the patient's record:

(a) Physician documentation of the medical suitability of the patient for transfer; and

(b) Social worker documentation regarding:

(i) Justification as to why the transfer is considered in the patient's best interests;

(ii) The patient's wishes regarding transfer((;

(iii) The family and guardian's wishes regarding transfer and their involvement. Documentation that the family and guardian was notified of the pending transfer;

(iv) Consultation with the patient advocacy agency; and

(v) Notification of the patient's attorney)).

~~(4) ((The state hospital shall comply with the following additional procedure if the patient is a civil or criminal court-ordered commitment:~~

~~(a) Prior to transfer, the department shall file and serve a motion for transfer upon the patient, the patient's attorney, and the patient's guardian, if any;~~

~~(b)) If a transfer is proposed for a ((civilly committed patient, the attorney general's office is responsible for taking the necessary legal action. If a transfer is proposed for a criminally committed patient, the local prosecuting attorney's office is responsible for taking the necessary legal action;~~

~~(c) The patient shall have the same rights with respect to notice, hearing, and counsel as for an involuntary treatment proceeding, except that the patient shall have no right to a jury trial. The issue determined at the hearing is whether the proposed transfer is in the patient's best interest;~~

~~(d) The department shall set a hearing and shall notify the patient of the patient's right to refuse medication or medications for twenty-four hours prior to the hearing; and~~

~~(e) If the transfer is approved by the court, the court shall enter a change of venue order to the receiving county. Also, the court shall enter an amended order to indicate the change in facilities, unless the patient's current court order commits the patient to both the sending and receiving facility under RCW 72.23.290 and 72.68.032 through 72.68.037) court-ordered patient, the sending facility shall contact the prosecuting attorney's office for persons committed for up to fourteen days or the attorney general's office for persons committed for ninety or one hundred eighty days to determine if legal action is necessary prior to the transfer.~~

WSR 91-16-058
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3219—Filed August 1, 1991, 4:48 p.m.]

Date of Adoption: August 1, 1991.

Purpose: To clarify the \$50 per quarter must be received, not earned.

Citation of Existing Rules Affected by this Order: Amending WAC 388-24-074 Aid to families with dependent children—employable—Deprivation due to unemployment of a parent.

Statutory Authority for Adoption: RCW 74.08.090.

Pursuant to notice filed as WSR 91-13-099 on June 19, 1991.

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

August 1, 1991

Leslie F. James

Director

Administrative Services

AMENDATORY SECTION (Amending Order 3087, filed 10/23/90, effective 11/23/90)

WAC 388-24-074 AID TO FAMILIES WITH DEPENDENT CHILDREN—EMPLOYABLE—DEPRIVATION DUE TO UNEMPLOYMENT OF A PARENT. (1) The department shall consider a child deprived of parental care and support due to the unemployment of a parent when the child lives with two parents, one of which meets all the requirements in this section.

(2) The department shall designate the qualifying parent as that parent earning the greater amount of income in the twenty-four-calendar-month period immediately preceding the month the application for assistance is filed. The department shall:

(a) Designate the qualifying parent using the best evidence available;

(b) Consider the earnings of both parents regardless of when the relationship began;

(c) Continue the designation for each consecutive month the family remains on assistance based on the current application; and

(d) Designate the qualifying parent if both parents earned an identical amount of income.

(3) The department shall consider the qualifying parent unemployed when the qualifying parent:

(a) Is employed less than one hundred hours a month;

(b) Exceeds this standard for a particular month if the excess is of a temporary nature evidenced by being under the one hundred hour standard for the two prior months and is expected to be under the standard during the next month; or

(c) Participates in institutional and work experience training under the JOBS program and is not otherwise employed over one hundred hours(;~~or~~

~~(d) Works temporarily for the 1990 federal census demonstration project in a position exempted by the project waiver and is not otherwise employed over one hundred hours)).~~

(4) The qualifying parent shall be unemployed as defined in subsection (3) of this section for thirty days or more before the date AFDC-E is authorized except when:

(a) AFDC-E is terminated due to employment of the qualifying parent;

(b) The full-time employment ends within thirty days of termination; and

(c) The qualifying parent reapplies and is found otherwise eligible for AFDC-E.

(5) During the same thirty-day period, or subsequently, the qualifying parent shall not have:

(a) Refused a bona fide offer of employment;

(b) Refused training for employment;

(c) Voluntarily left a job without good cause; or

(d) If eligible, refused to apply for or accept unemployment compensation.

(6) The qualifying parent shall participate, as required in the JOBS program.

(7) The qualifying parent shall have one of the following:

(a) Six or more quarters of work within any thirteen calendar quarter period ending within one year before the application for assistance.

(i) A "quarter of work" means a calendar quarter in which the parent received earned income of fifty dollars or more, or participated in the OPPORTUNITIES(;) program; FIP related education, training or employment services; or JOBS program.

(ii) A "calendar quarter" means three consecutive months ending March 31st, June 30th, September 30th, or December 31st.

(b) Within one year before the application, received, or had such a work history to be eligible to receive, unemployment compensation.

WSR 91-16-059
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3220—Filed August 1, 1991, 4:49 p.m.]

Date of Adoption: August 1, 1991.

Purpose: To incorporate into WAC the change in terminology from nursing home to "nursing facility."

Citation of Existing Rules Affected by this Order: Amending WAC 388-83-200 Community options program entry system (COPES).

Statutory Authority for Adoption: RCW 74.08.090.

Pursuant to notice filed as WSR 91-12-067 on June 5, 1991.

Changes Other than Editing from Proposed to Adopted Version: In subsection (1)(c), the word feasible is deleted. The word is immaterial to the WAC content; in subsection (2) the words "residing at home" are deleted; in subsection (3) the words "department shall allocate income of a COPES," "The recipient," and "remaining income up to the MNIL" are deleted; added to subsection (3)(a) the words "from the maintenance needs

amount" after the word "retain"; and in subsection (3)(b) after the word, "Pay" is added, "The lessor of the remaining maintenance needs amount or the facility room and board rate."

The principal reasons for adopting the changes are as follows: To clarify the payment rate of a person receiving COPEs. To assure that in determining the rate the department considers the person's living arrangement.

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

August 1, 1991

Leslie F. James

Director

Administrative Services

AMENDATORY SECTION (Amending Order 3008, filed 5/31/90, effective 7/1/90)

WAC 388-83-200 COMMUNITY OPTIONS PROGRAM ENTRY SYSTEM (COPEs). (1) An eligible person for COPEs is ~~((an individual))~~ a person eighteen years of age or over who:

(a) ~~((Meeting))~~ Meets the Title XIX categorically needy eligibility requirements for an SSI-related institutionalized ~~((individual))~~ person. For the purposes of COPEs, ~~((an individual))~~ a person is considered institutionalized as of the date all eligibility criteria, except institutionalized status, is met;

(b) ~~((The department assesses as requiring))~~ Requires the level of care provided in a ~~((skilled))~~ nursing facility ~~((or an intermediate care facility))~~;

(c) ~~((For whom the))~~ Has a department ~~((approves a feasible))~~ approved plan of care and the total cost for this plan of care, including the MNIL for one person, is less than ninety percent of the department's state-wide average nursing ~~((home))~~ facility rate; and

(d) Is able and ~~((choosing))~~ chooses to reside at home with community support services, in a congregate care facility, or in a licensed adult family home.

(2) The department shall allocate available income of the COPEs recipient ~~((residing at home))~~ as described under WAC 388-95-360 (1), (2)(c), (d), (e), (f), and (g), (3), (4), and (5), except the recipient retains an amount equal to the medically needy income level (MNIL) for one person for the recipient's maintenance needs.

(3) The ~~((department shall allocate income of a COPEs))~~ recipient residing in an adult family home or congregate care facility ~~((The recipient))~~ shall:

(a) Retain from a maintenance needs amount a specified personal needs allowance as described under WAC 388-29-130 and 388-29-280; and

(b) Pay ((remaining income up to the MNIL)) the lessor of the remaining maintenance needs amount or the facility room and board rate to the facility for the cost of board and room.

(4) Income remaining after allocations shall be the participation amount for COPEs services as described under WAC 388-15-620.

WSR 91-16-060
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Institutions)

[Order 3221—Filed August 1, 1991, 4:50 p.m.]

Date of Adoption: August 1, 1991.

Purpose: Improves access to community hospital psychiatric services by minimizing administrative duplication of licensing and certification requirements.

Citation of Existing Rules Affected by this Order: Amending chapter 275-54 WAC, Juvenile involuntary treatment.

Statutory Authority for Adoption: RCW 71.34.800.

Pursuant to notice filed as WSR 91-13-103 on June 19, 1991.

Changes Other than Editing from Proposed to Adopted Version: Whenever counties are referenced in the proposed WAC, regional support networks are included.

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

August 1, 1991

Leslie F. James

Director

Administrative Services

AMENDATORY SECTION (Amending Order 2323, filed 12/23/85)

WAC 275-54-160 REQUIREMENTS FOR CERTIFYING EVALUATION AND TREATMENT COMPONENTS FOR MINORS. (1) Each county or ~~((combination of counties))~~ Regional Support Network shall develop and coordinate an evaluation and treatment program consistent with chapter 354, Laws of 1985 and chapter 71.24 RCW. Such program shall include, but is not limited to components of outpatient services, emergency services, and short-term inpatient services. The county or Regional Support Network may ~~((directly provide such a program in its entirety, or may))~~ provide one or more of these components ~~((of such a program))~~ directly ~~((, or may through))~~. The county or Regional Support Network may also contract or have a written agreement with ((an agency)) one or more agencies((;)) to provide ((the remaining)) each component ((or components required, or may through contract or agreement arrange with an agency or agencies to provide such a program)) in its entirety. Component or components obtained on this basis from an agency or agencies shall be subject to all applicable provisions of these rules and of chapter 354, Laws of 1985. The county or Regional Support Network will maintain coordination responsibility over the program.

Any contract or agreement between county or Regional Support Network and agencies, or between two or more agencies, shall be required to comply with the standards for evaluation and treatment components ~~((and))~~. In addition, each contract or agreement shall indicate the department will consider those standards in the department's site visit and certification procedure as directed by WAC 275-54-210.

(2) In addition to the responsibilities specified, the following shall be required of the county or Regional

Support Network or of such individual designated by the county as administrator of the evaluation and treatment program to:

(a) ~~((To))~~ Identify, recommend to the department for certification, and coordinate the various facilities and components of the evaluation and treatment program~~((:));~~

(b) ~~((To))~~ Assist the department in ensuring facilities and components are in compliance with all applicable rules and regulations set forth in chapter 354, Laws of 1985 and this chapter; and

(c) Make periodic reviews of a certified component consistent with county procedures.

(3) Any agency desiring certification of a component or components in order to become an evaluation and treatment facility shall make application for such to the county~~((=designated))~~ or Regional Support Network administrator of the evaluation and treatment program.

(4) The department is responsible for certifying each component of an agency desiring to become an evaluation and treatment facility. Upon formal request of the county-designated administrator of the evaluation and treatment program, the department ~~((shall))~~ may:

(a) Inspect and evaluate the applicant agency's component or components for certification in accordance with the provisions of WAC 275-54-210.

(b) Conduct on-site visits for the purposes of certification ~~((with))~~ including, where possible, ~~((include))~~ the county~~((=designated))~~ or Regional Support Network administrator of the evaluation and treatment program as part of the site visit team.

(5) ~~((The department is responsible for making periodic inspections of a certified component. Such inspections may be in addition to any conducted by the county-designated administrator of the evaluation and treatment program.~~

~~((6))~~ All facilities shall be recognized elements of the county~~(('s,))~~ or Regional Support Network mental health plan. The plan shall list the agencies for which certification is requested~~((:))~~ and the components to be provided by each~~((:))~~. The plan shall also specify the method whereby components will be coordinated ~~((among the several agencies))~~ when more than one agency provides evaluation and treatment services, and the method whereby the services of the facility will be coordinated with other elements of the ~~((county))~~ mental health program.

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 2535, filed 9/16/87)

WAC 275-54-190 EMERGENCY COMPONENT. (1) The emergency component is defined as a public or private agency or hospital having the capacity to detain ~~((a person))~~ an individual posing an imminent threat to the safety and/or well-being of ~~((himself, herself))~~ self, or others, or is gravely disabled.

(2) The department may upon the formal request of the county or Regional Support Network accept a hospital licensed under WAC 246-318-280 or 246-322 as a certified emergency component for an evaluation and treatment program, in lieu of requiring a hospital to meet the requirements set forth by WAC 275-54-170, 275-54-200, and 275-54-210.

(3) In addition to the general requirements stated in WAC 275-54-170, the following requirements shall apply to all emergency components. Such component shall:

(a) ~~((Such component shall))~~ Be available twenty-four hours per day, seven days per week~~((:));~~

(b) ~~((Such component shall))~~ Follow a written protocol for detaining an individual and contacting the county designated mental health professional~~((:));~~

(c) ~~((Such component shall))~~ Provide or have access to medical services~~((:));~~

(d) ~~((Such component shall))~~ Have a written agreement with a certified short-term inpatient component for admission on a seven-day-per-week, twenty-four-hour-per-day basis~~((:));~~ and

(e) ~~((Such component shall))~~ Follow a written protocol for transporting individuals to short-term inpatient components.

AMENDATORY SECTION (Amending Order 2535, filed 9/16/87)

WAC 275-54-200 INPATIENT COMPONENT.

(1) The inpatient component is a hospital or residential setting where treatment services are provided on a twenty-four-hour-per-day basis for ~~((patients))~~ individuals on seventy-two-hour detentions, or fourteen-day commitments, or one hundred eighty-day commitments.

(2) The department may accept a hospital licensed under WAC 246-318-280 or 246-322 as a certified short-term inpatient component for an evaluation and treatment program, in lieu of requiring a hospital to meet the requirements set forth by WAC 275-54-170, 275-54-200, and 275-54-210.

(3) In addition to the general requirements stated in WAC 275-54-170, the following requirements shall apply to all inpatient components:

(a) The inpatient component shall meet the standards required for state licensing as a ~~((psychiatric hospital, general medical hospital,))~~ skilled nursing facility, intermediate care facility, or residential treatment facility~~((:));~~

(b) Such component shall have the capability to admit the ~~((patient))~~ individual on a twenty-four-hour-per-day, seven-day-per-week basis~~((:));~~

(c) Such component shall not deny admission except under the following circumstances:

(i) After a psychosocial evaluation, there is a determination by a mental health professional that the ~~((person))~~ individual does not present a likelihood of serious harm, or an imminent likelihood of serious harm, or the ~~((person))~~ individual is not gravely disabled, and does not require inpatient care. Reference RCW 71.34.170 for necessary action in this case~~((:));~~

(ii) The ~~((person))~~ individual requires specialized medical care and support services of a type not provided by the facility~~((:));~~

(iii) A greater degree of control is required than can be provided by the facility(-);

(iv) ~~((No))~~ Treatment space is not available and is so documented(-);

(v) A less restrictive alternative provided by another facility is more appropriate and available(-); and

(vi) For situations arising ~~((pursuant to))~~ under subsection ~~((2)(a)(ii))~~ (3)(c)(i) through (iv) of this section, the county or Regional Support Network-designated mental health professional shall make arrangements for the most appropriate placement available.

(d) Such component shall within twenty-four hours of initial detention, to include Saturday, Sunday, and holidays, conduct evaluations to determine the nature of the disorder, the treatment necessary, and whether or not detention is required. Such evaluations shall include at least a:

(i) Medical evaluation by a licensed physician(-); and

(ii) Psychosocial evaluation by a mental health professional.

(e) Such component shall have the capability to detain ~~((persons))~~ individuals dangerous to self, others, or gravely disabled, and shall provide or have access to at least one seclusion room meeting the requirements of WAC 248-18-001 ~~((now or as hereafter amended-))~~;

(f) Such component shall provide therapeutic services including generally accepted treatment modalities such as:

(i) Individual therapy(-);

(ii) Family therapy(-); and

(iii) Medication management.

(g) Such component shall provide treatment to each ~~((patient))~~ individual under the supervision of the professional person in charge(-);

(h) A mental health professional must have contact with each involuntary patient daily for the purpose of observation, evaluation, and the provision of continuity of treatment(-); and

(i) Such component shall have access to a mental health professional and a licensed physician for consultation and communication with the ~~((patient))~~ individual and the component staff on a twenty-four-hour-per-day, seven-day-per-week basis.

WSR 91-16-061

PERMANENT RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Institutions)

[Order 3222—Filed August 1, 1991, 4:52 p.m.]

Date of Adoption: August 1, 1991.

Purpose: Improves access to community hospital psychiatric services by minimizing administrative duplication of licensing and certification requirements.

Citation of Existing Rules Affected by this Order: Amending chapter 275-55 WAC, Mentally ill—Treatment—Evaluation.

Statutory Authority for Adoption: RCW 74.05.560.

Pursuant to notice filed as WSR 91-13-102 on June 19, 1991.

Changes Other than Editing from Proposed to Adopted Version: Whenever counties are referenced in the proposed WAC, regional support networks are included.

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

August 1, 1991

Leslie F. James

Director

Administrative Services

AMENDATORY SECTION (Amending Order 1775, filed 3/11/82)

WAC 275-55-261 REQUIREMENTS FOR CERTIFYING EVALUATION AND TREATMENT COMPONENTS. (1) Each county or ~~((combination of counties))~~ Regional Support Network shall develop and coordinate an evaluation and treatment program consistent with chapters 71.05 and 71.24 RCW. Such program shall include, but is not limited to, components of outpatient services, emergency services, and short-term inpatient services. The county or Regional Support Network may ~~((directly provide such a program in its entirety, or may))~~ provide one or more of these components ~~((of such a program))~~ directly ~~((, or may through))~~. The county or Regional Support Network may also contract or have a written agreement with ~~((an agency))~~ one or more agencies(-) to provide ~~((the remaining component(s) required, or may through contract or agreement arrange with an agency or agencies to provide such a program))~~ each component in its entirety. Component(s) obtained on this basis from an agency or agencies shall be subject to all applicable provisions of ~~((these rules))~~ this chapter and ~~((of))~~ chapter 71.05 RCW. The county ~~((with))~~ or Regional Support Network shall maintain coordination responsibility over the program.

Any contract or agreement between county or Regional Support Network and agencies, or between two or more agencies, shall be required to comply with the standards for evaluation and treatment components, WAC 275-55-263 ~~((, and))~~. In addition, each contract or agreement shall indicate the department will consider those standards in the department's site visit and certification procedure as directed by WAC 275-55-293.

(2) In addition to the responsibilities specified, the following shall be required of the county or Regional Support Network or of such individual designated by the county as administrator of the evaluation and treatment program to:

(a) ~~((To))~~ Identify, recommend to the department for certification, and coordinate the various facilities and components of the evaluation and treatment program(-);

(b) ~~((To))~~ Assist the department in ensuring facilities and components are in compliance with all applicable rules and regulations set forth in chapter 71.05 RCW and this chapter;

(c) Make periodic reviews of a certified component consistent with county procedures.

(3) Any agency desiring certification of a component or components in order to become an evaluation and

treatment facility, shall make application for such to the county(~~(=designated)~~) or Regional Support Network administrator of the evaluation and treatment program.

(4) The department is responsible for certifying each component of an agency desiring to become an evaluation and treatment facility. Upon formal request of the county(~~(=designated)~~) or Regional Support Network administrator of the evaluation and treatment program, the department (~~(shall)~~) may:

(a) Inspect and evaluate the applicant agency's component or components for certification in accordance with the provisions of WAC 275-55-293.

(b) (~~(fn)~~) Conduct on-site visits for the purposes of certification (~~(with)~~) including, where possible, (~~(include)~~) the county(~~(=designated)~~) or Regional Support Network administrator of the evaluation and treatment program as part of the site visit team.

(5) (~~The department is responsible for making periodic inspections of a certified component. Such inspections may be in addition to any conducted by the county-designated administrator of the evaluation and treatment program.~~)

(6) All facilities shall be recognized elements of the county(~~(s)~~) or Regional Support Network mental health plan. The plan shall list the agencies for which certification is requested, and the components to be provided by each(~~(:)~~). The plan shall also specify the method whereby components will be coordinated (~~(among the several agencies)~~) when more than one agency provides evaluation and treatment services, and the method whereby the services of the facility will be coordinated with other elements of the county or Regional Support Network mental health program. (Reference RCW 71.24.130)

AMENDATORY SECTION (Amending Order 2536, filed 9/16/87)

WAC 275-55-281 EMERGENCY COMPONENT. (1) The emergency component is defined as a public or private agency or hospital having the capacity to detain (~~(a person)~~) an individual posing an imminent threat to the safety and/or well-being of (~~(himself/herself)~~) self or others, or is gravely disabled.

(2) The department may upon the formal request of the county or Regional Support Network, accept a hospital licensed under WAC 246-318-280 or 246-322 as a certified emergency component for an evaluation and treatment program, in lieu of requiring a hospital to meet the requirements set forth by WAC 275-55-263, 275-55-281, and 275-55-293.

(3) In addition to the general requirements stated in WAC 275-55-263(2), the following requirements shall apply to all emergency components. Such components shall:

(a) (~~(Such component shall)~~) Be available seven-days-per-week, twenty-four-hours-per-day(~~(:)~~);

(b) (~~(Such component shall)~~) Follow a written protocol for detaining an individual and contacting the county or Regional Support Network designated mental health professional(~~(:)~~);

(c) (~~(Such component shall)~~) Provide or have access to medical services(~~(:)~~);

(d) (~~(Such component shall)~~) Have a written agreement with a certified short-term inpatient component for admission on a seven-day-per-week, twenty-four-hour-per-day basis(~~(:)~~); and

(e) (~~(Such component shall)~~) Follow a written protocol for transporting individuals to short-term inpatient components or state hospitals.

AMENDATORY SECTION (Amending Order 2536, filed 9/16/87)

WAC 275-55-291 SHORT-TERM INPATIENT COMPONENT. (1) The inpatient component is a hospital or residential setting where treatment services are provided on a twenty-four-hour-per-day basis for (~~(patients)~~) individuals on seventy-two hour detentions or fourteen-day commitments.

(2) The department may accept a hospital licensed under WAC 246-318-280 or 246-322 as a certified short-term inpatient component for an evaluation and treatment program, in lieu of requiring a hospital to meet the requirements set forth by WAC 275-55-263, 275-55-291, and 275-55-293.

(3) In addition to the general requirements stated in WAC 275-55-263(2), the following requirements shall apply to all inpatient components:

(a) The inpatient component shall meet the standards required for state licensing as a (~~(psychiatric hospital; general medical hospital;)~~) skilled nursing facility, intermediate care facility, or residential treatment facility(~~(:)~~);

(b) Such component shall have the capability to admit the (~~(patient)~~) individual on a twenty-four-hour-per-day, seven-day-per-week basis(~~(:)~~);

(c) Such component shall not deny admission except under the following circumstances:

(i) After a psychosocial evaluation, there is a determination by a mental health professional that the (~~(person)~~) individual does not present a likelihood of serious harm, or an imminent likelihood of serious harm, or the (~~(person)~~) individual is not gravely disabled, and does not require inpatient care. Reference RCW 71.05.190 for necessary action in this case(~~(:)~~);

(ii) The (~~(person)~~) individual requires specialized medical care and support services of a type not provided by the facility(~~(:)~~);

(iii) A greater degree of control is required than can be provided by the facility(~~(:)~~);

(iv) (~~(No)~~) Treatment space is not available and is so documented(~~(:)~~);

(v) A less restrictive alternative provided by another facility is more appropriate and available(~~(:)~~); and

(vi) For situations arising (~~(pursuant to)~~) under subsection (~~(2)(a)(ii)~~) (3)(c)(i) through (iv) of this section, the county or Regional Support Network-designated mental health professional shall make arrangements for the most appropriate placement available.

(d) Such component shall within twenty-four hours of initial detention, to include Saturday, Sunday, and holidays, conduct evaluations to determine the nature of the disorder, the treatment necessary, and whether or not detention is required. Such evaluations shall include at least a:

(i) Medical evaluation by a licensed physician~~((:));~~ and

(ii) Psychosocial evaluation by a mental health professional.

(e) Such component shall have the capability to detain persons dangerous to self, others, or gravely disabled, and shall provide or have access to at least one seclusion room meeting the requirements of WAC 248-18-001(65) ~~((now or as hereafter amended:));~~

(f) Such component shall provide therapeutic services including generally accepted treatment modalities such as:

(i) Individual therapy~~((:));~~ and

(ii) Medication management.

(g) Such component shall provide treatment to each ~~((patient))~~ individual under the supervision of the professional person in charge~~((:));~~

(h) A mental health professional must have contact with each involuntary patient daily for the purpose of observation, evaluation, and the provision of continuity of treatment~~((:));~~ and

(i) Such component shall have access to a mental health professional and a licensed physician for consultation and communication with the ~~((patient))~~ individual and the component staff on a twenty-four-hour-per-day, seven-day-per-week basis.

WSR 91-16-062
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3223—Filed August 1, 1991, 4:53 p.m.]

Date of Adoption: August 1, 1991.

Purpose: Correct a reference to another WAC section which was not corrected when the referenced WAC was repealed.

Citation of Existing Rules Affected by this Order: Amending WAC 388-24-070 Aid to families with dependent children—regular—Deprivation due to continued absence from home.

Statutory Authority for Adoption: RCW 74.08.090.

Pursuant to notice filed as WSR 91-13-101 on June 19, 1991.

Changes Other than Editing from Proposed to Adopted Version: In WAC 388-24-074 (7)(a)(i) the words "program; FIP related education, training, or employment services;" are added.

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

August 1, 1991

Leslie F. James

Director

Administrative Services

AMENDATORY SECTION (Amending Order 3046, filed 7/13/90 [7/31/90], effective 8/31/90)

WAC 388-24-070 AID TO FAMILIES WITH DEPENDENT CHILDREN-REGULAR-DEPRIVATION DUE TO CONTINUED ABSENCE FROM

HOME. (1) The department shall determine whether a child is deprived of parental support or care due to the absence of a child's parent.

(2) The department shall determine that deprivation due to the continued absence of a parent exists, regardless of legal marital status, when:

(a) The parent is living out of the home in which the child resides; and

(b) The absence interrupts or terminates the parent's functioning as a provider of:

(i) Maintenance at least equal to the child's prorated share of the monthly need standard for the number of persons in the child's assistance unit as specified ~~((m))~~ under WAC 388-29-100; or

(ii) Physical care; or

(iii) Guidance for the child; and

(c) The known or indefinite duration of the absence precludes counting on the parent's ((involvement in)) performance of the function of planning for the present support or care of the child.

(3) ~~((The department shall disregard))~~ When the parent is living out of the home in which the child resides, the assumption ((in subsection (2)(a))) that parental functioning is interrupted can be rebutted only if the absent parent routinely visits the child, and continuously provides all elements of parental functioning as specified under subsection (2)(b) of this section.

(4) The department shall document reduction of one or more of the elements of parental care to establish deprivation. The following definitions shall apply:

(a) "Maintenance" means the financial support and in-kind contributions paid directly to the child's household, including:

(i) Child support~~((:));~~

(ii) Food~~((:));~~

(iii) Clothing~~((:));~~ and

(iv) Other necessities.

(b) "Physical care" means continuous care of the child on a day-to-day basis by performing tasks, depending upon the age of the child, required in the child's daily life including, but not limited to:

(i) Providing clean clothing and dressing the child;

(ii) Preparing meals and feeding;

(iii) Supervising bedtime; and

(iv) Assisting with other personal care needs.

(c) "Guidance" means day-to-day parental participation in and responsibility for the child's physical, emotional, and intellectual development including, but not limited to:

(i) Accompanying to doctor visits;

(ii) Attending school conferences;

(iii) Disciplining; and

(iv) Participating in decisions concerning the child's well-being and extracurricular activities.

(5) The department shall not establish deprivation due to absence if:

(a) The reason for the parent's absence is due solely to serving on active duty in the uniformed military services of the United States; or

(b) For applicants, the department's best estimate based on available evidence is that an absent parent will return to reside in the home at any time within the

month of initial grant authorization. However, if the department's best estimate is that the absent parent will return to the home within the month following the month of initial grant authorization, deprivation may exist for the initial month of grant authorization, but not for the month following(-); or

(c) For recipients, after the first two months of eligibility, the department determines an absent parent will return to the home. Deprivation due to absence ceases the end of the month in which the parent returns to the home.

(6) ~~((The department shall consider))~~ Deprivation due to continued absence ((established)) exists when a parent convicted of an offense is permitted to reside in the family home, but is required by the court to perform unpaid work or unpaid community service(~~(, and))~~). In this situation, the department shall:

(a) ~~((Shall))~~ Not include the needs of the convicted parent in the determination of eligibility or the payment of financial assistance; and

(b) ~~((Shall treat))~~ Allocate income earned ((income)) by the convicted parent outside of the hours of sentenced unpaid work or community service in accordance with WAC 388-28-500.

(7) The department shall assume(;) that abandonment exists, and shall apply policies outlined under WAC 388-24-200 when:

(a) A nonresponsible relative applies on behalf of a child who was not placed in custody through a court order(;) and ((whose))

(b) The child's parent, though able, has failed to support the child(, that apparent abandonment exists and shall apply policies outlined in WAC 388-24-114).

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

WSR 91-16-063
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3225—Filed August 1, 1991, 4:54 p.m.]

Date of Adoption: August 1, 1991.

Purpose: Clarifies some aliens with sponsors are not required to meet the provisions of WAC 388-49-270.

Citation of Existing Rules Affected by this Order:
Amending WAC 388-49-270 Sponsored aliens.

Statutory Authority for Adoption: RCW 74.04.510.

Pursuant to notice filed as WSR 91-13-098 on June 19, 1991.

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

August 1, 1991

Leslie F. James

Director

Administrative Services

AMENDATORY SECTION (Amending Order 2575, filed 12/31/87)

WAC 388-49-270 SPONSORED ALIENS. (1) The sponsored alien as defined in WAC 388-49-020 and the sponsored alien's spouse are responsible for providing information necessary to determine income and resources of the sponsor and the sponsor's spouse for three years from the sponsored alien's date of entry or admission as a lawful, permanent resident.

(2) The department shall recalculate income and resources when the sponsored alien switches sponsors during a certification period.

(3) The department shall verify:

(a) The income and resources of the sponsor and spouse;

(b) The number of aliens the sponsor agreed to support;

(c) The provision of the Immigration and Nationality Act under which the sponsored alien is admitted;

(d) The sponsored alien's date of entry as a lawful, permanent resident;

(e) The sponsored alien's date and place of birth and alien registration number;

(f) The number of dependents for federal income tax of the sponsor and spouse; and

(g) The name, address, and telephone number of the ~~((alien))~~ sponsor.

(4) If verification is not received on a timely basis, the department shall consider the sponsored alien and spouse ~~((shall be considered excluded))~~ ineligible household members.

(5) The provisions of this section do not apply to:

(a) An alien participating in the food stamp program as a member of the sponsor's household;

(b) An alien sponsored by an organization; ~~((or))~~

(c) An alien not required to have a sponsor under the Immigration and Nationality Act; or

(d) An alien required to have a sponsor under the Immigration and Nationality Act but exempted by federal regulations from the provisions of this section.

WSR 91-16-064
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3226—Filed August 1, 1991, 4:56 p.m.]

Date of Adoption: August 1, 1991.

Purpose: WAC 388-49-430 amended to comply with food and nutrition service (FNS) Administrative Notice 90-57 and Indexed Policy Memo No. 90-22 which allow the value of a licensed vehicle to be excluded if used to transport a household member who is temporarily or permanently disabled.

Citation of Existing Rules Affected by this Order:
Amending WAC 388-49-430 Resources—Vehicles.

Statutory Authority for Adoption: RCW 74.04.510.

Pursuant to notice filed as WSR 91-13-100 on June 19, 1991.

Effective Date of Rule: Thirty-one days after filing.
 August 1, 1991
 Leslie F. James
 Director
 Administrative Services

AMENDATORY SECTION (Amending Order 2857, filed 8/29/89, effective 9/29/89)

WAC 388-49-430 RESOURCES—VEHICLES.
 (1) The department shall exclude the entire value of a licensed vehicle if it is:

(a) Used for income-producing purposes over fifty percent of the time it is in use. A vehicle excluded under this provision because the vehicle is used by a self-employed farmer shall retain its exclusion for one year from the date the household member terminates self-employment from farming;

(b) Annually producing income consistent with its fair market value;

(c) Essential to the employment of a household member, ineligible aliens, or disqualified persons whose resources are considered available to the household. This exclusion applies only if the vehicle is necessary for long distance travel other than daily commuting;

(d) Necessary for subsistence hunting or fishing;

(e) Used as the household's home; or

(f) Necessary to transport ~~((a physically disabled))~~
one of the following persons who has a temporary or permanent physical disability:

(i) Household member((:));

(ii) Ineligible alien((s, or)) whose resources are available to the household; or

(iii) Disqualified person((s)) whose resources are available to the household.

The exclusion is limited to one vehicle per physically disabled person.

(2) The department shall exclude the entire value of unlicensed vehicles:

(a) Driven by Indian tribal members on those reservations not requiring vehicle licensing((:)); and

(b) Meeting one of the provisions in subsection (1) of this section.

(3) The department shall continue the exclusions described in subsection (1) and (2) of this section when the vehicle is not in use because of temporary unemployment.

(4) The department shall:

(a) Determine the fair market value of all licensed vehicles not excluded in subsections (1) and (2) of this section. Fair market value will be determined by the value of those vehicles as listed in publications written for the purpose of providing guidance to automobile dealers and loan companies; and

(b) Count the fair market value of each vehicle in excess of four thousand five hundred dollars toward the household's resource maximum.

(5) The department shall determine the equity value of all licensed vehicles except:

(a) Those excluded in subsections (1) and (2) of this section((:));

(b) One licensed vehicle per household regardless of the use of the vehicle((:)); and

(c) Any other licensed vehicle used for:
 (i) Transportation to and from employment((:));
 (ii) Seeking employment((:)); or
 (iii) Transportation for training or education which is preparatory to employment.

(6) The department shall count the equity value of licensed and unlicensed vehicles not excluded in subsections (1), (2), and (5) of this section toward the household's maximum allowable resource limit.

(7) The department shall consider only the greater amount as a resource if the vehicle has:

(a) A countable fair market value in excess of four thousand five hundred dollars((:)); and

(b) A countable equity value.

WSR 91-16-065
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3224—Filed August 1, 1991, 4:57 p.m.]

Date of Adoption: August 1, 1991.

Purpose: Clarifies the definition of "sponsored alien."

Citation of Existing Rules Affected by this Order:
 Amending WAC 388-49-020 Definitions.

Statutory Authority for Adoption: RCW 74.04.510.

Pursuant to notice filed as WSR 91-13-104 on June 19, 1991.

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

August 1, 1991

Leslie F. James

Director

Administrative Services

AMENDATORY SECTION (Amending Order 3170, filed 5/1/91, effective 6/1/91)

WAC 388-49-020 DEFINITIONS. (1) "Administrative disqualification hearing" means a formal hearing to determine whether or not a person committed an intentional program violation.

(2) "Administrative error overissuance" means any overissuance caused solely by:

(a) Department action or failure to act when the household properly and accurately reported all the household's circumstances to the department; or

(b) For households determined categorically eligible under WAC 388-49-180(1), department action or failure to act which resulted in the household's improper eligibility for public assistance, provided a claim can be calculated based on a change in net food stamp income and/or household size.

(3) "Administrative law judge" means an employee of the office of administrative hearings empowered to preside over adjudicative proceedings.

(4) "Aid to families with dependent children (AFDC) program" means the federally funded public assistance program for dependent children and their families authorized under Title IV-A of the Social Security Act.

(5) "Allotment" means the total value of coupons a household is certified to receive during a calendar month.

(6) "Application process" means the filing and completion of an application form, interview or interviews, and verification of certain information.

(7) "Authorized representative" means an adult non-household member sufficiently aware of household circumstances designated, in writing, by the head of the household, spouse, or other responsible household member to act on behalf of the household.

(8) "Beginning months" means the first month the household is eligible for benefits, and the month thereafter. The first beginning month cannot follow a month in which a household was certified eligible to receive benefits.

(9) "Benefit level" means the total value of food stamps a household is entitled to receive based on household income and circumstances.

(10) "Boarder" means an individual residing with the household, except a person described under WAC 388-49-190 (2)(a), (b), (c), or (d), who is a:

(a) Person paying reasonable compensation to the household for lodging and meals; or

(b) Foster child.

(11) "Budget month" means the first month of the monthly reporting cycle; the month for which the household reports their circumstances.

(12) "Certification period" means definite period of time within which the household has been determined eligible to receive food stamps.

(13) "Child" means someone seventeen years of age or younger, and under parental control.

(14) "Collateral contact" means oral contact in person or by telephone with someone outside of the household to confirm the household's circumstances.

(15) "Commercial boarding home" means an enterprise offering meals and lodging for compensation with the intent of making a profit.

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

(17) "Dependent care deduction" means costs incurred by a household member for care provided by a nonhousehold member when the care is necessary for a household member to seek, accept, or continue employment, or attend training or education preparatory to employment.

(18) "Destitute household" means a household with a migrant or seasonal farmworker with little or no income at the time of application and in need of immediate food assistance.

(19) "Disabled person" means a person who meets one of the following criteria:

(a) Receives Supplemental Security Income (SSI) under Title XVI of the Social Security Act;

(b) Receives disability or blindness payments under Titles I, II, XIV, or XVI of the Social Security Act;

(c) Is a veteran:

(i) With service-connected or nonservice-connected disability rated or paid as total under Title 38 of the United States Code (USC); or

(ii) Considered in need of regular aid and attendance, or permanently housebound under Title 38 of the USC.

(d) Is a surviving spouse of a veteran and considered in need of aid and attendance, or permanently housebound; or a surviving child of a veteran and considered permanently incapable of self-support under Title 38 of the USC;

(e) A surviving spouse or child of a veteran and entitled to compensation for service-connected death or pension benefits for a nonservice-connected death under Title 38 of the USC and has a disability considered permanent under section 221(i) of the Social Security Act;

(f) Receives disability retirement benefits from a federal, state, or local government agency, because of a disability considered permanent under section 221(i) of the Social Security Act;

(g) Receives an annuity payment as part of the Railroad Retirement Act of 1974 under:

(i) Section 2 (a)(1)(iv) and is determined eligible to receive Medicare by the Railroad Retirement Board; or

(ii) Section 2 (a)(1)(v) and is determined disabled based on the criteria under Title XVI of the Social Security Act.

(h) Is a recipient of disability-related medical assistance under Title XIX of the Social Security Act.

(20) "Documentary evidence" means written confirmation of a household's circumstances.

(21) "Documentation" means the process of recording the source, date, and content of verifying information.

(22) "Elderly person" means a person sixty years of age or older.

(23) "Eligible food" means, for a homeless food stamp household, meals prepared for and served by an authorized homeless meal provider.

(24) "Entitlement" means the food stamp benefit a household received including a disqualified household member.

(25) "Equity value" means fair market value less encumbrances.

(26) "Expedited services" means providing food stamps within five calendar days to an eligible household which:

(a) Has liquid resources of one hundred dollars or less; and

(b) Has gross monthly income under one hundred fifty dollars; or

(c) Has combined gross monthly income and liquid resources which are less than the household's current monthly rent or mortgage and either the:

(i) Standard utility allowance as set forth in WAC 388-49-505; or

(ii) Actual utility costs, whichever is higher; or

(d) Includes all members who are homeless individuals; or

(e) Includes a destitute migrant or seasonal farmworker.

(27) "Fair hearing" means an adjudicative proceeding in which the department hears and decides an applicant/recipient's appeal from the department's action or decision.

(28) "Fair market value" means the value at which a prudent person might sell the property if the person was not forced to sell.

(29) "Food coupon" means food stamps and the two terms are interchangeable.

(30) "Food coupon authorization (FCA) card" means the document issued by the local or state office to authorize the allotment the household is eligible to receive.

(31) "Food stamp monthly reporting cycle" means the three-month reporting cycle consisting of the budget month, the process month, and the payment month.

(32) "Gross income eligibility standard" means one hundred thirty percent of the federal poverty level for the forty-eight contiguous states.

(33) "Group living arrangement" means a public or private nonprofit residential setting serving no more than sixteen residents certified by the appropriate state agency under section 1616(e) of the Social Security Act.

(34) "Head of household" means:

(a) The person designated by the household to be named on the case file, identification card, and FCA card;

(b) For employment services or the voluntary quit provision, the household member who is the principal wage earner with the greatest source of earned income in the two months prior to the month of violation, including members not required to register, provided:

(i) The employment involves at least twenty hours per week; and

(ii) The person is not living with a parent or a person fulfilling that role who is:

(A) Registered for work,

(B) Exempt from work registration because of registration in a Title IV-A or IV-C work program of the Social Security Act, as amended, or the receipt of unemployment compensation, or

(C) Employed or self-employed and working a minimum of thirty hours per week, or receiving weekly earnings equal to the federal minimum wage multiplied by thirty hours.

(35) "Home visit" means a personal contact at the person's residence by a department employee. The home visit shall be scheduled in advance with the household.

(36) "Homeless individual" means a person lacking a fixed and regular nighttime residence or a person whose primary nighttime residence is a:

(a) Supervised shelter designed to provide temporary accommodations;

(b) Halfway house or similar institution providing temporary residence for persons needing institutionalization;

(c) Temporary accommodation in the residence of another person; or

(d) Place not designed for, or ordinarily used as, a regular sleeping accommodation for humans.

(37) "Homeless meal provider" means a public or private nonprofit establishment (e.g., soup kitchen, temporary shelter, mission, or other charitable organizations) feeding homeless persons, approved by division of income assistance (DIA) and authorized by food and nutrition service (FNS).

(38) "Household" means the basic client unit in the food stamp program.

(39) "Household disaster" means when food coupons, food purchased with food coupons, or food coupon authorization cards are destroyed by a natural disaster, such as flood, fire, etc.

(40) "Identification card" means the document identifying the bearer as eligible to receive and use food stamps.

(41) "Inadvertent household error overissuance" means any overissuance caused by either:

(a) Misunderstanding or unintended error by a household;

(i) Not determined categorically eligible under WAC 388-49-180(1); or

(ii) Determined categorically eligible under WAC 388-49-180(1) if a claim can be calculated based on a change in net food stamp income and/or household size; or

(b) Social Security Administration action or failure to take action which resulted in the household's categorical eligibility, if a claim can be calculated based on a change in net food stamp income and/or household size.

(42) "Ineligible household member" means the member excluded from the food stamp household because of:

(a) Disqualification for intentional program violation;

(b) Failure to apply for or provide a Social Security number;

(c) Failure to comply with work requirements as described under WAC 388-49-360;

(d) Status as an ineligible alien;

(e) Status as an ineligible student; or

(f) Failure to sign the application attesting to the member's citizenship or alien status.

(43) "Institution" means any place of residence (private or public) providing maintenance and meals for two or more persons.

(44) "Institution of higher education" means any institution normally requiring a high school diploma or equivalency certificate for enrollment. This includes any two-year or four-year college. Also included is any course in a trade or vocational school that normally requires a high school diploma or equivalency for admittance to the course.

(45) "Intentional program violation," after August 8, 1983, means intentionally:

(a) Making a false or misleading statement;

(b) Misrepresenting, concealing, or withholding facts; or

(c) Committing any act constituting a violation of the Food Stamp Act, the food stamp program regulations, or any state statute relating to the use, presentation, transfer, acquisition, receipt, or possession of food stamp coupons or FCAs.

Intentional program violation which ended before August 8, 1983, consists of any action by a person or persons to knowingly, willfully, and with deceitful intent:

(a) Make a false statement to the department, either orally or in writing, to obtain benefits to which the household is not entitled;

(b) Conceal information to obtain benefits to which the household is not entitled;

(c) Alter authorization cards or coupons to obtain benefits to which the household is not entitled;

(d) Use coupons to buy expensive or conspicuous non-food items;

(e) Use or possess improperly obtained coupons or authorization cards; and

(f) Trade or sell coupons or authorization cards.

(46) "Intentional program violation overissuance" means any overissuance caused by an intentional program violation.

(47) "Live-in attendant" means a person residing with a household to provide medical, housekeeping, child care, or other similar personal services.

(48) "Lump sum" means money received in the form of a nonrecurring payment including, but not limited to:

(a) Income tax refunds,

(b) Rebates,

(c) Retroactive payments, and

(d) Insurance settlements.

(49) "Mandatory fees" means those fees charged to all students within a certain curriculum. Transportation, supplies, and textbook expenses are not uniformly charged to all students and are not considered as mandatory fees.

(50) "Migrant farmworker" means a person working in seasonal agricultural employment who is required to be absent overnight from the person's permanent residence.

(51) "Net income eligibility standard" means the federal income poverty level for the forty-eight contiguous states.

(52) "Nonhousehold member" means a person who is not considered a member of the food stamp household such as a:

(a) Roomer;

(b) Live-in attendant; or

(c) Person who does not purchase and prepare meals with the food stamp household.

(53) "Nonstriker" means any person:

(a) Exempt from work registration the day prior to the strike for reasons other than their employment;

(b) Unable to work as a result of other striking employees, e.g., truck driver not working because striking newspaper pressmen not printing output;

(c) Not part of the bargaining unit on strike but not wanting to cross picket line due to fear of personal injury or death; or

(d) Unable to work because workplace is closed to employees by employer in order to resist demands of employees, e.g., a lockout.

(54) "Offset" means reduce restored benefits by any overissue (claim) owed by the household to the department.

(55) "Overissuance" means the amount of coupons issued to a household in excess of the amount eligible to receive.

(56) "Overpayment" means the same as "overissuance" and shall be the preferred term used in procedures.

(57) "Payment month" means the third month of the budget cycle; the month in which the food stamp allotment is affected by information reported on the monthly report for the budget month.

(58) "Period of intended use" means the period for which an FCA or food coupon is intended to be used.

(59) "Post secondary education" means a school not requiring a high school diploma or equivalency for enrollment. This includes trade school, vocational schools, business colleges, beauty schools, barber schools, etc.

(60) "Process month" means the second month of the monthly reporting cycle; the month in which the monthly report is to be returned by the household to the local office.

(61) "Project area" means the county or similar political subdivision designated by the state as the administrative unit for program operations.

(62) "Prospective budgeting" means the computation of a household's income based on income received or anticipated income the household and department are reasonably certain will be received during the month of issuance.

(63) "Prospective eligibility" means the determination of eligibility based on prospective budgeting rules and other household circumstances anticipated during the month of issuance.

(64) "Quality control review" means a review of a statistically valid sample of cases to determine the accuracy of budgeting, issuance, denial, withdrawal, and termination actions taken by the department.

(65) "Quality control review period" means the twelve-month period from October 1 of each calendar year through September 30 of the following calendar year.

(66) "Recent work history" means receipt of earned income in one of the two months prior to the payment month.

(67) "Recertification" means approval of continuing benefits based on an application submitted prior to the end of the current certification period.

(68) "Resident of an institution" means a person residing in an institution that provides the person with the majority of meals as part of the institution's normal service.

(69) "Retrospective budgeting" means the computation of a household's income for a payment month based on actual income received in the corresponding budget month of the monthly reporting cycle.

(70) "Retrospective eligibility" means the determination of eligibility based on retrospective budgeting rules and other circumstances existing in the budget month.

(71) "Roomer" means a person to whom a household furnishes lodging, but not meals, for compensation.

(72) "Seasonal farmworker" means a person working in seasonal agricultural employment who is not required to be absent overnight from the person's permanent residence.

(73) "Shelter costs" means:

(a) Rent or mortgage payments plus taxes on a dwelling and property;

(b) Insurance on the structure only, unless the costs for insuring the structure and its contents cannot be separated;

(c) Assessments;

(d) Utility costs such as heat and cooking fuel, cooling and electricity, water, garbage, and sewage disposal;

(e) Standard basic telephone allowance;

(f) Initial installation fees for utility services; and

(g) Continuing charges leading to shelter ownership such as loan repayments for the purchase of a mobile home including interest on such payments.

(74) "Shelter for battered women and children" means a public or private nonprofit residential facility serving battered women and children.

(75) "Sibling" means a natural, adopted, half brother or stepbrother or natural, adopted, half sister or stepsister.

(76) "Sponsor" means a person who executed an affidavit of support or similar agreement on behalf of an alien as a condition of the alien's admission into the United States as a permanent resident.

(77) "Sponsored alien" means an alien lawfully admitted for permanent residence who has an affidavit of support or similar agreement executed by a person on behalf of the alien as a condition of the alien's admission into the United States as a permanent resident.

(78) "Spouse" means:

(a) Married under applicable state law; or

(b) Living with another person and holding themselves out to the community as husband and wife by representing themselves as such to relatives, friends, neighbors, or trades people.

(79) "Striker" means any person:

(a) Involved in a strike or concerted stoppage of work by employees including stoppage due to expiration of a collective bargaining agreement; or

(b) Involved in any concerted slowdown or other concerted interruption of operations by employees.

(80) "Student" means any person:

(a) At least eighteen but less than sixty years of age,

(b) Physically and mentally fit for employment, and

(c) Enrolled at least half time in an institution of higher education.

(81) "Systematic alien verification for entitlements (SAVE)" means the immigration and naturalization service (INS) program whereby the department may verify the validity of documents provided by aliens applying for food stamp benefits by obtaining information from a central data file.

(82) "Temporary disability" means a nonpermanent physical illness or injury that incapacitates beyond the initial issuance month.

(83) "Thrifty food plan" means the diet required to feed a family of four as determined by the United States Department of Agriculture. The cost of the diet is the basis for all allotments, taking into account the household size adjustments based on a scale.

(84) "Under parental control" means living with the parent or any adult other than the parent. A person is not under parental control when that person is:

(a) Receiving an AFDC grant as the person's own payee;

(b) Receiving, as the person's own payee, gross income equal to, or exceeding, the AFDC grant payment standard as described under WAC 388-29-100 (3)(b); or

(c) Married.

(85) "Vehicle" means any device for carrying or conveying persons and objects, including travel by land, water, or air.

(86) "Vendor payment" means money payments not owed or payable directly to a household, but paid to a third party for a household expense, such as:

(a) A payment made in money on behalf of a household whenever another person or organization makes a direct payment to either the household's creditors or a person or organization providing a service to the household; or

(b) Rent or mortgage payments, made to landlords or mortgagees by the department of housing and urban development or by state or local housing authorities.

(87) "Verification" means the use of documentation or third-party information to establish the accuracy of statements on the application. Sources of verification shall be documentary evidence, collateral contacts, or a home visit.

WSR 91-16-066

EMERGENCY RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Public Assistance)

[Order 3227—Filed August 1, 1991, 4:59 p.m., effective August 2, 1991, 12:01 a.m.]

Date of Adoption: August 1, 1991.

Purpose: WAC will conform to current Medicaid personal care guidelines and regulations.

Citation of Existing Rules Affected by this Order: Amending WAC 388-15-820, 388-15-840, 388-15-850, 388-15-860, 388-15-870, and 388-15-880.

Statutory Authority for Adoption: RCW 74.08.090.

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

Reasons for this Finding: This rule is necessary to bring WAC into compliance with current payment standards and program requirements.

Effective Date of Rule: August 2, 1991, 12:01 a.m.

August 1, 1991

Leslie F. James

Director

Administrative Services

AMENDATORY SECTION (Amending Order 2950, filed 3/1/90, effective 4/1/90)

WAC 388-15-820 MEDICAID PERSONAL CARE SERVICES—DEFINITIONS. (1) "Applicant"

means a person applying for Medicaid personal care services.

(2) "Client" means a person determined eligible for Medicaid personal care services.

(3) "Community residence" means:

(a) ~~((The))~~ A client's own home, whether in a building owned or rented by the client;

(b) A licensed adult family home under department contract;

(c) A licensed boarding home under department contract;

(d) A licensed children's foster family home; or

(e) A licensed group care facility.

(4) "Direct personal care services" means assistance with tasks involving direct client care which are directly related to the client's medical condition. Such assistance is limited to allowable help with the tasks listed under subdivisions (a), (b), (c), (d), (e), (f), (g), (h), (i), (j), (k), and (l) of this subsection. The type of help allowable for each task shall not include assistance that must be provided only by a licensed health professional.

(a) "Personal hygiene" means assistance with care of hair, teeth, dentures, shaving, filing of nails, other basic personal hygiene, and grooming needs. Personal hygiene includes supervising a client when performing the tasks, assisting the client when caring for own appearance, and performing grooming tasks for the client when unable to care for own appearance.

(b) "Dressing" means assistance with dressing and undressing. Dressing includes supervising and guiding a client when the client is dressing and undressing, assisting with difficult tasks such as tying shoes and buttoning, and completely dressing or undressing the client when unable to participate in dressing or undressing self.

(c) "Bathing" means assisting a client to wash self. Bathing includes supervising the client able to bathe self when guided, assisting the client with difficult tasks such as getting in or out of the tub or washing back, and completely bathing the client if totally unable to wash self.

(d) "Eating" means assistance with eating. Eating includes supervising a client when able to feed self if guided, assisting with difficult tasks such as cutting food or buttering bread, and feeding the client when unable to feed self.

(e) "Toileting" means assistance with bladder or bowel problems. Toileting includes supervising ~~((the))~~ a client when able to care for own toileting needs if guided, helping the client to and from the bathroom, assisting with bedpan routines, diapering and lifting client on and off the toilet. Toileting may include performing routine peri/colostomy/catheter tasks, for the client when client is able to supervise the activities.

(f) "Ambulation" means assisting the client to move around. Ambulation includes supervising ~~((the))~~ a client when walking alone or with the help of a mechanical device such as a walker if guided, assisting with difficult parts of walking such as climbing stairs, supervising the client if the client is able to propel a wheelchair if guided, pushing the wheelchair, and providing constant physical assistance to the client if totally unable to walk alone or with a mechanical device.

(g) "Transfer" means assistance with getting in and out of a bed or wheelchair or on and off the toilet or in and out of the bathtub. Transfer includes supervising ~~((the))~~ a client when able to transfer if guided, providing steadying, and helping the client when the client assists in own transfer. Lifting the client when client is unable to assist in ~~((their))~~ own transfer requires specialized training.

(h) "Positioning" means assisting ~~((the))~~ a client to assume a desired position. Positioning includes assistance in turning and positioning to prevent secondary disabilities, such as contractures and balance deficits.

(i) "Self-medication" means assisting ~~((the))~~ a client to self-administer medications prescribed by attending physician. Self-medication includes reminding the client of when it is time to take prescribed medication, handing the medication container to the client, and opening a container.

(j) "Body care" means assisting ~~((the))~~ a client with exercises, skin care including the application of ointments or lotions, changing dry bandages or dressings not requiring professional judgment. Body care excludes foot care beyond washing of feet and filing toenails. Body care excludes foot care for a client ~~((s))~~ who ~~((are))~~ is diabetic or ~~((have))~~ has poor circulation. Body care excludes changing bandages or dressings when sterile procedures are required. Provision of body care tasks is limited. The client must be able to supervise the provision of these tasks.

(k) "Travel to medical services" means accompanying or transporting ~~((the))~~ a client to a physician's office or clinic in the local area to obtain medical diagnosis or treatment.

(l) "Essential shopping" means assistance with shopping to meet ~~((the))~~ a client's health care or nutritional needs. Limited to brief, occasional trips in the local area to shop for food, medical necessities, and household items required specifically for the health and maintenance of the client. Essential shopping includes assisting when the client can participate in shopping and doing the shopping when the client is unable to participate.

(5) "Handicapping condition" means a medical condition which causes a functional impairment in activities of daily living.

(6) "Household assistance" means assistance with incidental household services provided as an integral, but subordinate part of the personal care furnished directly to ~~((the))~~ a client. Household assistance shall be considered an integral part of personal care when such assistance is directly related to a medical condition or to a service reflected in the client's service plan and is furnished along with a direct personal care service. The department shall not authorize household assistance as a Medicaid personal care task in an adult family home, licensed boarding home, children's foster family home, or children's group care facility.

(a) "Meal preparation" means assistance with preparing meals. Meal preparation includes planning meals including special diets, assisting a client ~~((s))~~ able to participate in meal preparation, preparing meals for the client ~~((s))~~ unable to participate, and cleaning up after meals. This task may not be authorized to just plan

meals or clean up after meals. The client must need assistance with actual meal preparation.

(b) "Laundry" means washing, drying, ironing, and mending clothes and linens used by ~~((the))~~ a client or helping the client perform these tasks.

(c) "Housework" means performing or helping ~~((the))~~ a client perform those periodic tasks required to maintain the client in a safe and healthy environment. Activities performed can include ~~((such things as))~~ cleaning the kitchen and bathroom, sweeping, vacuuming, mopping, cleaning the oven, and defrosting the freezer, shoveling snow. Washing inside windows and walls is allowed, but is limited to twice a year. Assistance with housework is limited to those areas of the home which are actually used by the client. This task is not a maid service and does not include yard care.

(d) "Wood supply" means splitting, stacking, or carrying wood for ~~((the))~~ a client and used as the sole source of fuel for heating and/or cooking. This task is limited to splitting, stacking, or carrying wood the client has at own home. Using a chain saw or felling trees is not allowable.

(7) "Immediate family member" means ~~((the))~~ a client's husband or wife, parent, or child.

(8) "Medicaid personal care services" means medical-ly-oriented tasks, directed at ~~((the))~~ a client or the client's immediate environment, that are necessitated by ~~((a))~~ the client's handicapping condition. Such services shall be:

(a) Based on an assessment of applicant/client needs;

(b) Provided in conformance with a service plan ordered by ~~((the))~~ a client's attending physician;

(c) Reviewed by a registered nurse at least every ninety days;

(d) Performed by qualified and trained personal care aides, excluding members of ~~((the))~~ a client's immediate family.

(e) Services shall be provided in a clients own home when the client is present in the home.

(9) "Medically-oriented tasks" means direct personal care services, household assistance provided as an integral but subordinate part of the personal care furnished directly to ~~((the))~~ a client, and supervision.

(10) "Personal care aide" means a person meeting the qualification and training requirements established by the department and providing direct personal care services to a client~~((s))~~. This person may be an employee of a qualified agency provider or may be under contract as a qualified individual provider.

(11) "Personal care provider" means a qualified agency provider or a qualified individual provider who is not a member of a clients immediate family and is under department contract to provide Medicaid personal care services.

(12) "Personal care service plan" means a plan which is:

(a) Developed by the department in cooperation with appropriate community agency staff;

(b) Written and describes the personal care services which will be provided, frequency of provision, and expected outcomes;

(c) Ordered by ~~((the))~~ a client's attending physician.

(13) "Physician" means a doctor of medicine, osteopathy or podiatry, as defined under WAC 388-80-005(54), or ~~((the))~~ a client's Christian Science practitioner.

(14) "Physician's order" means written approval by ~~((the))~~ a client's attending physician of the specific personal services to be provided to the client.

(15) "Qualified agency provider" means a community agency which applied for licensing as a home care agency or home health agency.

(16) "Qualified individual provider" means a person meeting the individual provider qualifications established by the department.

(17) "Supervision" means being available to:

(a) Help ~~((the))~~ a client with personal care tasks that cannot be scheduled (toileting, ambulation, transfer, positioning, some medication assistance); and/or

(b) Provide protective supervision to a client who cannot be left alone because of confusion, forgetfulness, or lack of judgment.

AMENDATORY SECTION (Amending Order 2856, filed 8/29/89, effective 9/29/89)

WAC 388-15-840 MEDICAID PERSONAL CARE SERVICES—ASSESSMENT—AUTHORIZATION. (1) The department shall provide an assessment of an individual~~((s))~~ applying for, or being referred for, Medicaid personal care services.

(2) The department shall use the approved assessment form in an interview with ~~((the))~~ an applicant documenting:

(a) The applicant's functional capability to perform personal care tasks essential to health or safety;

(b) Current and potential care contributions by formal and informal supports available to ~~((the))~~ an applicant;

(c) ~~((The))~~ An applicant's preference for how care is provided.

(3) When children are assessed, the assessor shall consider the personal care applicant's age in determining if the degree of personal care needed is appropriate to the child's age, or the result of the applicant's functional impairment. The need for personal care services shall only be assessed for needs exceeding the level of age appropriate personal care.

(4) Assessment and reassessment shall be performed within the department-established time frames.

(5) The department shall be responsible for authorizing Medicaid personal care services.

(6) The number of hours authorized shall be based on ~~((the))~~ an applicant/client's need for assistance with Medicaid personal care tasks as determined through the assessment process. Points shall be awarded for each task according to the degree of assistance needed, and the point total shall be converted into maximum allowable hours. The procedure for conversion of points to hours of service shall comply with WAC 388-15-212(7).

(7) ~~((The))~~ A client's attending physician shall review and reauthorize the client's service plan at least once every ~~((six))~~ twelve months.

AMENDATORY SECTION (Amending Order 2856, filed 8/29/89, effective 9/29/89)

WAC 388-15-850 **MEDICAID PERSONAL CARE SERVICES—NURSE OVERSIGHT.** (1) A registered nurse shall visit ~~((the))~~ a client at least once every ninety days to:

- (a) Review the client's medical and/or mental condition;
 - (b) Review the service plan determining if revisions are required and, if so, recommend revisions;
 - (c) Review the client's need for continued care;
 - (d) Assess the quality of personal care services received;
 - (e) Assess the personal care provider's need for additional training.
- (2) The registered nurse shall document the result of an oversight visit on the department-prescribed form.

AMENDATORY SECTION (Amending Order 2856, filed 8/29/89, effective 9/29/89)

WAC 388-15-860 **MEDICAID PERSONAL CARE SERVICES—PERSONAL CARE AIDE QUALIFICATIONS.** (1) The department shall:

- (a) Define minimum qualifications for a personal care aide((s)) and require an aide((s)) meet the qualifications;
- (b) Define minimum orientation and training requirements for a personal care aide((s)) and require documentation stating minimum requirements are met;
- (c) Definitions for minimum qualifications and training requirements for a personal care aide((s)) shall be contained in the department's field manual for Medicaid personal care.

AMENDATORY SECTION (Amending Order 2950, filed 3/1/90, effective 4/1/90)

WAC 388-15-870 **MEDICAID PERSONAL CARE SERVICES—SERVICE PROVISION SYSTEM.** (1) Area agencies on aging shall contract with qualified agency providers to perform Medicaid personal care services at the department-established rate.

- (2) Area agencies on aging shall provide or contract for registered nurse oversight for personal care services.
- (3) The department shall contract with area agencies on aging to assume the above responsibilities.
- (4) The department shall contract with a qualified individual provider((s)) to perform Medicaid personal care services at the department-established rate.

(5) Agency providers shall deliver services to an adult client((s)) in the clients' own residences unless the personal care service plan exceeds eighty-five hours per month. An individual provider((s)) may deliver services to ~~((children))~~ a child in the child's own residence regardless of the hours authorized. A client((s)) shall have freedom of choice in selecting a qualified agency provider.

(6) An individual provider((s)) under contract with the department shall deliver services to a client((s)) in the client((s))'s own residence when the personal care

service plan exceeds eighty-five hours per month. Clients shall have freedom of choice in selecting a qualified individual provider.

(7) Adult family home (AFH) sponsors or licensed boarding home staff shall provide services to clients in an AFH or licensed boarding home. Foster parents ~~((or group care facility staff))~~ shall provide services to children in a foster family home ~~((or group care facility))~~. Clients shall have freedom of choice in selecting a licensed AFH or boarding home, provided the AFH or boarding home can meet their personal care needs.

AMENDATORY SECTION (Amending Order 2950, filed 3/1/90, effective 4/1/90)

WAC 388-15-880 **PAYMENT AND AUTHORIZATION.** Payment and authorization.

(1) In the individual provider program, the department pays an hourly rate directly to the service provider. No in-home personal care service plans shall authorize services by an individual provider unless the service need exceeds eighty-five hours per month.

(2) In the contracted program, the department pays the contractor who pays the service provider.

(3) ~~((The department pays an hourly rate of five dollars and thirty-six cents for actual hours worked in providing))~~ Rates paid for the provision of Medicaid personal care ((services)) shall be established by the department. Current maximum rates shall be contained in the departments social service payment system appendices A, E, and C.

(4) No contractor shall pay service providers performing Medicaid personal care services less than five dollars and fifteen cents per hour.

(5) ~~((Authorizations for contracted Medicaid personal care services shall not exceed eight hundred four dollars and ninety-five cents per month.~~

~~((6) Authorizations for in-home Medicaid personal care services by an individual provider shall not exceed seven hundred seventy-two dollars and ten cents per month.~~

~~((7))~~ Authorizations for Medicaid personal care in an adult family home shall not exceed sixty hours of service per month.

~~((8))~~ (6) Authorizations for Medicaid personal care in a licensed boarding home under department contract shall not exceed thirty hours per month.

~~((9))~~ (7) Payment shall not be made for services provided exceeding the department's authorization.

WSR 91-16-067
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Institutions)

[Order 3228—Filed August 1, 1991, 5:00 p.m., effective August 2, 1991, 12:01 a.m.]

Date of Adoption: August 1, 1991.

Purpose: This issuance clarifies procedures for notification of authorities prior to the transfer of patients between state-operated hospitals by including notice to regional support networks.

Citation of Existing Rules Affected by this Order: Amending WAC 275-55-115 and 275-59-071, Transfer of a patient between state-operated hospitals.

Statutory Authority for Adoption: RCW 74.05.560.

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

Reasons for this Finding: This rule amendment is necessary to implement RCW 72.23.290 relating to the authority of the Department of Social and Health Services to transfer patients between state-operated hospitals. Includes regional support network authority to request such a transfer. Affirms that the decision to transfer must be in the best interest of the patient.

Effective Date of Rule: August 2, 1991, 12:01 a.m.

August 1, 1991

Leslie F. James

Director

Administrative Services

AMENDATORY SECTION (Amending Order 2724, filed 11/7/88)

WAC 275-55-115 TRANSFER OF A PATIENT BETWEEN STATE-OPERATED HOSPITALS. In some instances, it is appropriate for the department to transfer a patient currently residing in a state hospital ~~((to be transferred))~~ to another state hospital for ongoing hospitalization. The department shall accomplish the transfer with the utmost care given to the therapeutic needs of the patient. This section describes the procedures for handling a patient transfer between state hospitals in a manner consistent with the best interest of the patient.

(1) The department may use the following criteria ~~((; if present, shall determine))~~ when determining the appropriateness of a patient transfer:

(a) The patient's family ~~((lives))~~ resides within the receiving hospital's catchment area; or

(b) The patient's primary home of residence is in the receiving hospital's catchment area; or

(c) A particular service or need of the patient is better met at the receiving hospital; ~~((and))~~ or

(d) Transfer to the receiving hospital may facilitate community discharge due to the availability of community service in the receiving hospital's catchment area; or

(e) The county, regional support network, or patient requests a transfer.

(2) Prior to any proposed transfer of a patient, the state hospital shall comply with the following ~~((procedure when transferring a patient))~~:

(a) ~~((The state hospital shall notify the patient, and the patient's guardian, five days prior to the patient's~~

(i) Transfer to another state hospital; and

~~((ii) Hearing if the patient is a court-ordered commitment.~~

~~((b)) The sending facility, at the ((direction)) request of the superintendent, shall ((contact the designated liaison at the)) in writing forward information necessary to make a decision on whether transfer is appropriate to the receiving ((facility who shall obtain information necessary to make a decision relevant to the propriety of the transfer)) facility's liaison;~~

~~((c) The designated liaison at the receiving facility shall discuss his or her recommendation with the superintendent for approval or denial of the transfer proposal;~~

~~((d) The receiving superintendent shall make the final determination for the transfer within five days of receipt of the transfer proposal;~~

~~((e)) (b) The receiving facility's designated liaison ((at the receiving facility shall notify the liaison at)) shall recommend appropriate action to the superintendent of the sending facility ((of the decision)) who shall respond in writing within five calendar days of receipt of the transfer request;~~

~~((c) If the receiving facility accepts the proposed patient transfer, the sending facility shall notify the patient, guardian and attorney, if known, at least five days before the proposed patient transfer;~~

~~((f)) (d) The sending facility is responsible for all patient transfer arrangements, e.g., transportation, staff escort, etc., and shall coordinate the day and time of arrival with the receiving facility's liaison; and~~

~~((g)) (e) The sending facility shall arrange for the transfer of patient's medical record to the receiving facility ((and for the transfer of the official court file, if the patient is an involuntary civil or criminal commitment, to the receiving court)).~~

(3) The sending state hospital shall document the following in the patient's record:

(a) Physician documentation of the medical suitability of the patient for transfer; and

(b) Social worker documentation regarding:

(i) Justification as to why the transfer is considered in the patient's best interests;

(ii) The patient's wishes regarding transfer;

~~((iii) The family and guardian's wishes regarding transfer and their involvement. Documentation that the family and guardian was notified of the pending transfer;~~

~~((iv) Consultation with the patient advocacy agency; and~~

~~((v) Notification of the patient's attorney)).~~

(4) ~~((The state hospital shall comply with the following additional procedure if the patient is a civil or criminal court-ordered commitment:~~

~~((a) Prior to transfer, the department shall file and serve a motion for transfer upon the patient, the patient's attorney, and the patient's guardian, if any;~~

~~((b)) If a transfer is proposed for a ((civilly committed patient, the attorney general's office is responsible for taking the necessary legal action. If a transfer is proposed for a criminally committed patient, the local prosecuting attorney's office is responsible for taking the necessary legal action;~~

~~((c) The patient shall have the same rights with respect to notice, hearing, and counsel as for an involuntary~~

~~treatment proceeding, except that the patient shall have no right to a jury trial. The issue determined at the hearing is whether the proposed transfer is in the patient's best interest;~~

~~(d) The department shall set a hearing and shall notify the patient of the patient's right to refuse medication or medications for twenty-four hours prior to the hearing; and~~

~~(e) If the transfer is approved by the court, the court shall enter a change of venue order to the receiving county. Also, the court shall enter an amended order to indicate the change in facilities, unless the patient's current court order commits the patient to both the sending and receiving facility under RCW 72.23.290 and 72.68-.032 through 72.68.037)) court-ordered patient, the sending facility shall contact the prosecuting attorney's office for persons committed for up to fourteen days or the attorney general's office for persons committed for ninety or hundred eighty days to determine if legal action is necessary prior to the transfer.~~

AMENDATORY SECTION (Amending Order 2724, filed 11/7/88)

WAC 275-59-071 TRANSFER OF A PATIENT BETWEEN STATE-OPERATED HOSPITALS. In some instances, it is appropriate for the department to transfer a patient currently residing in a state hospital ~~((to be transferred))~~ to another state hospital for ongoing hospitalization. The department shall accomplish the transfer with the utmost care given to the therapeutic needs of the patient. This section describes the procedures for handling a patient transfer between state hospitals in a manner consistent with the best interest of the patient.

(1) ~~The department may use the following criteria((; if present, shall determine))~~ when determining the appropriateness of a patient transfer:

(a) The patient's family ~~((tives))~~ resides within the receiving hospital's catchment area; or

(b) The patient's primary home of residence is in the receiving hospital's catchment area; or

(c) A particular service or need of the patient is better met at the receiving hospital; ~~((and))~~ or

(d) Transfer to the receiving hospital may facilitate community discharge due to the availability of community service in the receiving hospital's catchment area; or

(e) The county, regional support network, or patient requests a transfer.

(2) Prior to any proposed transfer of a patient, the state hospital shall comply with the following ((procedure when transferring a patient)):

~~(a) ((The state hospital shall notify the patient, and the patient's guardian, five days prior to the patient's:~~

~~(i) Transfer to another state hospital; and~~

~~(ii) Hearing if the patient is a court-ordered commitment.~~

(b)) The sending facility, at the ((direction)) request of the superintendent, shall ((contact the designated liaison at the)) in writing forward information necessary to make a decision on whether transfer is appropriate to the receiving facility's ((who shall obtain information

~~necessary to make a decision relevant to the propriety of the transfer)) liaison;~~

~~((c) The designated liaison at the receiving facility shall discuss his or her recommendation with the superintendent for approval or denial of the transfer proposal;~~

~~(d) The receiving superintendent shall make the final determination for the transfer within five days of receipt of the transfer proposal;~~

~~(e)) (b) The receiving facility's designated liaison ((at the receiving facility shall notify the liaison at)) shall recommend appropriate action to the superintendent who shall respond to the sending facility ((of the decision)) in writing within five calendar days of receipt of the request;~~

~~((f)) (c) If the receiving facility accepts the proposed patient transfer, the sending facility shall notify the patient, guardian, and attorney, if known, at least five days before the proposed patient transfer;~~

~~(d) The sending facility is responsible for all patient transfer arrangements, e.g., transportation, staff escort, etc., and shall coordinate the day and time of arrival with the receiving facility's liaison; and~~

~~((g)) (e) The sending facility shall arrange for the transfer of patient's medical record to the receiving facility ((and for the transfer of the official court file, if the patient is an involuntary civil or criminal commitment, to the receiving court)).~~

(3) The sending state hospital shall document the following in the patient's record:

(a) Physician documentation of the medical suitability of the patient for transfer; and

(b) Social worker documentation regarding:

(i) Justification as to why the transfer is considered in the patient's best interests;

(ii) The patient's wishes regarding transfer((;

(iii) The family and guardian's wishes regarding transfer and their involvement. Documentation that the family and guardian was notified of the pending transfer;

~~(iv) Consultation with the patient advocacy agency; and~~

~~(v) Notification of the patient's attorney)).~~

(4) ~~((The state hospital shall comply with the following additional procedure if the patient is a civil or criminal court-ordered commitment:~~

~~(a) Prior to transfer, the department shall file and serve a motion for transfer upon the patient, the patient's attorney, and the patient's guardian, if any;~~

~~(b)) If a transfer is proposed for a ((civilly committed patient, the attorney general's office is responsible for taking the necessary legal action. If a transfer is proposed for a criminally committed patient, the local prosecuting attorney's office is responsible for taking the necessary legal action;~~

~~(c) The patient shall have the same rights with respect to notice, hearing, and counsel as for an involuntary treatment proceeding, except that the patient shall have no right to a jury trial. The issue determined at the hearing is whether the proposed transfer is in the patient's best interest;~~

~~(d) The department shall set a hearing and shall notify the patient of the patient's right to refuse medication~~

~~or medications for twenty-four hours prior to the hearing, and~~

~~(c) If the transfer is approved by the court, the court shall enter a change of venue order to the receiving county. Also, the court shall enter an amended order to indicate the change in facilities, unless the patient's current court order commits the patient to both the sending and receiving facility under RCW 72.23.290 and 72.68.032 through 72.68.037)) court-ordered patient, the sending facility shall contact the prosecuting attorney's office for persons committed for up to fourteen days or the attorney general's office for persons committed for ninety or one hundred eighty days to determine if legal action is necessary prior to the transfer.~~

WSR 91-16-068
PREPROPOSAL COMMENTS
OFFICE OF
INSURANCE COMMISSIONER

[Filed August 2, 1991, 2:25 p.m.]

Subject of Possible Rule Making: Several specified providers of chemical dependency treatment have submitted the petition for rule making shown below. This petition seeks an amendment to WAC 284-53-010, et. seq. to provide for an increase in the minimum benefits for chemical dependency treatment, supporting services and detoxification from the current amount of \$5,000 to \$7,500 for adults; the establishment of a separate minimum benefit for chemical dependency treatment, supporting services and detoxification for adolescents in the amount of \$12,500; and the establishment of a yearly inflationary adjustment factor for the foregoing benefit minimums. In lieu of adoption of the foregoing, the petition seeks the establishment of an alternatively stated minimum benefit in terms of days of benefit entitlement respecting detoxification, inpatient rehabilitation and outpatient services.

July 5, 1991

Richard G. Marquardt
 State Insurance Commissioner
 State of Washington
 Insurance Building, AQ-21
 Olympia, WA 98504-0321

Dear Commissioner Marquardt:

The undersigned, pursuant to WAC 284-02-100, hereby petition for formal amendment of the existing regulations respecting Standards for Coverage of Chemical Dependency (WAC 284-53-010 et seq.). Petitioners are requesting that WAC 284-53-010 be amended to provide for 1) an increase in the minimum benefits for chemical dependency treatment, supporting services and detoxification from the extant amount of \$5,000 to \$7,500, and that this amount be established as a separately stated minimum for adults only; 2) the establishment of a separate, minimum benefit for chemical dependency treatment, supporting services and detoxification for adolescents in the amount of \$12,000; and 3) the

establishment of a yearly inflationary adjustment factor for the foregoing benefit minimums. In lieu of adoption of the foregoing, we formally petition the establishment of an alternatively stated minimum benefit in terms of number of days of benefit entitlement respecting detoxification, inpatient rehabilitation, and outpatient services.

The balance of this petition as required by WAC 284-02-100, will provide you with 1) the appropriate background information on petitioners; 2) the appropriate text to facilitate the petitioned for amendments; 3) the background rationale and supporting information offered in support of the petitioned for amendments; and 4) appropriate statements from other persons in support of the petition.

PETITIONERS

The Pacific Northwest Chapter of the National Association of Addiction Treatment Providers is an association of thirty-four private addiction treatment facilities in Washington, Oregon, and Alaska. The National Association represents over 400 members.

Contact: Thomas F. Armstrong, President
 Lakeside Recovery Centers, Inc.
 14500 Juanita Drive N.E.
 Bothell, WA 98011

The Washington Association of Alcoholism/Addiction Programs is an association of private and public treatment providers, comprised of 98 facilities.

Contact: James Wright
 c/o Association of Alcoholism/Addiction
 Programs
 P.O. Box 1172
 Ellensburg, WA 98926

The Washington State Council on Alcoholism and Drug Dependence is the primary volunteer organization in Washington dedicated to advising for alcoholics, drug addicts, and their families. The Council has over 2,000 members throughout the state.

Contact: James Smith
 c/o WSCADD
 1505 14th Avenue N.E., Suite B
 Bellevue, WA 98005

TEXT OF AMENDATORY RULE/PROPOSED NEW RULE

Chapter 284-53 of the Washington Administrative Code sets forth the current standards respecting insurance coverage for chemical dependency. Subsection (3) of WAC 284-53-010 stipulates the current requirements as to minimum benefit requirements. Incorporation of the amendments petitioned for herein would change the text of WAC 284-53-010(3) to read as follows:

(3) Contract benefit provisions shall provide as follows:

(a) The minimum benefits for chemical dependency treatment, supporting services and detoxification shall be an amount which is the lesser of seven thousand and five hundred dollars (\$7,500.00) for adults, and

twelve thousand dollars (\$12,000.00) for adolescents respectively, exclusive of deductible, coinsurance and copayments, in any consecutive twenty-four month period or an amount equal to the benefit limit in the contract applicable to the individual insured which would normally be applied to treatment of any common major illness or disease other than chemical dependency.

(b) The benefits may be limited to a lifetime maximum of not less than fifteen thousand dollars (\$15,000.00) for adults and twenty four thousand dollars (\$24,000.00) for adolescents, exclusive of deductibles, coinsurance and copayments notwithstanding WAC 284-44-040(2).

(c) The benefits specified in (a) and (b) of this section shall be adjusted annually to correspond with the change in the medical care component of the consumer price index for all urban consumers for the Seattle Metropolitan Area compiled by the Bureau of Labor Statistics, United States Department of Labor.

(d) For purposes of determining the limitations allowed by this subsection, with regard to all benefits except the lifetime maximum, a carrier may take credit for any benefits paid by any carrier on behalf of a covered individual for chemical dependency and supporting services received in an immediately preceding twenty-four month period. For purposes of determining the lifetime maximum allowed by subsection (b), calculation must be made on either a per contract or per carrier basis except that when one group contract holder has utilized one or more carriers or plans then a carrier may take credit for amounts paid on behalf of a covered individual from (date) onward under all past and current carriers and plans with respect to that group contract holder.

RATIONALE

The principal rationales for petitioning the proposed increase in the minimum benefit provisions of 284-53-010, the establishment of a separate minimum benefit provision for adolescents, and the establishment of an update factor for the minimum benefit levels are set forth below.

Minimum Benefit Provision. As you know, the Washington State Legislature in 1974 declared "that alcoholism (amended 1984 to chemical dependency) is a disease and, as such, warrants the same attention from the health care industry as other similarly serious diseases warrant; the Legislature further recognizes that health insurance contracts and contracts for health care services include inconsistent provisions providing benefits for the treatment of chemical dependency." The Legislature went on to mandate that group health insurance contracts and health maintenance organizations set forth

benefits specific to the treatment of chemical dependency.

While the intent of the Legislature was to enable insurance benefit provisions to facilitate treatment for chemical dependency conditions, it is important to note that neither the enabling legislation or regulations set forth standards with which the insurance industry was to comply in this regard. For the first decade of experience with the statute, it was common practice in the insurance industry to effectively undermine the Legislature's intent through a variety of practices.

For example, insurance typically provided for extraordinarily low dollar limitations (e.g.; \$250 for all treatment needs); established arbitrary and capricious policy provisions respecting allowable services and/or providers, and so on. Clearly, the spirit of the mandate respecting chemical dependency treatment was not being realized.

This circumstance lead to a cooperative effort between the Washington health care provider community (through the Association of Alcoholism/Addiction Providers), the Washington State Office on Alcoholism, and the Office of the Insurance Commissioner to systematically investigate and document the discrepancy between industry practices and statutory intent regarding the availability of insurance coverage for chemical dependency treatment for the citizens of the state of Washington.

As you know, this effort led to the establishment of WAC 284-53: Standards for Coverage of Chemical Dependency, and fulfilled the original legislative intent that appropriate and reasonable chemical dependency treatment be available to all Washington residents with policies of health insurance.

While the regulation stipulated numerous important strictures respecting policy provisions, pivotal to the regulations was the establishment of the \$5,000 minimum limit which policies must provide for. This provision enabled most Washington insureds to have a reasonable expectation through their respective insurance policies of access to at least one cycle of appropriate addiction treatment.

Despite the advancements brought about by WAC 284-53, the intent of the \$5,000 minimum benefit provision has been undermined by inflationary cost realities respecting the provision of health care which are beyond the direct control of the insured population or the health care provider community.

Specifically, since the establishment of the minimum benefit provisions of WAC 284-53, the associated costs of health care and treatment have risen considerably as demonstrated by Table 1.

TABLE 1
National CPI Inflation Rate
Medical Care Index and Hospital Services Index

	1986	1987	1988	1989	1990	1991
Medical Care Index	122.0	133.1	142.3	154.4	167.1	—
Inflation Rate	7.5	7.3	9.2	12.1	12.7	—
Hospital Services Index	123.1	135.9	150.8	167.9	184.1	—
Inflation Rate	6.0	8.9	14.9	17.1	16.2	—

As you can readily ascertain, the hospital services index has risen nearly 61 points over the time period in question and this does not factor in increases expected over 1991. If the original minimum mandate benefit provision of \$5,000 were carried forward and adjusted for inflation per the national hospital services index, the current minimum benefit provision would be \$9,025 (unadjusted for 1991). In our view, this result speaks for itself respecting the diminution of the value of the 1986 established minimum benefit provision.

Comparable inflation figures for the Seattle metropolitan area are set forth in Table 2. Adjustment of the original \$5,000 minimum benefit provision through 1991 based on the Seattle specific figures would suggest that the minimum benefit should be reestablished at \$7,500.

TABLE 2
CPI (Seattle Metro)
Medical Care Index and Hospital Services Index

	1986	1987	1988	1989	1990	1991
Medical Care Index	117.6	124.6	132.9	141.6	154.6	—
Inflation Rate	4.8	6.0	6.7	6.5	9.2	—
Hospital Services Index	116.4	123.4	131.6	140.7	154.9	—
Inflation Rate	4.4	6.0	6.6	6.9	10.1	—

Whether National or Seattle specific figures are used, it is readily apparent that:

- 1) the value of the \$5,000 benefit established in 1986 has been diminished considerably, thereby decreasing the affordability of and reasonable access to treatment with insurance funds; and
- 2) the statutory intent of the mandate respecting chemical dependency treatment is significantly compromised by the current regulation which, by its fixed nature respecting minimum benefits, will insure diminution of the benefit in perpetuity given the reality of health care inflation.

We therefore respectfully request that the current minimum benefit provision be increased from \$5,000 to \$7,500; and that this be established as the benefit for treatment of adult persons with chemical dependency conditions and promulgated in conjunction with our recommendations respecting a separate benefit provision for adolescents and a permanent utilization update factor as discussed below.

Adolescent Benefit Provisions. As set forth in the initial section of this provision, we are also requesting amendment of the current provisions of WAC 284-53 to establish separate minimum benefit provisions for adolescents with chemical dependency conditions.

The principal reality necessitating the need for a separately stated benefit for adolescents is derived from the fiscal realities associated with adolescent treatment; that is, an adolescent treatment is more complex, program intensity is greater and consequently more costly overall than treatment for adults.

Respecting the treatment needs and concomitant program issues surrounding adolescents; it is axiomatic that effective treatment for this age group must incorporate

and address the myriad of developmental issues inherent in adolescence. So, for example, as distinct from adult treatment programming, adolescent treatment must: address issues respecting childhood growth and development; provide programs to meet the educational needs, while individuals are in treatment, therefore providing tutorial or classroom services; place greater emphasis on family involvement, especially the active treatment of the family; and provide for more intensive discharge planning and aftercare services.

The foregoing and additional treatment realities are codified in JCAHO standards respecting services for children and adolescents and the Adolescent Treatment Guide of the Division of Alcohol and Substance Abuse of Washington State. Obviously, the facts of regulatory and accreditation life dictate that these realities be fulfilled. These realities translate to:

Patient to staff ratio – Higher staffing ratios to meet program requirements (as well as a greater diversity of and more specialized staff) are required for the treatment of adolescents. The patient to staff ratio for adolescents far outnumbers the ratio of staff to adults. Adolescents who are addicted to substances experience a wide range of behavioral disorders which require close supervision and monitoring. This supervision is required around the clock. The client load for a case manager in an adult facility may run as high as 15 patients. In an adolescent facility the caseload for case managers should not be higher than 6 to 8 adolescents. Adolescents therefore require twice as many case managers.

Differential program components for adolescents;

Recreational Therapy – A primary problem for adolescents who use chemicals is difficulty structuring free time in recovery without the use of chemicals. Adolescents require an exposure to a wide variety of recreational opportunities in treatment in order to learn normative social behaviors without the use of chemicals. An important part of discharge planning is helping the adolescent develop a leisure plan. Adolescents also have a decreased attention span and a high energy level which requires participation in recreational activities on a daily basis. This necessitates professional recreational therapists as part of the essential staffing for adolescent treatment.

Educational Services – Adolescents, unlike adults, also need to have the ability to continue with their education while they are in treatment. Certified teachers and aides to facilitate a productive school program are essential. Educational services are important to an adolescent's recovery as they need to have an opportunity to function in a school

setting without being under the influence of chemicals.

Discharge Planning – Many adolescents who enter a treatment program have come from families which are no longer able or appropriate to have the adolescent live with them. These are parents who are using chemicals, and may be physically or sexually abusive. Adolescent treatment providers have the enormous task of networking with the state and various service providers who are able to facilitate alternative living situations for the adolescents. This necessitates a full time discharge planner who is responsible for developing placement options and continuing care arrangements for adolescents who cannot return home.

Family Services – Family therapy in an adolescent program is critical and invariably more intensive than with adults. The adolescent will not recover unless the family is supportive and has committed to a recovery program of their own. Most adolescents have family members who need firm direction and parenting skills development. This necessitates full-time family therapists who work with 15 families each during the adolescent's stay in treatment. A variety of therapy groups, education and individual family therapy is provided by the family therapists to enable the family to move towards a recovery program.

Assessment Services – Assessing whether an adolescent has a chemical dependency is very difficult. Many adolescents are dishonest about their use and intervention with the help of the parents, schools, other counselors or probation officers is crucial. The intensity of the assessment process is typically greater, necessitating admissions counselors who spend an average of 3 to 5 hours per admission. This time is spent working with parents and helping them to understand how the addiction is treated, completing a thorough assessment on each adolescent, and contacting schools or other referring agencies to get accurate pre-admission information.

Continuing Care Services – Adolescents require close monitoring following treatment to assure continued abstinence. Most continuing care programs are a minimum of 6 months, with twice a week group attendance for the last three months. Families also participate in the continuing care program either through individual or family therapy sessions.

In summary, adolescents require special programming, attention, and staffing in chemical dependency treatment services and typically an increased treatment duration (e.g.; standard length of stay for adolescents will range

45 to 60 days while 20 to 35 days is normative for adults). The costs associated with these essential programming differences dictates that insurance coverage be set at a level adequate to provide for all of the above services. Therefore, we are requesting that a separately stated benefit minimum of \$12,000 for adolescents be established at a level which would cover the essential program cost differentials.

Update Factor. As discussed above, the reality of health care inflation jeopardizes the concept and viability of a fixed minimum benefit provision respecting chemical dependency treatment, without incorporation of an update mechanism which adjusts for this reality.

Therefore, we are petitioning for the incorporation of an inflationary update factor for the revised minimum benefit provisions of WAC 284-53. We are requesting that the update factor be pegged to the Medical Services Index (Department of Labor) for the Seattle metropolitan area. This is an appropriate regional market basket for hospital services. Incorporation of said provision will insure that the value of the benefit is not diminished and will preclude the need for further petitioning for regulatory change respecting the fiscal minimums provided for by WAC 284-53.

Alternative Benefits Provisions. In lieu of the separately stated and revised benefit provisions for adult and adolescent chemical dependency treatment expressed in dollar amounts; we would recommend consideration by your office of establishment of minimum benefits expressed in terms of durational limits respecting detoxification, inpatient rehabilitation, and outpatient benefits.

Specifically we would recommend that the regulations stipulate that policy provisions, at a minimum, provide for the following:

- Inpatient detoxification subject to three admissions per lifetime and a seven day maximum per episode;
- Hospital and/or residential inpatient services at a minimum 30 days for adults and 45 days for adolescents per year subject to a lifetime limit of 90 days for adults and 135 days for adolescents;
- 30 separate sessions of outpatient or partial hospitalization per year subject to a lifetime limit of 120 sessions;
- Outpatient or partial hospitalization services may be exchanged on a two-for-one basis to secure up to 15 additional inpatient treatment days.

Adoption of this alternative minimum benefit provision would be in lieu of maintaining minimum dollar thresholds. This would be consistent with other minimum benefit provisions required by current Washington health insurance mandates.

CONCLUSION

For the reasons set forth herein we respectfully request that the petitioned for changed to WAC 254-53 be duly

considered and adopted. We stand ready to answer any questions you have regarding the foregoing and to provide any additional information you deem necessary regarding your deliberations on this matter.

Sincerely,
James Wright, President
Association of Alcoholism/Addictions Programs
Thomas F. Armstrong, President, Pacific Northwest Chapter
National Association of Addiction Treatment Providers
Dr. James Smith, President
Washington State Council on Alcoholism and Drug Dependence

Persons may comment on this subject by submitting written comments on or before August 30, 1991; and/or attending a public meeting to discuss this subject beginning at 9:00 a.m. on August 26, 1991. Prepared statements will be welcomed. Written comments may be submitted to the Insurance Commissioner, Insurance Building, AQ-21, Olympia, Washington 98504. The public meeting will be held in Hearing Room A of the John L. O'Brien Building, Olympia, Washington.

Other Information or Comments by Agency at this Time, if any: Although the Insurance Commissioner seeks comments on this petition generally, he seeks specific comments on the following issues; the need to raise minimum benefit levels due to the effect of inflation; the need for higher benefit levels for adolescents; the need for a yearly inflation factor to be applied to the stated minimum benefits; the advisability of a minimum benefit expressed in terms of days of benefit entitlement as an alternative to fixed benefit levels; and the need to consider any other factors in an effort to most effectively carry out the intent of the legislature.

August 2, 1991
Patricia D. Petersen
Deputy Commissioner

WSR 91-16-069
EMERGENCY RULES
DEPARTMENT OF FISHERIES

[Order 91-59—Filed August 2, 1991, 2:47 p.m., effective August 4, 1991, 12:01 a.m.]

Date of Adoption: August 2, 1991.
Purpose: Commercial fishing regulations.
Citation of Existing Rules Affected by this Order:
Repealing WAC 220-47-701.

Statutory Authority for Adoption: RCW 75.08.080.
Pursuant to RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Restrictions in Areas 4B, 5, 6, 6A, 6C, 7, and 7A provide protection for United States and Canadian origin chinook stocks. Openings in

Areas 7B, and 7C provide opportunity to harvest non-Indian allocation of chinook destined for the Nooksack-Samish region of origin. All other Puget Sound areas are closed to prevent overharvest of local salmon stocks.

Effective Date of Rule: 12:01 a.m., August 4, 1991.
August 2, 1991
Judith Merchant
Deputy Director
for Joseph R. Blum
Director

NEW SECTION

WAC 220-47-702 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY. Notwithstanding the provisions of Chapter 220-47 WAC, effective 12:01 AM Sunday August 4, 1991, until further notice, it is unlawful to take, fish for, or possess salmon or Atlantic salmon for commercial purposes taken from the following Puget Sound Salmon Management and Catch Reporting Areas except in accordance with the following open periods and mesh and area restrictions:

*Areas 4B, 5, 6, 6A, 6C, 7, and 7A – Under the control of the Pacific Salmon Commission. Drift gill net gear restricted to 5-inch minimum, 6-inch maximum mesh when open.

*Areas 7B and 7C – Gillnets using 7-inch minimum mesh may fish from 7 PM to 9:30 AM nightly, Monday, Tuesday, and Wednesday, August 5, 6, and 7.

*Areas 6B, 6D, 7D, 7E, 8, 8A, 8D, 9, 9A, 10, 10A, 10C, 10D, 10E, 10F, 10G, 11, 11A, 12, 12A, 12B, 12C, 12D, 13, 13A, 13C, 13D, 13E, 13F, 13G, 13H, 13I, 13J, and 13K, all freshwater areas, and exclusion zones provided for in WAC 220-47-307 except as modified herein – Closed.

REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 AM Sunday August 4, 1991:

WAC 220-47-701 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY (91-56)

WSR 91-16-070
PERMANENT RULES
DEPARTMENT OF FISHERIES
[Order 91-57—Filed August 2, 1991, 2:51 p.m.]

Date of Adoption: July 3, 1991.
Purpose: Amend commercial fishing rules.
Citation of Existing Rules Affected by this Order:
Amending WAC 220-20-017.

Statutory Authority for Adoption: RCW 75.08.080.
Pursuant to notice filed as WSR 91-11-056 on May 15, 1991.

Changes Other than Editing from Proposed to Adopted Version: Subsections (2)(a), (2)(c), (2)(d)(i), (2)(e)(i) and (3), "documentation" is changed to "documentation showing eligibility for fishery." Of the various

categories of documentation (coastwise, pleasure, etc.), only vessels having documentation eligibility for fishery may legally commercially fish; and subsections (2)(d)(ii) and (2)(e)(ii), "A tonnage certificate" is changed to "Verification," since the ABS does not issue a tonnage certificate for vessels less than five net tons.

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

July 29, 1990 [1991]

Judith Merchant

Deputy Director

for Joseph R. Blum

Director

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 showing eligibility for fishery. 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 showing eligibility for fishery.

(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 showing eligibility for fishery; or

(ii) Verification 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 showing eligibility for fishery; or

(ii) Verification 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 showing eligibility for fishery 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 so 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.

WSR 91-16-071

PROPOSED RULES

PUBLIC DISCLOSURE COMMISSION

[Filed August 2, 1991, 3:19 p.m.]

Original Notice.

Title of Rule: WAC 390-28-050 Hearing to modify reporting—Alternate forms.

Purpose: Repeal rule.

Statutory Authority for Adoption: RCW 42.17.370.

Summary: This rule provided the option for an applicant to request a hearing before an administrative law judge.

Reasons Supporting Proposal: The commission should have the option, not the applicant, to request a hearing before an administrative law judge.

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: The rule allows the applicant and the commission

the option of having the reporting modification hearing heard before an administrative law judge.

Proposal does not change existing rules.

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

Hearing Location: Second Floor Conference Room, Evergreen Plaza Building, 711 Capitol Way, Olympia, WA 98504-3342, on October 1, 1991, at 9 a.m.

Submit Written Comments to: Graham E. Johnson, Director, Public Disclosure Commission, 403 Evergreen Plaza Building, FJ-42, Olympia, 98504-3342, by September 24, 1991.

Date of Intended Adoption: October 1, 1991.

July 24, 1991
Graham E. Johnson
Executive Director

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 390-28-050 HEARING TO MODIFY REPORTING—ALTERNATE FORMS

WSR 91-16-072 PERMANENT RULES PUBLIC DISCLOSURE COMMISSION

[Filed August 2, 1991, 3:21 p.m.]

Date of Adoption: July 23, 1991.

Purpose: Amend language of rule regarding reports filed by agencies who lobby; update language to records index rule and update enforcement rules according to new Administrative Procedure Act.

Citation of Existing Rules Affected by this Order: Repealing WAC 390-37-210; and amending WAC 390-20-052, 390-14-045, 390-37-060, 390-37-090, 390-37-100, and 390-37-150.

Statutory Authority for Adoption: RCW 42.17.370.

Pursuant to notice filed as WSR 91-13-089 on June 19, 1991.

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

July 24, 1991
Graham E. Johnson
Executive Director

AMENDATORY SECTION (Amending Order 85-05, filed 11/26/85)

WAC 390-20-052 APPLICATION OF RCW 42.17.190—REPORTS OF AGENCY LOBBYING. Pursuant to the authority granted in RCW 42.17.190((~~7~~)) (8), the commission adopts the following interpretations regarding the reporting of lobbying by public agencies pursuant to RCW 42.17.190:

(1) The phrase "in-person lobbying" contained in RCW 42.17.190 ((~~4~~)) (5)(d)(v)(B) includes activity which is intended to influence the passage or defeat of legislation, such as testifying at public hearings, but does not include activity which is not intended to influence legislation, such as attending a hearing merely to monitor or observe testimony and debate.

(2) The phrase "a legislative request" contained in RCW 42.17.190 ((~~4~~)) (5)(d)(ii) includes an oral request from a member of the legislature or its staff.

(3) Pursuant to RCW 42.17.190((~~5~~)) (6), certain local agencies may elect to have lobbying activity on their behalf reported by their elected officials, officers and employees in the same manner as lobbyists who register and report under RCW 42.17.150 and 42.17.170:

(a) Whenever such a local agency makes such an election, it shall provide the commission with a written notice.

(b) After such an election, those who lobby on behalf of such local agency shall register and report all lobbying activity reportable under RCW 42.17.190((~~4~~)) (5) in the same manner as lobbyists who are required to register and report under RCW 42.17.150 and 42.17.170. Such a local agency shall report pursuant to RCW 42.17.180.

(c) In order to terminate such an election, such a local agency shall provide the commission with a written notice and it shall report pursuant to RCW 42.17.190((~~4~~)) (5) thereafter.

(d) The exemptions from reportable lobbying activity contained in RCW 42.17.190 ((~~4~~)) (5)(d) apply to all agencies, whether or not they have exercised the election to report in the same manner as lobbyists who report under RCW 42.17.150, 42.17.170 and 42.17.180. The exemptions contained in RCW 42.17.160 (1), (3) and (4) do not apply to any agency.

(4) Unless an agency has elected to report its lobbying pursuant to RCW 42.17.190 ((~~5~~)) (6) and subsection (3) of this ((~~rule~~)) section, an agency shall include the reportable lobbying activity on its behalf by an elected official in its quarterly report. Such an elected official does not file any separate report of that activity.

(5) Reportable in-person lobbying by elected officials, officers and employees:

(a) An elected official does not engage in reportable in-person lobbying on behalf of this agency unless and until that elected official has expended in excess of fifteen dollars of nonpublic funds in connection with such lobbying for or on behalf of any one or more members of the legislature or state elected officials or public officers or employees of the state of Washington during any three-month period as provided in RCW 42.17.190 ((~~4~~)) (5)(d)(v)(B).

(b) Other officers and employees do not engage in reportable in-person lobbying on behalf of their agency unless and until they have, in the aggregate, expended in excess of fifteen dollars of nonpublic funds in connection with such lobbying for or on behalf of any one or more members of the legislature or state elected officials or public officers or employees of the state of Washington or they have, in the aggregate, engaged in such lobbying for more than four days or parts thereof during any three month period as provided in RCW 42.17.190 ((~~4~~)) (5)(d)(v)(B).

(c) When limits in (a) or (b) ((~~above~~)) of this subsection have been exceeded, the agency shall report such elected official, officer, or employee as a "PERSON WHO LOBBIED THIS QUARTER" on the front of PDC Form L-5

and include a listing of those excess expenditures as noted on that form.

AMENDATORY SECTION (Amending Order 85-03, filed 7/9/85)

WAC 390-14-045 RECORDS INDEX. (1) The commission has ~~((available to all persons a current index which is the records retention schedule and the specific indexes to reporting clientele.~~

~~(2) The current index promulgated by the commission shall be available to all persons under the same rules and on the same conditions as are applied to public records available for inspection))~~ established and implemented a system of indexing for the identification and location of the following records:

(a) All records issued before July 1, 1990, for which the commission has maintained an index.

(b) Final adjudicative orders and declaratory orders issued after June 30, 1990, that contain an analysis or decision of substantial importance to the commission in carrying out its duties.

(c) Interpretive and policy statements that were entered after June 30, 1990.

(2) Final and declaratory orders shall be evaluated by the executive director or executive director's designee. Those orders which are determined to have substantial importance shall be included in the index.

(3) Final orders shall be indexed by the name of the person against whom the order was issued, and by citation to the law involved.

(4) Declaratory orders shall be indexed by subject matter, phrase describing the issue or holding, or by a citation to the law involved.

(5) Interpretive statements and policy statements shall be indexed by subject matter, topic, calendar year, or a combination of these, as appropriate.

(6) The index is available for public inspection and copying during regular business hours at the Public Disclosure Commission, 403 Evergreen Plaza, Olympia, Washington 98504.

(7) The indexes shall be kept current and updated annually.

AMENDATORY SECTION (Amending Order 86-01, filed 2/5/86)

WAC 390-37-060 ENFORCEMENT PROCEDURES—INVESTIGATION OF COMPLAINTS—INITIATION OF HEARING. (1) The executive director shall initiate an enforcement hearing whenever an investigation reveals facts which the executive director has reason to believe are a material violation of chapter 42.17 RCW and do not constitute substantial compliance.

(2) The respondent shall be notified of the date of the hearing no later than ~~((twenty))~~ ten days before that date pursuant to WAC 10-08-040.

(3) ~~((The staff shall provide the respondent, at his/her request, with copies of all materials to be presented by the staff at the hearing.~~

~~((4)))~~ It is the policy of the commission during the course of any investigation that all records generated or

collected as a result of that investigation are exempt from public inspection and copying under RCW 42.17-.310 (1)(d). If a request is made for any such record which implicates the privacy of an individual, written notice of the records request will be provided to the individual in order that such individual may request a protective order from a court under RCW 42.17.330.

AMENDATORY SECTION (Amending Order 86-01, filed 2/5/86)

WAC 390-37-090 ~~((ENFORCEMENT PROCEDURES))~~ INFORMAL SETTLEMENT—CASES RESOLVABLE BY STIPULATION. (1) RCW 34.05-.060 authorizes agencies to establish by rule specific procedures for attempting and executing informal settlement of matters. The following procedures are available for informal dispute resolution that may make more elaborate proceedings under the Administrative Procedure Act unnecessary.

(a) Any person whose interest in a matter before the commission may be resolved by settlement shall communicate his or her request to the executive director, setting forth all pertinent facts and the desired remedy. If the executive director requires additional information to resolve the matter informally, the executive director shall promptly provide to the person seeking relief an opportunity to supply such information. Settlement negotiations shall be informal and without prejudice to rights of a participant in the negotiations.

(b) When the executive director and respondent agree that some or all of the facts are uncontested, ~~((the executive director and respondent shall prepare a stipulated statement of fact))~~ a stipulation of fact shall be prepared for the presentation to the commission.

~~((2))~~ The commission may ask that additional facts be presented if it deems any stipulation to be inadequate.

~~((3))~~ The commission shall refer the matter to the executive director for further investigation or other action consistent with the commission's deliberations if the commission does not approve the stipulated statement of fact.) (c) In the event an early, informal resolution or stipulation of facts is reached, the executive director is responsible for providing a written description of the recommended resolution or stipulation to the person(s) involved.

(2)(a) If settlement of an enforcement hearing (adjudicative proceeding) may be accomplished by informal negotiation, negotiations shall be commenced at the earliest possible time. Settlement shall be concluded by:

(i) Stipulation of facts of the parties; or
(ii) Stipulation of the parties; or
(iii) Withdrawal of the application for an enforcement hearing by the applicant; or

(iv) Withdrawal by the executive director of the action which is the subject matter of the enforcement hearing.

(b) Any proposed stipulation shall be in writing and signed by each party to the stipulation or his or her representative. The stipulation shall be recited on the record at the hearing. The commission has the option of accepting, rejecting, or modifying the proposed stipulation or asking for additional facts to be presented. If the

commission accepts the stipulation or modifies the stipulation with the agreement of the opposing party, the commission shall enter an order in conformity with the terms of the stipulation. If the commission rejects the stipulation or the opposing party does not agree to the commission's proposed modifications to the stipulation, then a hearing shall be held. If the commission requests additional facts be presented, the matter shall be referred to the executive director for further investigation.

AMENDATORY SECTION (Amending WSR 90-16-083, filed 7/31/90, effective 8/31/90)

WAC 390-37-100 ENFORCEMENT PROCEDURES—CONDUCT OF HEARINGS. (1) An enforcement hearing (adjudicative proceeding) shall be conducted pursuant to the Administrative Procedure Act (chapter 34.05 RCW) and its supporting regulations (chapter 10-08 WAC), shall be followed unless otherwise modified by chapter 390-37 WAC.

(2) An enforcement hearing shall be heard either by the commission or ~~((;))~~ under RCW 34.12.040 or 34.12.050(2), by a duly designated administrative law judge.

(3) Upon the conclusion of an enforcement hearing heard by an administrative law judge, the judge shall prepare and present to the commission findings of fact, conclusions of law, and a proposed decision determinative of the matter. A copy of the findings of fact, conclusions of law and the proposed decision shall be served upon the executive director and the respondent. Both the respondent and the executive director shall be afforded an opportunity to file exceptions and written argument with the commission. The commission shall review the proposed decision at its next regular meeting or at a special meeting called for that purpose. The commission shall consider the whole record or such portions as shall be cited by the parties. Oral argument may be heard at the discretion of the commission.

(4) After either a hearing by the commission or review by the commission of the proposed decision of an administrative law judge the commission may find that:

(a) Respondent did not violate the act, as alleged, and dismiss the case; or

(b) Respondent violated chapter 42.17 RCW, as alleged, and determine the sanction, if any, to be imposed ~~((;))~~; or

(c) Respondent is in apparent violation of chapter 42.17 RCW, its own remedy is inadequate and enter its order referring the matter to the appropriate law enforcement agency as provided in RCW 42.17.360.

(5) Upon the conclusion of a hearing, the commission

(a) Shall set forth in writing its findings of fact, conclusions of law and decision on the merits of the case; and

(b) Shall deliver, either in person or by mail, to each respondent ~~((and their))~~ or the respondent's representative a copy of the findings of fact, conclusions of law and decision.

(6) When the commission finds an apparent violation and refers the matter to an enforcement agency, the commission shall give to the respondent written notice of such finding and order of referral.

NEW SECTION

WAC 390-37-105 PREHEARING CONFERENCE—RULE. (1) In any proceeding, the chairman upon his/her own motion or upon request by one of the parties or their qualified representative, may direct the parties to appear at a specified time and place for a conference to consider:

(a) Simplification of issues;

(b) The necessity of amendments to the hearing notice;

(c) The possibility of obtaining stipulations, admissions of facts and of documents;

(d) Limitation on the number of witnesses; and

(e) Procedural and such other matters as may aid in the disposition of the proceeding.

(2) Prehearing conferences may be presided over by the chairman or his/her designee.

(3) Prehearing conferences may be held by telephone conference call or at a time and place specified by the presiding officer.

(4) Following the prehearing conference, the presiding officer shall issue an order reciting the action taken and decisions made at the conference. If no objection to the order is filed with the presiding officer within seven days after the date the order is mailed, the order shall control the subsequent course of the proceeding unless modified for good cause by subsequent order.

(5) When the chairman or his/her designee presides over a prehearing conference, he or she is acting as a quasi-judicial body which relates to a quasi-judicial matter between named parties. Therefore, a prehearing conference is not subject to chapter 42.30 RCW, Open Public Meetings Act.

NEW SECTION

WAC 390-37-120 ENFORCEMENT HEARINGS—SUBPOENAS—DISCOVERY—HEARINGS.

(1) The commission or presiding officer may issue subpoenas for discovery, subpoenas to persons to appear and give testimony, and may require the production of any books, papers, correspondence, memorandums, or other records deemed relevant or material and the commission or presiding officer may issue protective orders as a part of an enforcement hearing. The agency or its legal representative may issue subpoenas as may the attorney of the party against whom action is being taken. All subpoenas must be filed with the commission, together with proof of proper service, at least five days prior to the date of the hearing for which they are issued. Such subpoenas will issue and may be enforced in the form and manner set forth in RCW 34.05.446 and WAC 10-08-120.

(2) The commission, upon motion or before the time specified in the subpoena for compliance therewith, may:

(a) Quash or modify the subpoena if it is unreasonable and oppressive; or

(b) Condition denial of the motion upon the advancement by the person in whose behalf the subpoena is issued of the reasonable cost of producing the books, papers, documents, or tangible things.

(3) The attendance of witnesses and such production of evidence may be required from any place within the state of Washington to any location where a hearing is being conducted.

NEW SECTION

WAC 390-37-130 ENFORCEMENT HEARINGS—DEPOSITIONS AND INTERROGATORIES—RIGHT TO TAKE. Unless otherwise provided, any party may take the testimony of any person, including a party, by deposition upon oral examination or written interrogatories for use as evidence in the hearing. The deposition of a commissioner, the executive director, or assistant director, may only be taken upon application to the commission, for good cause shown, and only in those circumstances where the statements or depositions of other staff members would not reveal the information, evidence, or details needed by the party for the case. The attendance of witnesses to a deposition may be compelled by use of a subpoena. Depositions shall be taken only in accordance with this rule and the rules on subpoenas.

NEW SECTION

WAC 390-37-132 ENFORCEMENT HEARINGS—DEPOSITIONS AND INTERROGATORIES—NOTICE. A party desiring to take the deposition of any person upon oral examination shall give reasonable notice of not less than seven days in writing to the commission and all parties. The notice shall state the time and place for taking the deposition and the name and address of each person to be examined. On motion of a party to whom the notice is served, the commission or its hearing officer may, for cause shown, enlarge or shorten the time. If the parties so stipulate in writing, depositions may be taken at any time or place, upon any notice, and in any manner and when so taken may be used as other depositions.

NEW SECTION

WAC 390-37-134 DEPOSITIONS AND INTERROGATORIES IN ENFORCEMENT HEARINGS—PROTECTION OF PARTIES AND DEPONENTS. After notice is served for taking a deposition, upon its own motion or upon motion reasonably made by any party or by the person to be examined and upon notice and for good cause shown, the commission or its designated hearing officer may make an order that the deposition shall not be taken, or that it may be taken only at some designated place other than that stated in the notice, or that it may be taken only on written interrogatories, or that certain matters shall not be inquired into, or that the scope of the examination shall be limited to certain matters, or that the examination shall be held with no one present except the parties to the action and their officers or counsel, or the commission may make any other order which justice requires to protect the party or witness from annoyance, embarrassment, or oppression. At any time during the taking of the deposition, on motion of any party or the deponent, and upon a showing that the examination is being conducted in bad

faith or in such manner as unreasonably to annoy, embarrass, or oppress the deponent or party, the commission or its designated hearing officer may order the officer conducting the examination to cease forthwith from taking the deposition or may limit the scope and manner of the taking of the deposition as above provided. If the order made terminates the examination, it shall be resumed only upon the order of the agency. Upon demand of the objecting party or deponent, the taking of the deposition shall be suspended for the time necessary to make a motion for an order.

NEW SECTION

WAC 390-37-136 PRODUCTION OF DOCUMENTS AND USE AT HEARING. (1) Upon request by either the agency or its legal representative, or the party against whom the enforcement action is being taken or his/her representative, copies of all materials to be presented at the enforcement hearing shall be provided to the requester within seven days of the request but, for good cause shown, not less than three business days prior to the date of the hearing.

(2) When exhibits of a documentary character are to be offered into evidence at the hearing, the party offering the exhibit shall provide a minimum of seven copies, one for opposing party, one for each member of the commission, and one for the commission's legal advisor.

(3) If documentary evidence has not been exchanged prior to the hearing, the parties shall arrive at the hearing location in sufficient time before the time scheduled for the hearing for the purpose of exchanging copies of exhibits to be introduced.

NEW SECTION

WAC 390-37-140 BRIEF ENFORCEMENT HEARINGS—AUTHORITY. (1) The commission may provide a brief enforcement hearing for violations of provisions in chapter 42.17 RCW which require the filing of reports when such violations are either a failure to file the required report or the late filing of a required report. A brief enforcement hearing is a brief adjudicative proceeding as set forth in RCW 34.05.482 through 34.05.494.

(2) This hearing shall be in accordance with RCW 34.05.482 through 34.05.494.

NEW SECTION

WAC 390-37-142 BRIEF ENFORCEMENT HEARING—PROCEDURE. (1) A brief enforcement hearing may be presided over by the chairman, or a member of the commission designated by the chairman.

(2) When a violation, as described in WAC 390-37-140, is alleged, before taking action, the executive director shall send the alleged violator notice, which shall include:

- (a) Alleged violation;
- (b) Proposed fine; and
- (c) Person's right to respond, within ten days, either in writing or in person to explain his/her view of the matter.

(3) At the time any unfavorable action is taken, the presiding officer shall serve upon each party a written statement describing the violation, the reasons for the decision, the penalty imposed, and their right to request review by the commission at the next scheduled commission meeting.

(4) The written decision of the presiding officer is an initial order. If no review is taken of the initial order, the initial order shall be the final order.

NEW SECTION

WAC 390-37-144 BRIEF ENFORCEMENT HEARING—ADMINISTRATIVE REVIEW PROCEDURES. (1) The commission shall conduct a review of the initial order upon the written or oral request of a party if the commission receives the request within twenty-one days after the service of the initial order.

(2) If the parties have not requested review, the commission may conduct a review of the initial order upon its own motion and without notice to the parties, but it may not take any action on review less favorable to any party than the original order without giving that party notice and an opportunity to explain that party's view of the matter.

(3) The order on review shall be in writing stating the findings made, and the reasons for the decision, and notice that judicial review is available. The order on review shall be entered within twenty days after the date of the initial order or of the request for review, whichever is later.

AMENDATORY SECTION (Amending Order 79-03, filed 7/19/79)

WAC 390-37-150 RECONSIDERATION AND REVIEW OF DECISIONS. (1) For purposes of this rule, "decision" means any findings, conclusions, order, or other action by the commission which is reviewable by a court.

(2) A decision may be reconsidered only upon (a) the written request of the person aggrieved thereby or (b) the motion or written request of a commissioner who voted on the prevailing side when that decision was made.

(3) Such a request for reconsideration shall be served at the office of the public disclosure commission, or motion made, ((within thirty)) no later than ten days after service of the decision of which reconsideration is sought.

(4) A request or motion for reconsideration shall specify the grounds therefor.

(5) Upon being served with a decision, the respondent may treat that decision as final for the purpose of petitioning for judicial review. The commission may not reconsider any decision after being served with a petition for judicial review.

(6) When a request for reconsideration is served, or motion made, enforcement of the decision of which reconsideration is sought shall be stayed and the decision shall not be final until the commission has acted on the reconsideration.

(7) The commission shall act on the reconsideration, at the next meeting at which it practicably may do so, by: (a) Deciding whether to reconsider its decision, and (b) if it decides to do so, either affirming or amending its decision: **PROVIDED**, That before a decision may be amended other than by lowering a penalty, the respondent shall be given notice and an opportunity to be heard if, and in the same manner as, required for the original decision.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 390-37-210 HEARINGS—SUBPOENAS.

**WSR 91-16-073
WITHDRAWAL OF PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)**

[Filed August 2, 1991, 4:37 p.m.]

The Department of Social and Health Services, by this memorandum withdraws WSR 91-16-037.

This filing must be withdrawn to include necessary changes.

Leslie F. James
Director
Administrative Services

**WSR 91-16-074
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)**

[Filed August 2, 1991, 4:39 p.m.]

Original Notice.

Title of Rule: WAC 388-37-030, 388-37-038, and 388-37-115.

Purpose: To implement SHB 1052 passed by the 1991 state legislature which amended RCW 74.04.005. It extends the general assistance to pregnant women program (GA-S) eligibility from six weeks following the birth of a child that is relinquished for adoption to the end of the month in which the six week period ends. To implement SB 5959 which requires applicants for the general assistance unemployable (GAU) program to be unable to work due to a mental or physical impairment for at least ninety days.

Statutory Authority for Adoption: Chapter 126, Laws of 1991; and chapter 10 Laws of 1991 1st sp. sess.

Statute Being Implemented: Chapter 126, Laws of 1991; and chapter 19, Laws of 1991 1st sp. sess.

Summary: For GA-S and aid to families with dependent children (AFDC) recipients, this amendment extends the eligibility period for recipients whose eligibility is based on the relinquishment of their only child for

adoption. This amendment extends the eligibility period from six weeks following the birth of the child to the end of the month in which the six week period ends. Changes the durational requirements for GAU incapacity from sixty to ninety days.

Reasons Supporting Proposal: This rule amendment is necessary to amend RCW 74.04.005 to extend the GA-S program and clarify program eligibility. The intent of the bill was to clarify the intent of the original legislation to continue general assistance only to women who relinquish their child for adoption. It also changed the language to extend eligibility under this criteria from six weeks following the birth of the child to the end of the month in which the six week period ends for ease of administration. Also this rule amendment is necessary to implement SB 5959.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Barbara Hargrave, Income Assistance, 753-3340.

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 September 10, 1991, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop 5805 [45805], Olympia, Washington 98504, by September 10, 1991.

Date of Intended Adoption: September 24, 1991.

August 2, 1991

Leslie F. James

Director

Administrative Services

AMENDATORY SECTION (Amending Order 3045, filed 8/1/90, effective 9/1/90)

WAC 388-37-030 CONTINUING GENERAL ASSISTANCE—ELIGIBLE PERSONS. When other eligibility is established, the department shall grant continuing general assistance to the following:

(1) Incapacitated persons. As used in this section, an incapacitated person shall mean a person physically, emotionally, or mentally unable to work as a result of a condition expected to continue for ~~((sixty))~~ ninety days or more from date of application, except as provided under WAC 388-37-038 (1) and (2). A person incapacitated by alcoholism or drug addiction is not included in this definition, but an alcoholic or drug addict incapacitated due to other mental or physical conditions may be eligible for general assistance. Incapacity refers to a person's capacity to earn income by employment. A person's incapacity does not refer to the availability or lack of job opportunities.

(a) Eligible persons are:

(i) An incapacitated single person eighteen years of age or older;

(ii) A married couple if both persons are incapacitated; or

(iii) The incapacitated spouse in the case of a married couple when only one person is employable. The income and resources of the employable spouse shall be considered as described under WAC 388-28-500 (1)(a) and (b).

(b) An incapacitated person shall accept and follow through on required available medical treatment, which is reasonably expected to render the person able to work, unless there is good cause for failure to do so.

The department shall make the "good cause" determination based on the criteria under WAC 388-37-037(5).

(c) An incapacitated person may also receive medical services provided under the state-financed medical care services program as defined under WAC 388-86-120.

(2) Pregnant women who are:

(a) Income and resource eligible for the aid to families with dependent children program; and

(b) In their first or second trimester of pregnancy; or

(c) Members of a two-parent household during a time when the aid to dependent children—employable (AFDC-E) program is in effect, but do not meet categorical eligibility for AFDC-E. These women may receive a continuing general assistance grant for the duration of their pregnancy.

(3) Effective June 7, 1990, to women who:

(a) ~~((Relinquishing))~~ Relinquish a child for adoption; and

(b) Are receiving general assistance under WAC 388-37-030(2); or

(c) ~~((Losing))~~ Lose AFDC or FIP eligibility because an eligible child does not reside in the household ~~((and))~~.

(d) ~~((Whose))~~ Effective July 28, 1991, assistance granted under subsection (3) of this section ((is)) shall be limited to the end of the month in which the period of six weeks ((beginning with)) following the date of the birth of the child ends.

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 2525, filed 8/21/87)

WAC 388-37-038 INCAPACITY—WAIVER OF MEDICAL DOCUMENTATION. (1) Incapacity will be considered to be established without medical documentation when the person:

(a) Has been determined to be eligible for any benefits based on Social Security Administration disability criteria;

(b) Is eligible for services from the division of developmental disabilities;

(c) Is sixty-five years of age or older.

(2) Incapacity will be considered established for a period of ~~((sixty))~~ ninety days without a psychiatric/psychological evaluation when the person is being released from inpatient psychiatric treatment and is participating in direct treatment services to meet his or her mental health needs as described in WAC 275-56-015(17), with the exception of:

(a) Clients admitted under the Involuntary Treatment Act (ITA), who are subsequently released without participating in direct treatment services;

(b) Clients voluntarily admitted to a psychiatric hospital or the psychiatric ward of a general hospital for evaluation and diagnosis only, who are released without participating in direct treatment services;

(c) Clients voluntarily admitted to a psychiatric hospital or the psychiatric ward of a general hospital for an acute, short-term episode, who are released without participating in direct treatment services; and

(d) Clients who leave ongoing inpatient psychiatric treatment against medical advice.

AMENDATORY SECTION (Amending Order 2259, filed 7/24/85)

WAC 388-37-115 PROGRESSIVE EVALUATION PROCESS STEP I—REVIEW OF MEDICAL DOCUMENTATION. The department will review medical documentation prior to making a determination of incapacity in order to insure the following requirements have been met:

(1) The medical report must contain sufficient information on which to determine incapacity per WAC 388-37-035(2). If the information received is not sufficient to determine incapacity, the department can require complete information before any incapacity decision is made.

(2) The medical report must be a written report from an authorized medical professional.

(3) The impairment(s) must be expected to last at least ~~((sixty))~~ ninety days from the date of application.

(4) The medical report must document the existence of a potentially incapacitating condition.

WSR 91-16-075
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 3229—Filed August 2, 1991, 4:40 p.m., effective August 3, 1991, 12:01 a.m.]

Date of Adoption: July 31, 1991.

Purpose: To implement SHB 1052 passed by the 1991 state legislature which amended RCW 74.04.005. It extends the general assistance to pregnant women program (GA-S) eligibility from six weeks following the birth of a child that is relinquished for adoption to the end of the month in which the six week period ends. To implement SB 5959 which requires applicants for the general assistance unemployable (GAU) program to be unable to work due to a mental or physical impairment for at least ninety days.

Citation of Existing Rules Affected by this Order: Amending WAC 388-37-030, 388-37-038, and 388-37-115.

Statutory Authority for Adoption: Chapter 126, Laws of 1991; and chapter 10, Laws of 1991 1st sp. sess.

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

Reasons for this Finding: This rule amendment is necessary to amend RCW 74.04.005 to extend the GA-S program and clarify program eligibility. The intent of the bill was to clarify the intent of the original legislation to continue general assistance only to women who relinquish their child for adoption. It also changed the language to extend eligibility under this criteria from six weeks following the birth of the child to the end of the month in which the six week period ends for ease of administration. Also this rule amendment is necessary to implement SB 5959.

Effective Date of Rule: August 3, 1991, 12:01 a.m.

August 2, 1991
 Leslie F. James
 Director
 Administrative Services

AMENDATORY SECTION (Amending Order 3045, filed 8/1/90, effective 9/1/90)

WAC 388-37-030 CONTINUING GENERAL ASSISTANCE—ELIGIBLE PERSONS. When other eligibility is established, the department shall grant continuing general assistance to the following:

(1) Incapacitated persons. As used in this section, an incapacitated person shall mean a person physically, emotionally, or mentally unable to work as a result of a condition expected to continue for ~~((sixty))~~ ninety days or more from date of application, except as provided under WAC 388-37-038 (1) and (2). A person incapacitated by alcoholism or drug addiction is not included in

this definition, but an alcoholic or drug addict incapacitated due to other mental or physical conditions may be eligible for general assistance. Incapacity refers to a person's capacity to earn income by employment. A person's incapacity does not refer to the availability or lack of job opportunities.

(a) Eligible persons are:

(i) An incapacitated single person eighteen years of age or older,

(ii) A married couple if both persons are incapacitated; or

(iii) The incapacitated spouse in the case of a married couple when only one person is employable. The income and resources of the employable spouse shall be considered as described under WAC 388-28-500 (1)(a) and (b).

(b) An incapacitated person shall accept and follow through on required available medical treatment, which is reasonably expected to render the person able to work, unless there is good cause for failure to do so.

The department shall make the "good cause" determination based on the criteria under WAC 388-37-037(5).

(c) An incapacitated person may also receive medical services provided under the state-financed medical care services program as defined under WAC 388-86-120.

(2) Pregnant women who are:

(a) Income and resource eligible for the aid to families with dependent children program; and

(b) In their first or second trimester of pregnancy; or

(c) Members of a two-parent household during a time when the aid to dependent children-employable (AFDC-E) program is in effect, but do not meet categorical eligibility for AFDC-E. These women may receive a continuing general assistance grant for the duration of their pregnancy.

(3) Effective June 7, 1990, to women who:

(a) ~~((Relinquishing))~~ Relinquish a child for adoption; and

(b) Are receiving general assistance under WAC 388-37-030(2); or

(c) ~~((Losing))~~ Lose AFDC or FIP eligibility because an eligible child does not reside in the household((and));

(d) ~~((Whose))~~ Effective July 28, 1991, assistance granted under subsection (3) of this section ((fs)) shall be limited to the end of the month in which the period of six weeks ~~((beginning with))~~ following the date of the birth of the child ends.

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 2525, filed 8/21/87)

WAC 388-37-038 INCAPACITY—WAIVER OF MEDICAL DOCUMENTATION. (1) Incapacity will be considered to be established without medical documentation when the person:

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(c) Is sixty-five years of age or older.

(2) Incapacity will be considered established for a period of ((sixty)) ninety days without a psychiatric/psychological evaluation when the person is being released from inpatient psychiatric treatment and is participating in direct treatment services to meet his or her mental health needs as described in WAC 275-56-015(17), with the exception of:

(a) Clients admitted under the Involuntary Treatment Act (ITA), who are subsequently released without participating in direct treatment services;

(b) Clients voluntarily admitted to a psychiatric hospital or the psychiatric ward of a general hospital for evaluation and diagnosis only, who are released without participating in direct treatment services;

(c) Clients voluntarily admitted to a psychiatric hospital or the psychiatric ward of a general hospital for an acute, short-term episode, who are released without participating in direct treatment services; and

(d) Clients who leave ongoing inpatient psychiatric treatment against medical advice.

AMENDATORY SECTION (Amending Order 2259, filed 7/24/85)

WAC 388-37-115 **PROGRESSIVE EVALUATION PROCESS STEP I—REVIEW OF MEDICAL DOCUMENTATION.** The department will review medical documentation prior to making a determination of incapacity in order to insure the following requirements have been met:

(1) The medical report must contain sufficient information on which to determine incapacity per WAC 388-37-035(2). If the information received is not sufficient to determine incapacity, the department can require complete information before any incapacity decision is made.

(2) The medical report must be a written report from an authorized medical professional.

(3) The impairment(s) must be expected to last at least ((sixty)) ninety days from the date of application.

(4) The medical report must document the existence of a potentially incapacitating condition.

WSR 91-16-076

**NOTICE OF PUBLIC MEETINGS
PIERCE COLLEGE**

[Memorandum—July 31, 1991]

The board of trustees of Community College District Number Eleven (Pierce College) would like to make changes to the following upcoming regular board meetings:

Meeting Date/Location	Time	Change to:
September 11, 1991 Ft. Steilacoom Campus	12:30	Change the meeting location to Pierce College at Puyallup 1601 39th Avenue SE Puyallup, WA 98374

October 9, 1991 Puyallup Campus	12:30	Change the meeting location to Ft. Steilacoom Campus
November 13, 1991 Ft. Steilacoom	12:30	Change the meeting date to November 6, 1991

WSR 91-16-077

**WITHDRAWAL OF PROPOSED RULES
STATE TOXICOLOGIST**

(By the Code Reviser's Office)

[Filed August 6, 1991, 8:17 a.m.]

WAC 448-14-010, 448-14-020, 448-14-030, 448-15-010, 448-15-020, 448-15-030, 448-15-040, 448-15-050, 448-15-060, 448-15-070 and 448-15-080, proposed by the State Toxicologist in WSR 91-03-124, appearing in issue 91-03 of the State Register, which was distributed on February 6, 1991, 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 91-16-078

**WITHDRAWAL OF PROPOSED RULES
PARKS AND RECREATION
COMMISSION**

(By the Code Reviser's Office)

[Filed August 6, 1991, 8:18 a.m.]

WAC 352-12-010, proposed by the Parks and Recreation Commission in WSR 91-03-142, appearing in issue 91-03 of the State Register, which was distributed on February 6, 1991, 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 91-16-079

**WITHDRAWAL OF PROPOSED RULES
DEPARTMENT OF FISHERIES**

(By the Code Reviser's Office)

[Filed August 6, 1991, 8:19 a.m.]

WAC 220-57-435, 220-57-450, 220-57-455 and 220-57-465, proposed by the Department of Fisheries in WSR 91-03-151, appearing in issue 91-03 of the State Register, which was distributed on February 6, 1991, 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 91-16-080
WITHDRAWAL OF PROPOSED RULES
DEPARTMENT OF FISHERIES
(By the Code Reviser's Office)
 [Filed August 6, 1991, 8:20 a.m.]

WAC 220-56-232, 220-57-450, and 220-57-425, proposed by the Department of Fisheries in WSR 91-03-153, appearing in issue 91-03 of the State Register, which was distributed on February 6, 1991, 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 91-16-081
PROPOSED RULES
LIQUOR CONTROL BOARD
 [Filed August 6, 1991, 10:03 a.m.]

Original Notice.

Title of Rule: WAC 314-64-030 Procedures for chemical analysis; 314-64-050 Accounting for board samples; 314-16-250 Retail sale of malt liquor in kegs; 314-26-010 Procedures for tax refunds; and 314-12-035 Furnishing of information and/or documentation to the board.

Purpose: WAC 314-64-030, the purpose is to repeal this requirement and bring the rules into conformity with previous board action repealing chemical analysis requirement on January 28, 1989; WAC 314-64-050, the purpose is to repeal/delete subsection (1) of the existing rule to bring the language into compliance with board action repealing chemical analysis effective January 28, 1989; WAC 314-16-250, the purpose is to eliminate the requirement for a keg registration form to be completed when malt liquor is sold by the keg for consumption upon the premises where it is sold; WAC 314-26-010, the purpose is to eliminate the requirement for board notification for small lot destruction of unsalable products; and WAC 314-12-035, the purpose is to amend the existing language to permit the board employees to have discretion in requiring documents and affidavits as a prerequisite for licensing approval.

Statutory Authority for Adoption: RCW 66.08.030.

Summary: Proposed actions on WAC 314-64-030, 314-64-050, 314-16-250 and 314-26-010 are house-keeping changes designed to bring language into conformance with previous board actions and expedite bookkeeping procedures; and WAC 314-12-035 creates latitude on requiring documentation from applicants.

Reasons Supporting Proposal: Perform needed house-keeping on existing language and streamline procedures or requirements for applicants.

Name of Agency Personnel Responsible for Drafting and Implementation: Janice Lee Britt and Dave Goyette, 1025 East Union, Olympia, 586-6701, 753-6274; and Enforcement: Gary W. Gilbert, 1025 East Union, Olympia, 586-3052.

Name of Proponent: Washington State Liquor Control Board, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 314-64-030 setting forth procedures for chemical analysis of products would be repealed. The board originally repealed chemical analysis as of January 28, 1989, this rule was overlooked at the time; WAC 314-64-050(1) requires submission of beer and wine samples for chemical analysis. The board repealed such analysis requirements as of January 28, 1989, this rule's language was overlooked at that time; WAC 314-16-250 requires registration forms be affixed to all kegs containing malt liquor when such kegs are sold at retail. The proposal would remove the requirement that a registration form be completed if the keg is going to be consumed on the licensed premises. It does not modify the requirement of having registration forms completed and affixed for off-premise consumption; WAC 314-26-010 currently requires very detailed reporting for destruction of beer or wine in order to obtain refunds on taxes previously paid. The proposed changes would still require record keeping and notification to the board but allow more flexibility in complying with the regulations; and WAC 314-12-035 requires certain documents and affidavits for all licensing actions. This proposed change would allow the board discretion in the requirements and format of documents and affidavits. The change will reduce some of the burdens placed on applicants by allowing greater flexibility in meeting requirements.

Proposal Changes the Following Existing Rules: In all instances the response is in the affirmative as explained above.

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

Actions will streamline and make less cumbersome existing rules which will be of benefit to business in terms of fulfilling agency requirements.

Hearing Location: Liquor Control Board Distribution Center, 4401 East Marginal Way South, Seattle, WA 98134, on September 11, 1991, at 9:30 a.m.

Submit Written Comments to: M. Carter Mitchell, Information Office, 1025 East Union, Olympia, 98504, by September 9, 1991.

Date of Intended Adoption: September 11, 1991.

August 6, 1991
 Paula O'Connor
 Chairman

REPEALER

The following section of Washington Administrative Code is repealed:

WAC 314-64-030 Procedures for chemical analysis.

AMENDATORY SECTION (Amending Order 252, Resolution No 261, filed 6/23/88, effective 7/24/88)

WAC 314-64-050 ACCOUNTING FOR BOARD SAMPLES. Samples shall be accounted for as follows:

~~((+)) Beer and wine submitted to the board for chemical analysis.~~

~~(a) Upon receipt of the samples at the Washington state dairy and food laboratory, the liquor board chemist shall prepare a multiple-copy receiving report for said samples, clearly identifying them as~~

~~"samples for chemical analysis." If they are hand-delivered by the supplier, the supplier will be given a receipt.~~

~~(b) The liquor board chemist shall sign the multiple-copy receiving report in the applicable section indicating receipt of samples.~~

~~(c) If more than the amount authorized in WAC 314-64-030 is received, the liquor board chemist shall prepare a separate receiving report for the excess samples.~~

~~(d) Samples received in excess of the quantity authorized in WAC 314-64-030 for chemical analysis will be destroyed by the liquor board chemist at the laboratory and such destruction shall be witnessed by another employee of either the liquor control board or the department of agriculture. The destruction will be certified on the receiving report by the liquor board chemist and the authorized employee who witnessed the destruction.~~

~~(e) The liquor board chemist shall distribute the signed multiple-copy receiving report as follows: The original to the liquor board controller in Olympia, one copy to the manufacturers, importers, and wholesalers division in Olympia, and one copy to be retained by the liquor board chemist at the Washington state dairy and food laboratory.~~

~~(f) The liquor control board controller in Olympia shall maintain the official copies of the receiving reports and the chemical analysis reports.))~~

~~(f2) (1) Malt liquor, wine or spirits submitted to the board for the purpose of negotiating the sale of liquor to the board.~~

~~(a) Upon receipt of the samples by the liquor purchasing agent in Olympia, the liquor purchasing agent, or his designee, shall prepare a multiple-copy receiving and disposition report for said samples, clearly identifying them as "samples for the purpose of negotiating the sale of liquor to the board."~~

~~(b) If more than the amount authorized in WAC 314-64-040 is received, the liquor purchasing agent, or his designee, shall prepare a separate receiving report for the excess samples and dispose of them as provided in WAC 314-64-040(7).~~

~~(c) The liquor purchasing agent, or his designee, shall sign the multiple-copy receiving and disposition report in the applicable section, indicating his receipt of the samples.~~

~~(d) The liquor purchasing agent, or his designee, shall distribute the signed multiple-copies of the receiving and disposition reports as follows: The original to be retained by the liquor purchasing agent, one copy to each member of the board, and one copy to the liquor control board controller.~~

~~(e) The purchasing agent, or his designee, shall provide an analysis report form, as required in WAC 314-64-040(6) for each sample. The receiving and disposition reports and analysis report forms shall be numbered consecutively, and shall correspond one with the other.~~

~~(f) The liquor purchasing agent shall deliver a copy of the receiving and disposition report and the analysis report forms with the samples, to members of the board, or their designees, and/or to the liquor purchasing agent, or his designee, for examination, testing and reporting as provided in WAC 314-64-040 (4), (5) and (6).~~

~~(g) Members of the board, or their designees, and/or the liquor purchasing agent, or his designee, shall sign the receiving and disposition report in the applicable section, indicating receipt of the samples.~~

~~(h) The purchasing agent shall distribute the signed receiving and disposition report as follows: The original to the member of the board, or his designee, or the liquor purchasing agent, or his designee, to whom the sample was delivered; one copy to the liquor control board controller, and one copy to be retained by the liquor purchasing agent.~~

~~(i) Members of the board, or their designees, and/or the liquor purchasing agent, or his designee, shall examine, test and report on the sample, as provided in WAC 314-64-040 (4), (5), and (6), complete the analysis report form, and distribute the form as follows: The original to the liquor purchasing agent, one copy to the liquor control board controller, and one copy to be retained by the member of the board, or his designee, and/or the liquor purchasing agent, or his designee who examined and tested the sample.~~

~~(j) The liquor control board controller shall maintain the official copies of the receiving and disposition reports, together with the matching analysis report forms, and, where applicable, the destruction notices.~~

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

AMENDATORY SECTION (Amending Order 283, Resolution No. 292, filed 8/9/89, effective 9/9/89)

WAC 314-16-250 RETAIL SALE OF MALT LIQUOR IN KEGS. (1) Any licensee who sells or offers for sale kegs or other containers holding four gallons or more of malt liquor to consumers for off-premises consumption who are not licensed under chapter 66.24 RCW shall require the purchaser to:

(a) Provide one piece of identification pursuant to RCW 66.16.040.

(b) Sign a sworn statement, contained on the keg registration declaration and receipt form, under penalty of perjury that:

(i) The purchaser is of legal age to purchase, possess or use malt liquor;

(ii) The purchaser will not allow any person under the age of twenty-one years to consume the beverage except as provided by RCW 66.44.270;

(iii) The purchaser will not remove, obliterate, or allow to be removed or obliterated, the keg registration declaration and receipt form affixed to the container.

(c) State the particular address where the malt liquor will be consumed, or the particular address where the keg or other container will be physically located.

(2) The keg registration declaration and receipt form provided by the board must be properly completed for sales of kegs for off-premises consumption.

(a) The form shall contain:

(i) The name and address of the purchaser;

(ii) The type and number of the identification presented by the purchaser pursuant to RCW 66.16.040;

(iii) A sworn statement, signed by the purchaser under penalty of perjury, that the purchaser is twenty-one years of age or older; will not allow persons under twenty-one years of age to consume the malt liquor purchased; and that purchaser will not remove or obliterate the keg registration tag affixed to the keg or allow its removal or obliteration;

(iv) The particular address where the malt liquor will be consumed, and the date on which it will be consumed.

(b) Where the purchaser obtains more than one keg for off-premises consumption at the same location and on the same date, only one keg registration declaration and receipt form must contain all required information. All other keg registration declaration and receipt forms for that particular transaction must contain the registration number from the fully completed form as a reference and be signed by the purchaser. Such keg registration declaration and receipt forms which contain the reference number of a fully completed form and have been signed by the purchaser constitute a valid and properly completed keg registration and declaration receipt.

(3) The seller shall comply with all provisions of the keg registration law as adopted in chapter 271, Laws of 1989, sections 229 through 234.

(4) For the purpose of tracing the kegs and purchaser responsibility it shall be the responsibility of the seller to affix the properly completed and signed keg registration declaration and receipt form to all containers of four gallons or more of malt liquor prior to the container leaving the premises ~~(control)~~ of the seller.

(5) The licensee must retain a copy of the keg registration declaration and receipt, which shall be retained on the licensed premises for a period of one year unless otherwise authorized in writing by the Board. The records shall be available for inspection and copying by any liquor enforcement officer or other law enforcement officer.

(6) The keg registration declaration and receipt affixed to the keg may serve as the purchaser's receipt.

(7) Kegs or other containers holding four gallons or more of malt liquor shall be purchased for off-premises consumption only from an authorized retail source and shall, at all times, have a properly completed keg registration declaration and receipt form affixed thereon when sold for off-premises consumption. Possession of a keg or other container which holds four gallons or more of malt liquor, other than on the seller's premises, without a properly completed keg registration and declaration form either affixed thereon or in possession of the person with the keg(s) shall be a violation of this title.

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

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

AMENDATORY SECTION (Amending Order 253, Resolution No. 262, filed 6/22/88, effective 7/23/88)

WAC 314-26-010 PROCEDURES FOR TAX REFUNDS. The Board may refund the tax on beer imposed by RCW 66.24.290, and the tax on wine imposed by RCW 66.24.210, when such tax paid products have been deemed to be unsalable due to freight damage or other causes prior to sale to consumers, and are destroyed within the state. Such tax refunds are subject to the following conditions:

(1) notify local liquor enforcement officer in advance for destruction of more than fifty cases of wine or two hundred cases of beer ((An applicant for such refund shall notify the board of the intention to destroy any such product, and furnish specific information concerning the proposed destruction of such stock. The notification shall include:

(a) The reason for the destruction (damaged product, overage product, etc.); and

(b) A complete inventory of all products to be destroyed on a form authorized by the board.))

(2) record shall be kept for the liquor auditor showing (a) the reason for the destruction, (b) an inventory of products destroyed and (c) a completed copy of " REFUND BEER TAX " (LIQ 710) or " WINE WHOLESALEERS . . . SALES TO MILITARY, out of state &/ OR CLAIMS " (LIQ 700) which was mailed to the Board within 30 days of the destruction. ((No tax refund will be authorized for unsalable beer or wine unless the board has verified before destruction that such product because of its condition is unfit for sale, and that such taxes have been paid to the state.))

(3) It shall be a violation of this title for any licensee to: (a) destroy amounts of beer or wine over those stated in section (1) without having first notified the local liquor enforcement officer, or (b) fail to mail a destruction form to the board within 30 days of the destruction and (c) fail to keep a copy of the destruction at the licensed premises and available for inspection by board employees for a period of two years.

((The quantity of beer or wine involved in such a request for tax refund, the amount to such refund, and observation or certification by affidavit of the actual destruction of such stock must be confirmed by an authorized employee of the board before any such tax refund is granted:

(4) The certification required by this section shall be in the following form:

"Affidavit of non-retail licensees concerning compliance with RCW 66.24.305:

I, _____, having been duly sworn upon oath depose and say:

That I am aware that RCW 66.24.305 allows for refunds of taxes on unsalable wine and beer. The board may refund tax on wine imposed by RCW 66.24.210 and the tax on beer imposed by RCW 66.24.290, when such tax paid products have been deemed to be unsalable and are destroyed within the state in accordance with procedures established by the board:

I have destroyed the products listed on the inventory attached and am requesting a tax refund therefore. I am aware that RCW 9A.72-030 provides that it is a crime (class C felony) for a person, with intent to mislead a public servant in the performance of their duty, to make under an oath required or authorized by law a materially false statement, knowing it to be false.

Name: _____

Licensed Trade Name: _____

License or Certificate of Approval No.: _____

Date: _____

SUBSCRIBED AND SWORN TO Before me this ____ day of _____, 19__.

Notary Public in and
for the State
of Washington, residing
at _____
My appointment expires: _____")

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 99, Resolution No. 108, filed 1/27/82, effective 2/28/82 [2/27/82])

WAC 314-12-035 FURNISHING OF INFORMATION AND/OR DOCUMENTATION TO THE BOARD—OATH REQUIRED—FORM OF AFFIDAVIT. (1) In order to facilitate the administration and/or enforcement of RCW 66.24.010, licensees, applicants for licenses, or the agents or representatives thereof shall, upon request by the board, furnish to the board copies of all documents affecting the ownership and/or proposed operation of the premises licensed or sought to be licensed. These documents may be required with the original license application, with any application for transfer of license, and at such other times as may be requested from the board. Licensees, applicants for licenses, or the agents or representatives thereof, may be required to furnish along with these documents a signed written summary of any oral agreements which affect the ownership and/or proposed operation of the premises licensed, or sought to be licensed. Failure or refusal to furnish said requested documentation will be good and sufficient cause for denial of any application in support of which the documentation was requested, and will be good and sufficient cause for revocation of any license held by a licensee who fails or refuses to furnish said requested documentation.

(2) For the purpose of administering and/or enforcing RCW 66.24-010, any person furnishing written information and/or documentation requested by the board may be required to submit an affidavit on a form prescribed by the board, which shall be signed by the person submitting the information, given under oath subject to the penalties of perjury, and certifying that all information and/or documentation being furnished is true, accurate and complete.

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

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

WSR 91-16-082
PROPOSED RULES
LIQUOR CONTROL BOARD
[Filed August 6, 1991, 10:05 a.m.]

Original Notice.

Title of Rule: WAC 314-12-141 Courses of instruction.

Purpose: To allow breweries, wineries and wholesalers who conduct courses of education on beer and wine to have people in attendance who are not necessarily licensees of the board or employees of licensees and to allow those people to consume beer and wine as a part of the education.

Statutory Authority for Adoption: RCW 66.08.030.

Statute Being Implemented: RCW 66.28.150.

Summary: Frequently when a brewery, winery or wholesaler holds an educational event for licensees and their employees, the nonretail licensee would like to extend the education to: Spouses of the employees, corporate or headquarter personnel, beer/wine writers/experts, members of the press, and local officials.

Reasons Supporting Proposal: Would accommodate the manufacturers, importers, and wholesalers who have a legitimate purpose for having local officials, members of the media, and occasionally their spouses at these events.

Name of Agency Personnel Responsible for Drafting and Implementation: Janice Lee Britt, 1025 East Union, Olympia, 586-6701; Enforcement: Gary W. Gilbert, 1025 East Union, Olympia, 586-3052.

Name of Proponent: Washington State Liquor Control Board, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The purpose of this rule is to allow for guests, but not the general public, to also come to courses of instruction authorized by statute. Beer and/or wine is frequently served as a part of the educational process and is provided as part of the business expense of the brewery, winery or wholesaler.

Proposal Changes the Following Existing Rules: It would allow for guest(s) to attend a course of instruction and tasting, in addition to licensees (including their employees) of the board.

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

There will be no increased cost impact. Manufacturers and wholesalers who currently desire persons other than licensees and their employees to attend these courses of instruction currently pay \$10 for a banquet permit and purchase liquor at retail for these invited guests. This rule will eliminate the requirement for a banquet permit and allow the manufacturers and wholesalers to use tax paid product from their existing inventory, eliminating the need to purchase beer/wine at retail.

Hearing Location: Liquor Control Board, 4401 East Marginal Way South, Seattle, WA 98134, on September 11, 1991, at 9:30 a.m.

Submit Written Comments to: M. Carter Mitchell, Washington State Liquor Control Board, 1025 East Union, Olympia, 98504, by September 9, 1991.

Date of Intended Adoption: September 11, 1991.

July 30, 1991
Paula O'Connor
Chairman

NEW SECTION

WAC 314-12-141 COURSES OF INSTRUCTION. Breweries, wineries and wholesalers conducting courses of instruction as authorized by RCW 66.28.150 may provide alcohol at no charge to licensees of the board, their employees, and invited guests who have a legitimate business interest in the manufacturing, importing, wholesaling and retailing of liquor.

WSR 91-16-083
PROPOSED RULES
LIQUOR CONTROL BOARD
[Filed August 6, 1991, 10:09 a.m.]

Original Notice.

Title of Rule: WAC 314-16-125 Suggestive, lewd, and/or obscene conduct on licensed premises.

Purpose: Language relating to depiction of certain acts in photographs or other visual reproductions has the potential to be overly broad in scope. Amendatory language clarifies, and limits, what is prohibited, so that

prohibited actions are clearly within the board's authority to regulate.

Statutory Authority for Adoption: RCW 66.08.030.

Summary: Adds language that more specifically describes the type of visual reproductions which are prohibited from display in liquor licensed premises.

Name of Agency Personnel Responsible for Drafting: Mary Tennyson, Attorney General's Office, OB-2, Olympia, 98504, 586-2451; Implementation: Liquor Control Board; and Enforcement: Gary W. Gilbert, 1025 East Union, Olympia, 586-3052.

Name of Proponent: Washington State Liquor Control Board, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The rule regulates activities on liquor licensed premises. Language therein relating to depiction of certain acts in photographs or other visual reproductions has the potential to be overly broad in scope. The amendatory language clarifies, and limits, what is prohibited, so that prohibited actions are clearly within the board's authority to regulate.

Proposal Changes the Following Existing Rules: Adds language more specifically describing the type of visual reproductions which are prohibited from display in liquor licensed premises.

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

Hearing Location: Liquor Control Board Distribution Center, 4401 East Marginal Way South, Seattle, WA 98134, on September 11, 1991, at 10:00 a.m.

Submit Written Comments to: M. Carter Mitchell, Information Office, Washington State Liquor Control Board, 1025 East Union, Olympia, WA 98504, by September 9, 1991.

Date of Intended Adoption: September 18, 1991.

August 6, 1991
Paula O'Connor
Chairman

AMENDATORY SECTION (Amending Order 115, Resolution No. 124, filed 11/2/82)

WAC 314-16-125 SUGGESTIVE, LEWD AND/OR OBSCENE CONDUCT ON LICENSED PREMISES. The following acts or conduct on licensed premises are prohibited:

(1) To employ or use any person in the sale or service of alcoholic beverages in or upon the licensed premises while such person is unclothed or in such attire, costume or clothing as to expose to view any portion of the breast below the top of the areola or of any portion of the pubic hair, anus, cleft of the buttocks, vulva or genitals.

(2) To employ or use the services of any hostess or other person to mingle with the patrons while such hostess or other person is unclothed or in such attire, costume or clothing as described in subsection (1) above.

(3) To encourage or permit any person on the licensed premises to touch, caress or fondle the breasts, buttocks, anus or genitals of any other person.

(4) To permit any employee or person to wear or use any device or covering, exposed to view, which simulates the breast, genitals, anus, pubic hair or any portion thereof.

(5) To permit any person to perform acts of or acts which simulate:

(a) Sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation or any sexual acts which are prohibited by law.

(b) The touching, caressing or fondling of the breast, buttocks, anus or genitals.

(c) The displaying of the pubic hair, anus, vulva or genitals.

(6) Subject to subsection (5) herein, to permit entertainers whose breast and/or buttocks are exposed to view to perform elsewhere on the licensed premises except upon a stage at least eighteen inches above the immediate floor level and removed at least six feet from the nearest patron.

(7) Subject to subsection (5) herein, to permit any dancer-entertainer to perform on the licensed premises except when removed at least six feet from the nearest patron. This subsection shall not be applied to performances of traditional ethnic dancing such as belly dancing, flamenco dancing, Hawaiian, or Tahitian dancing, etc., performed in restaurant, hotel, or club licensed premises, provided that the following conditions are met:

(a) That the licensee shall have applied for and received written approval of the board for such activity.

(b) That the dancers shall be compensated by the licensee.

(c) The licensee shall keep and have available for inspection by the board, or any peace officer, at all reasonable times, a list of all traditional ethnic dancers employed at the licensed premises. Such list shall be retained for a period of thirty days after termination of employment and shall designate the following information with respect to each entertainer:

(i) True name and professional or stage name, if any;

(ii) Residence address and phone number;

(iii) Social Security number;

(iv) Terms of the agreement of employment; and

(v) Signature of both the licensee and the dancer.

(d) That a person employed as a traditional ethnic dancer at a licensed premises shall not act as an employee in any other public capacity such as a waiter, waitress, host/hostess, etc., in connection with the sale or service of liquor at that licensed premises.

(e) The dance performances authorized by this subsection shall be those performed for the enjoyment of the general audience of the licensee and not for individual patrons.

(8) To permit any person to use artificial devices or inanimate objects to depict any of the prohibited activities described above.

(9) To permit any person to remain in or upon the licensed premises who exposes to public view any portion of his or her genitals or anus.

(10) To permit the showing of any lewd or obscene film, still pictures, electronic reproduction, or other lewd or obscene visual reproductions ((depicting)), which films, electronic reproductions, still pictures, or other visual reproductions depict:

(a) Acts or simulated acts of sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation or any sexual acts which are prohibited by law.

(b) Any person being touched, caressed or fondled on the ((breast; buttocks;)) anus or genitals.

(c) Scenes wherein a person displays the vulva or the anus or the genitals.

(d) Scenes wherein artificial devices or inanimate objects are employed to depict, or drawings are employed to portray, any of the prohibited activities described above.

(11) Nothing in this rule is intended to modify the provisions of RCW 66.28.080 concerning city or county dancing or music permits.

(12) Notwithstanding any of the provisions of this rule, no licensee shall employ, use the services of, or permit upon his licensed premises, any entertainment or person whose attire or conduct is in violation of any city or county ordinance.

(13) The occurrence of any of the above acts or conduct, whether permitted on the part of a licensee or his employees or agents or any other persons under the control or direction of the licensee or his employees or agents, shall constitute good and sufficient cause for cancellation of license privileges.

(14) If any provision of this rule or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or application of the rule which can be given effect without the invalid provision or application, and to this end the provisions of this rule are severable.

Title of Rule: WAC 315-33A-010 Definitions for Quinto; 315-33A-020 Price of Quinto ticket; 315-33A-030 Play for Quinto; 315-33A-040 Prizes for Quinto; 315-33A-050 Ticket purchases; 315-33A-060 Drawings; 315-33A-070 Suspension/termination of Quinto; 315-33-060 Drawings; 315-11-660, 315-11-661, and 315-11-662 Definitions, criteria and ticket validation requirements for Instant Game No. 66 ("Tumbling Dice"); 315-11-690, 315-11-691, and 315-11-692 Definitions, criteria and ticket validation requirements for instant Game No. 69 ("Gold Rush"); 315-11-700, 315-11-701, and 315-11-702 Definitions, criteria and ticket validation requirements for Instant Game No. 70 ("Tic-Tac-Toe Money Match"); 315-10-080 Retailer settlement; 315-06-095 Promotional contests of chance; 315-06-125 Debts owed the state; and 315-04-190 Retailer compensation.

Purpose: To establish new rules for Quinto in chapter 315-33A WAC and provide an ending date for Quinto under chapter 315-33 WAC; to amend the rules for Instant Game 66 (Tumbling Dice); to establish the game play rules and criteria for determining winners of instant games 69 (Gold Rush) and 70 (Tic-Tac-Toe Money Match); to establish a rule regarding EFT accounts for instant retailers; to establish a rule for lottery promotions with an element of chance; to amend the rule governing debts owed the state to include the Department of Labor and Industries in the debt collection process; and to amend the rule on compensation of retailers.

Statutory Authority for Adoption: RCW 67.70.040.

Statute Being Implemented: RCW 67.70.040.

Summary: See Purpose above.

Name of Agency Personnel Responsible for Drafting: Jeff Burkhardt, Contracts Specialist, Olympia, 586-6583; Implementation and Enforcement: Evelyn Y. Sun, Director, Olympia, 753-3330.

Name of Proponent: Washington State Lottery Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 315-33A-010, 315-33A-020, 315-33A-030, 315-33A-040, 315-33A-050, 315-33A-060, and 315-33A-070 these rules are proposed to establish new rules for the on-line game, "Quinto." Terms are defined, game play is explained, formula and rules for prize amount determination are presented, and time for ticket purchases and drawings are provided. WAC 315-33-060 amends this rule to establish date for final drawing under this chapter. WAC 315-11-660, 315-11-661, 315-11-662 amends the rules for "Tumbling Dice" to change placement of captions and prize symbols. WAC 315-11-690, 315-11-691, 315-11-692, 315-11-700, 315-11-701, and 315-11-702 for each game certain terms must be defined in order to provide consistency in the game play rules. The play criteria will explain how the game functions to licensed retailers and players. Rigid validation requirements are set forth which will prevent the lottery from paying out prize money on invalid tickets. WAC 315-10-080 this rule establishes a requirement for an electronic funds transfer account for new instant

WSR 91-16-084
PROPOSED RULES
LOTTERY COMMISSION
[Filed August 6, 1991, 1:07 p.m.]

Original Notice.

retailers. WAC 315-06-095 this rule authorizes the director to conduct promotions that contain an element of chance. WAC 315-06-125 amendment to this rule authorizes inclusion of the Department of Labor and Industries in the lottery's debt collection process. WAC 315-04-190 this amendment modifies the rule on retailer compensation.

Proposal Changes the Following Existing Rules: The proposal amends WAC 315-33-060, 315-11-660, 315-11-661, 315-11-662, 315-06-125, and 315-04-190 For a description of changes, see Explanation of rule above.

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

The lottery has considered whether this rule is subject to the Regulatory Fairness Act, chapter 19.85 RCW, and has determined that it is not for the following reasons: The rules have no economic impact on business' cost of equipment, supplies, labor or administrative costs. The rules are designed to establish rules and procedures for the playing of instant lottery games; and the rules will have a negligible impact, if any, on business because they are interpretive. They have been promulgated for the purpose of stating policy, procedure and practice and do not include requirements for forms, fees, appearances or other actions by business.

Hearing Location: Washington State Lottery, East 10517-19 Sprague Avenue, Spokane, WA 99206, on September 20, 1991, at 10:00 a.m.

Submit Written Comments to: Judith Giniger, Lottery, P.O. Box 9770, Olympia, WA 98504, by September 19, 1991.

Date of Intended Adoption: September 20, 1991.

August 2, 1991

Evelyn Y. Sun

Director

CHAPTER 315-33A WAC
QUINTO RULES

WAC 315-33A-010	DEFINITIONS FOR QUINTO
WAC 315-33A-020	PRICE OF QUINTO TICKET
WAC 315-33A-030	PLAY FOR QUINTO
WAC 315-33A-040	PRIZES FOR QUINTO
WAC 315-33A-050	TICKET PURCHASES
WAC 315-33A-060	DRAWINGS
WAC 315-33A-070	SUSPENSION/TERMINATION OF QUINTO

Chapter 315-33A WAC
QUINTO RULES

NEW SECTION

WAC 315-33A-010 DEFINITIONS FOR QUINTO. (1) Card suit: Heart, diamond, club, or spade symbol.

(2) Number: Any integer from 2 through 10 inclusive and jack, queen, king, or ace.

(3) Set: One number and one card suit.

NEW SECTION

WAC 315-33A-020 PRICE OF QUINTO TICKET. The price of each Quinto ticket shall be \$1.00 and shall contain one five set play.

NEW SECTION

WAC 315-33A-030 PLAY FOR QUINTO. (1) Type of play: Each play is a selection of five sets. A winning play is achieved only when 2, 3, 4, or 5 of the sets selected match, in any order, the five winning sets drawn by the lottery.

(2) Method of play: An on-line computer system will make all set selections with the use of a random number generator, a method commonly referred to as "quick play."

NEW SECTION

WAC 315-33A-040 PRIZES FOR QUINTO. (1) The prize amount to be paid to each Quinto player who holds a winning combination of sets in the first prize category shall vary due to the parimutuel calculation of prizes. The prize amount to be paid to each Quinto player who holds a winning combination of sets in the second prize category shall be \$1,000.00. The prize amount to be paid to each Quinto player who holds a winning combination of sets in the third prize category shall be \$20.00. The prize amount to be paid to each Quinto player who holds a winning combination of sets in the fourth prize category shall be \$1.00.

WINNING COMBINATIONS	PRIZE CATEGORIES	ODDS OF WINNING (ONE PLAY)
All five winning sets in one play	First Prize	1:2,598,960
Any four but not five winning sets in one play	Second Prize: \$1,000	1:11,059
Any three but not four or five winning sets in one play	Third Prize: \$20	1:240
Any two, but not three, four or five winning sets in one play	Fourth Prize: \$1	1:16

(2) Prize amounts.

(a) First prize.

(i) A \$100,000.00 prize is to be divided equally among all players who hold all five winning sets in one play in any sequence, provided, that the first prize shall be increased pursuant to subsection (3) of this section.

(ii) The director may utilize revenue accumulated in the Quinto prize reserve, under WAC 315-33-040 (2)(d) to increase the first prize jackpot to an amount greater than \$100,000.

(iii) The first prize may be set at an amount greater than \$100,000 at the discretion of the director.

(b) Second prize. A \$1,000.00 prize is to be paid to each player who holds four of the five winning sets in one play in any sequence.

(c) Third prize. A \$20.00 prize is to be paid to each player who holds three of the five winning sets in one play in any sequence.

(d) Fourth prize. A \$1.00 prize is to be paid to each player who holds two of the five winning sets in one play in any sequence.

(e) The holder of a winning ticket may win only one prize per play in connection with the winning sets drawn and shall be entitled only to the highest prize amount won by those sets.

(f) In the event any player who holds two, three, four or five of the five winning sets does not claim the prize won within one hundred eighty days after the drawing in which the prize was won, that player's prize shall be retained in the state lottery account for use, pursuant to RCW 67.70.190.

(3) Roll-over feature. If no player holds all five winning sets for any given drawing, the \$100,000.00 allocated for first prize for that drawing will be added to the first prize for the next drawing. This process is repeated until the first prize is won.

(4) Prize payments will be made in accordance with WAC 315-30-030(6). Each prize shall be paid in a single payment. Federal income tax shall be withheld from prize payments as required by law.

NEW SECTION

WAC 315-33A-050 TICKET PURCHASES. (1) Quinto tickets may be purchased or redeemed no less than seventeen hours each day in accordance with a schedule to be determined by the director, provided that on-line retailers shall sell and redeem tickets only during their normal business hours.

(2) Quinto tickets may be purchased only from a lottery retailer authorized by the director to sell on-line tickets.

(3) Quinto tickets shall, on the front of the ticket, contain the quick-play selection of sets, amount, drawing date, and validation and

reference numbers. The back of the ticket shall contain player instructions, player information, and signature area, and the ticket serial number. The overall odds of winning shall appear on the ticket.

NEW SECTION

WAC 315-33A-060 DRAWINGS. (1) The Quinto drawing pursuant to this chapter shall be held once each Saturday evening beginning November 2, 1991, except that the director may change the drawing schedule if Saturday is a holiday.

(2) The drawing will be conducted by lottery officials.

(3) Each drawing shall determine, at random, five winning sets with the aid of mechanical drawing equipment which shall be tested before and after that drawing. Any drawn sets are not declared winners until the drawing is certified by the lottery. The winning sets shall be used in determining all Quinto winners for that drawing. If a drawing is not certified, another drawing will be conducted to determine actual winners.

(4) The drawing shall not be invalidated based on the liability of the lottery.

NEW SECTION

WAC 315-33A-070 SUSPENSION/TERMINATION OF QUINTO. At the discretion of the director, Quinto may be suspended or terminated at any time, to be effective prior to the beginning of sales for any future drawing. The director may suspend or terminate sales and a drawing only where no sales have been made for the drawing.

AMENDATORY SECTION (Amending WSR 90-06-060, filed 3/6/90, effective 4/6/90)

WAC 315-33-060 DRAWINGS. (1) The Quinto drawing shall be held once each Saturday evening, except that the director may change the drawing schedule if Saturday is a holiday.

(2) The drawing will be conducted by lottery officials.

(3) Each drawing shall determine, at random, five winning sets with the aid of mechanical drawing equipment which shall be tested before and after that drawing. Any drawn sets are not declared winners until the drawing is certified by the lottery. The winning sets shall be used in determining all Quinto winners for that drawing. If a drawing is not certified, another drawing will be conducted to determine actual winners.

(4) The drawing shall not be invalidated based on the liability of the lottery.

(5) The final drawing under this chapter shall take place on October 26, 1991.

AMENDATORY SECTION (Amending WSR 91-11-033, filed 5/9/91, effective 6/9/91)

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:

PLAY SYMBOL	CAPTION
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)) below each of the four play symbol((s)) captions in the horizontal row. There is no prize symbol ((above)) below the play symbol labeled "winning number."

(4) Prize symbol captions: The small printed characters which ((follow)) appear below the ((play)) prize symbol ((caption)) and verify and correspond with that play 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:

PRIZE SYMBOL	CAPTION
\$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:

VERIFICATION CODE	PRIZE
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.

AMENDATORY SECTION (Amending WSR 91-11-033, filed 5/9/91, effective 6/9/91)

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)) below 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)) below 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.

AMENDATORY SECTION (Amending WSR 91-11-033, filed 5/9/91, effective 6/9/91)

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 symbol((s)) captions in the horizontal row shall have a prize symbol ((above)) below it. Each of the ((horizontal row play)) prize symbols shall also have a prize symbol caption ((following)) below it((s-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 315-11-690 DEFINITIONS FOR INSTANT GAME NUMBER 69 ("GOLD RUSH"). (1) Play symbols: The following are the "play symbols": " "; "\$1.00;" "\$2.00;" "\$5.00;" "\$9.00;" "\$18.00;" "\$50.00;" "\$100.00;" "\$10,000." One of these play symbols appears in each of the six blocks under the scratch-off material covering the game play data.

(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 69, the captions which correspond with and verify the play symbols are:

PLAY SYMBOL	CAPTION
	\$NUGET\$
\$1.00	ONE DOL
\$2.00	TWO DOL
\$5.00	FIV DOL
\$9.00	NIN DOL
\$18.00	EIGHTEN
\$50.00	\$FIFTY\$
\$100.00	ONEHUND
\$10,000	TENTHOU

(3) Validation number: The unique nine-digit number on the front of the ticket. The number is covered by latex covering.

(4) Pack-ticket number: The eleven-digit number of the form 06900001-000 printed on the front of the ticket. The first eight digits of the pack-ticket number for Instant Game Number 69 constitute the "pack number" which starts at 06900001; the last three digits constitute the "ticket number" which starts at 000 and continues through 399 within each pack of tickets.

(5) 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 69, 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:

VERIFICATION CODE	PRIZE
ONE	\$ 1.00
TWO	\$ 2.00
FIV	\$ 5.00
NIN	\$ 9.00
EGN	\$18.00

(6) Pack: A set of four hundred fanfolded instant game tickets separated by perforations and packaged in plastic shrinkwrapping.

NEW SECTION

WAC 315-11-691 CRITERIA FOR INSTANT GAME NUMBER 69. (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) The bearer of a ticket having the following play symbol in any three of the six spots beneath the removable 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	\$5.00	play symbols - Win	\$5.00
Three	\$9.00	play symbols - Win	\$9.00
Three	\$18.00	play symbols - Win	\$18.00
Three	\$50.00	play symbols - Win	\$50.00
Three	\$100.00	play symbols - Win	\$100.00
Three	\$10,000	play symbols - Win	\$10,000

(b) In any event, only the highest instant prize amount meeting the standards of (a) of this subsection will be paid on a given ticket.

(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 69 set forth in WAC 315-11-692, to the confidential validation requirements established by the director, and to the requirements stated on the back of each ticket.

(5) There will be a grand prize drawing held in conjunction with Instant Game Number 69. It will be conducted at a time and place and pursuant to procedures to be established and announced by the director. The prizes awarded at the grand prize drawing will be as follows:

One	\$10,000	prize
One	\$20,000	prize
One	\$30,000	prize
One	\$40,000	prize
One	\$50,000	prize
One	\$60,000	prize
One	\$70,000	prize
One	\$80,000	prize
One	\$90,000	prize
One	\$100,000	prize

Qualifying entries from Instant Game Number 69 will be entered into the grand prize drawing.

(a) To be eligible for entry into the grand prize drawings, an entrant must:

(i) Be eligible to win a prize pursuant to chapter 67.70 RCW and Title 315 WAC.

(ii) Collect three tickets each of which have one play symbol.

(iii) Write or print legibly the entrant's name and address on each and every ticket. An entry containing more than one name shall be disqualified.

(iv) Place the tickets in an envelope. An envelope which contains extraneous material or which has had the exterior altered for the apparent sole purpose of making the envelope more prominent shall be disqualified.

(v) Mail the envelope with proper postage and a legible return address of the entrant to the address specified in the player's brochure, or deliver it in person during normal business hours to lottery headquarters or any of the regional offices at the address listed in the player's brochure.

(b) There is no limit to the number of entries a person may submit, but each entry must be submitted in a separate envelope and both the entry and the entrant of each must meet the qualifications set forth above.

(c) An entry which contains one or more stolen tickets may be disqualified by the director.

(d) A nonconforming entry, at the sole discretion of the director, may be disqualified.

(e) The lottery shall not be responsible for any other material, including winning tickets, mailed or delivered to the "GRAND PRIZE DRAWING." All mail not drawn will be shredded unopened.

(f) The lottery shall not be responsible for any entries mailed or delivered to the wrong address.

(6) A preliminary drawing will be held to select fifty grand prize entries that will be retained and will be eligible for the grand prize drawing. Each of the entries selected at the preliminary drawing will be awarded a \$1,000 prize. Entries received by the lottery at lottery headquarters by 5:00 p.m. local time on the last business day prior to the preliminary drawing shall be entitled to participation in the preliminary drawing. Entries received at one of the regional offices must arrive no later than 5:00 p.m. two business days prior to the date of the preliminary drawing to be eligible for participation in the preliminary drawing. The preliminary drawing will be conducted at a time and place and pursuant to procedures established and announced by the director. Entries selected during the preliminary drawing will be retained and will be eligible for the grand prize drawing provided they have not been disqualified pursuant to these rules.

(7) Notwithstanding any other provisions of these rules, the director may:

(a) Vary the length of Instant Game Number 69 and/or

(b) Vary the number of tickets sold in Instant Game Number 69 in a manner that will maintain the estimated average odds of purchasing a winning ticket.

NEW SECTION

WAC 315-11-692 TICKET VALIDATION REQUIREMENTS FOR INSTANT GAME NUMBER 69. (1) A valid instant game ticket for Instant Game Number 69 shall meet all of the following validation requirements as well as all other requirements in these rules and regulations:

(a) Exactly one play symbol must appear in each of the six rub-off spots on the front of the ticket.

(b) Each of the six play symbols must have a caption below it 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 artwork 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 315-11-690(1) and each of the captions must be exactly one of those described in WAC 315-11-690(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 315-11-700 DEFINITIONS FOR INSTANT GAME NUMBER 70. ("TIC-TAC-TOE MONEY MATCH") (1) Ticket configuration: The front of the ticket shall have two playfields. The playfield on the left side of the ticket shall be titled "Tic-Tac-Toe." The playfield on the right side of the ticket shall be titled "Money Match."

(2) Play symbols for the Tic-Tac-Toe playfield: The following are the play symbols for Tic-Tac-Toe: "x" and "o". One of these symbols appears under each of the nine rub-off spots in the Tic-Tac Toe playfield.

(3) Play symbol captions for the Tic-Tac-Toe playfield: The small printed characters appearing below each play symbol which correspond with and verify that play symbol. The caption contains five characters. The first character indicates the location of the play symbol in either column one, column two or column three. The second character repeats the play symbol. The last three characters represent the ticket

number. One and only one caption appears under each play symbol. An example of the play symbol captions for Instant Game Number 70 Tic-Tac-Toe, follows:

PLAY SYMBOL	CAPTION	(Example for ticket number 122)
x	1 x 122	(Play symbol in column 1)
o	2 o 122	(Play symbol in column 2)
x	3 x 122	(Play symbol in column 3)

(4) Prize symbols for the Tic-Tac-Toe playfield: The following are the prize symbols for Tic-Tac-Toe: "\$1.00;" "\$2.00;" "\$4.00;" "\$8.00;" "\$16.00;" "\$40.00;" and "\$2,500." One of these prize symbols appears under the prize box on the front of the ticket which has the word "PRIZE" printed on the latex covering.

(5) Prize symbol captions for the Tic-Tac-Toe playfield: 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. Only one caption appears under the prize symbol. For Instant Game Number 70 Tic-Tac-Toe, the prize symbol captions which correspond with and verify the prize symbols are:

PRIZE SYMBOL	CAPTION
\$1.00	ONE DOL
\$2.00	TWO DOL
\$4.00	FOR DOL
\$8.00	EGT DOL
\$16.00	SIXTEEN
\$40.00	\$FORTY\$
\$2,500	TWIFIVHN

(6) Play symbols for the Money Match playfield: The following are the play symbols for Money Match: "\$1.00;" "\$2.00;" "\$4.00;" "\$8.00;" "\$16.00;" "\$40.00;" and "\$2,500." One of these play symbols appears in each of the six blocks under the scratch-off material covering the game play data.

(7) Play symbol captions for the Money Match playfield: The small printed characters appearing below each play symbol which verify and correspond with that play symbol. The caption is spelling out, in full or abbreviated form of the play symbol. One and only one of these captions appears below each play symbol. For Instant Game Number 70 Money Match, the captions which correspond with and verify the play symbols are:

PRIZE SYMBOL	CAPTION
\$1.00	ONE DOL
\$2.00	TWO DOL
\$4.00	FOR DOL
\$8.00	EGT DOL
\$16.00	SIXTEEN
\$40.00	\$FORTY\$
\$2,500	TWIFIVHN

(8) Validation number: The unique nine-digit number on the front of the ticket. The number is covered by latex.

(9) Pack-ticket number: The eleven-digit number of the form 07000001-000 printed on the front of the ticket. The first three digits are the game identifier. The first three digits of the pack-ticket number for Instant Game Number 70 constitute the "pack number" which starts at 07000001; the last three digits constitute the "ticket number" which starts at 000 and continues through 399 within each pack of tickets.

(10) 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 70, each playfield shall have its own retailer verification code which shall correspond with the prize in that playfield. 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 each side on the front of the ticket. The retailer verification codes are:

VERIFICATION CODE	PRIZE
ONE	\$ 1.00
TWO	\$ 2.00
FOR	\$ 4.00
EGT	\$ 8.00
SXT	\$16.00

(11) 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 315-11-701 CRITERIA FOR INSTANT GAME NUMBER 70. (1) The price of each instant game ticket shall be \$1.00.

(2) Determination of prize winning tickets: An instant prize winner in the Tic-Tac-Toe playfield is determined in the following manner: The bearer of a ticket having 3 "x" play symbols or 3 "o" play symbols in any row, column or diagonal beneath the removable covering on the front of the ticket shall win the prize shown in the prize box.

(b) An instant prize winner in the Money Match playfield is determined in the following manner: The bearer of a ticket having the following play symbols in any three of the six spots beneath the removable covering in the Money Match playfield 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	\$16.00	play symbols - Win	\$16.00
Three	\$40.00	play symbols - Win	\$40.00
Three	\$2,500	play symbols - Win	\$2,500

(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 70 set forth in WAC 315-11-702, 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 70; and/or
- (b) Vary the number of tickets sold in Instant Game Number 70 in a manner that will maintain the estimated average odds of purchasing a winning ticket.

NEW SECTION

WAC 315-11-702 TICKET VALIDATION REQUIREMENTS FOR INSTANT GAME NUMBER 70. (1) In addition to meeting all other requirements in these rules and regulations, to be a valid instant game ticket for Instant Game Number 70 all of the following validation requirements apply:

(a) Each ticket must have a Tic-Tac-Toe playfield on the left and a Money Match playfield on the right.

(b) In the Tic-Tac-Toe playfield:

(i) Exactly one Tic-Tac-Toe play symbol must appear under each of the nine rub-off spots in the Tic-Tac-Toe playfield on the front of the ticket.

(ii) Each of the nine Tic-Tac-Toe play symbols must have caption below and each must agree with its caption.

(iii) Exactly one prize symbol must appear under the rub-off material covering the prize box on the front of the ticket.

(iv) The prize symbol must have a caption below and it must agree with its caption.

(c) In the Money Match playfield:

(i) Exactly one Money Match play symbol must appear under each of the six rub-off spots in the Money Match playfield on the front of the ticket.

(ii) Each of the six Money Match play symbols must have a caption below it, and each must agree with its caption.

(2)(a) 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
Retail Verification Code	Validation Font

(b) Each of the play symbols and its caption, the validation number, pack-ticket number and retailer verification code must be printed in black ink.

(c)(i) Each of the Tic-Tac-Toe play symbols must be exactly one of those described in WAC 315-11-700(2). Each of the Money Match play symbols must be exactly one of those described in WAC 315-11-700(6).

(d)(i) Each of the Tic-Tac-Toe play symbol captions must be exactly one of those described in WAC 315-11-700(3).

(ii) Each of the Money Match play symbol captions must be exactly one of those described in WAC 315-11-700(7).

(e) Each of the Tic-Tac-Toe prize symbols must be exactly one of those described in WAC 315-11-700(4).

(f) Each of the Tic-Tac-Toe prize symbol captions must be exactly one of those described in WAC 315-11-700(5).

(3) Any ticket not passing all the validation requirements in WAC 315-10-070 and subsections (1) and (2) of this section is invalid and ineligible for any prize.

NEW SECTION

WAC 315-10-080 RETAILER SETTLEMENT. (1) Each retailer licensed with the Lottery after May 31, 1991 to sell instant tickets shall establish an account for deposit of monies derived from instant game sales with a financial institution that has the capability of electronic funds transfer (EFT). Funds generated from the sale of instant tickets shall be held in trust by the retailer for the lottery.

(2) Each retailer required to establish an account pursuant to this section shall make deposits periodically to that account sufficient to cover monies due the lottery. The director shall specify the days on which monies due shall be withdrawn by EFT. Monies not deposited by a specified day of withdrawal shall be overdue and delinquent.

NEW SECTION

WAC 315-06-095 PROMOTIONAL CONTESTS OF CHANCE. The director has the authority to conduct promotional contests of chance for the enhancement of ticket sales.

AMENDATORY SECTION (Amending Order 96, filed 12/16/86)

WAC 315-06-125 DEBTS OWED THE STATE. (1) The terms used in RCW 67.70.255 and these regulations are defined as follows:

(a) Creditor - Any state agency or political subdivision of this state that maintains records of debts owed to the state or political subdivision, or that the state is authorized to enforce or collect.

(b) Debt - A judgment rendered by a court of competent jurisdiction or obligations established pursuant to RCW 50.20.190, ~~((71-02-411))~~ 51.32.240, 51.48.140, 74.04.300, 74.20A.040, and 74.20A.055 or administrative orders as defined in RCW 50.24.110, 51.32.240, 51.48.150, and 74.20A.020(6).

(c) State - The state of Washington.

(d) Two working days - Two days not to include Saturdays, Sundays, and holidays as defined in RCW 1.16.050 commencing the day following the date the claim was validated by the lottery.

(e) Verification - A facsimile or photo copy of a judgment or final order received by the lottery during the requisite two working day period.

(2) Any creditor may submit, to the lottery, in a format specified by the director, data processing tapes containing debt information specified by the director. Tapes which do not contain the required information or are not in the proper format will be returned to the creditor. The creditor submitting debt information tapes shall provide replacement tapes on a regular basis at intervals not to exceed one month or less than one week. The creditor shall be solely responsible for the accuracy of the information contained therein.

(3) Creditors submitting data processing tapes to the lottery shall also submit the name or names of designated contact persons.

(4) The lottery shall include the debt information submitted by the creditor in its validation and prize payment process. The lottery shall delay payment of a prize, exceeding six hundred dollars, for a period not to exceed two working days, to any person owing a debt to a creditor pursuant to the information submitted in subsection (2) of this section. The lottery shall make a reasonable attempt to contact the creditor's designated contact person(s) by phone, followed by written correspondence, to verify the debt. Three phone calls, excluding busy signals, shall constitute a reasonable attempt. The prize shall be paid to the claimant if the debt is not verified by the submitting creditor.

within two working days. If the debt is verified, the prize shall be disbursed pursuant to subsection (6) of this section.

(5) A creditor shall verify the debt by submitting to the lottery at lottery headquarters in Olympia, Washington within the requisite two working day period, a facsimile or photocopy of a judgment or final order which is the basis for the debt.

(6) Prior to disbursement, any verified debts owed to a creditor by the winner of any lottery prize exceeding six hundred dollars shall be set off against the prize owing to the winner. In the event a prize winner owes debts to more than one creditor, and the total prize is insufficient to pay all debts, the set off shall be paid to the creditors on a pro rata basis based on the amount of debt owed to each creditor unless priority is established by statute.

AMENDATORY SECTION (Amending Order 103, filed 8/10/87)

WAC 315-04-190 COMPENSATION. (1) Lottery retailers shall be entitled to a five percent discount from the retail price of the instant game tickets established by rule for each game.

(2) Lottery retailers authorized to sell on-line tickets shall be entitled to a five percent discount from the total of gross on-line ticket sales less on-line ticket cancellations.

(3) Lottery retailers may receive additional compensation through programs including but not limited to additional discounts, retailer games, retailer awards, and retailer bonuses. (~~The total additional compensation provided through such programs shall not exceed \$200,000 per program.~~)

(a) The commission must approve each such program prior to its implementation.

(b) The director shall establish and publish the procedures necessary to implement any such program approved by the commission prior to initiation of the program.

(4) The lottery, when selling instant or on-line tickets, as a lottery retailer, may use the proceeds from the five percent discount from the retail price of the tickets sold to pay fees or other charges associated with those sales.

WSR 91-16-085
PROPOSED RULES
DEPARTMENT OF
SERVICES FOR THE BLIND

[Filed August 6, 1991, 2:00 p.m.]

Original Notice.

Title of Rule: WAC 67-25-005 Definitions and 67-25-030 Eligibility of services criteria.

Purpose: Housekeeping.

Statutory Authority for Adoption: Chapter 74.18 RCW.

Summary: Clarify language.

Name of Agency Personnel Responsible for Drafting: Ken Patten, Assistant Director, 3411 South Alaska, Seattle, 721-4422; Implementation and Enforcement: Bonnie Jindra, Assistant Director, 521 East Legion, Olympia, 586-0275.

Name of Proponent: Department of Services for the Blind, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 67-25-005 added definitions, adaptive skills assessment and training; changed definition for blind or visually impaired to legal blindness; deleted prevocational services; and added visual impairment. WAC 67-25-030 added existence of a condition of legal blindness; and added language about substantial handicap to employment.

Proposal does not change existing rules.

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

Hearing Location: Lilac Blind Foundation, North 1212 Howard, Spokane, WA 99207, on September 14, 1991, at 1:30 p.m.

Submit Written Comments to: Bonnie Jindra, by September 9, 1991.

Date of Intended Adoption: September 14, 1991.

August 6, 1991

Bonnie Jindra

Assistant Director
Administration

AMENDATORY SECTION (Amending Order 85-02, filed 3/1/85)

WAC 67-25-005 DEFINITIONS. (1) "Accepted for services" shall mean that the department has determined that the applicant has been certified as eligible to receive vocational rehabilitation services.

(2) "Act" means the Rehabilitation Act of 1973 (29 U.S.C. chapter 16).

(3) "Adaptive skills assessment and training" includes assessment and training in the skills which are necessary for blind persons to function independently in all settings as distinguished from the vocational skills necessary to perform a specific occupation. The adaptive skills assessment and training provided by the department include communications, personal management, orientation and mobility, personal adjustment, home management, activities of daily living, and client's use of residual vision.

(4) "Applicant" shall mean an individual who has submitted to the department a letter or application requesting vocational rehabilitation services which:

(a) Has been signed by the individual, his/her parents or guardian or other representative; and

(b) Sets forth the name, address, age, sex, and nature of disability of the requesting individual and source of referral.

~~((4)) "Blind or visually impaired" for purposes of this chapter is a physical disability defined as follows:~~

~~(a) Central visual acuity of 20/200 or less in the better eye with correcting lenses or a field defect in which the peripheral field has contracted to such an extent that the widest diameter of visual field subtends an angular distance of no greater than 20°; or~~

~~(b) Vision so defective as to prevent the performance of ordinary activities for which eyesight is essential; or~~

~~(c) An eye condition of a progressive nature which may lead to blindness;))~~

(5) "Client" shall mean any handicapped individual:

(a) Who has applied for services from the department; and

(b) For whom services have not been denied or terminated by the department.

(6) "Department of services for the blind" shall mean the legal authority in its entirety:

(a) "Advisory council" shall mean the members appointed by the governor as the advisory body.

(b) "Department" shall mean the agency which carries out the operations of the Washington department of services for the blind.

(7) "Director," except when the context indicates otherwise, means the director of the department of services for the blind.

(8) "Eligible" or "eligibility," when used in relation to an individual's qualification for vocational rehabilitation services, refers to a certification that:

(a) The individual (~~has blindness and may also have~~) is blind or visually impaired;

(b) Has a physical or mental disability which for such individual constitutes or results in a substantial handicap to employment; and

~~((b))~~ (c) Vocational rehabilitation services may reasonably be expected to benefit the individual in terms of employability.

(9) "Employability" (~~refers to~~) means a determination that with the provision of vocational rehabilitation services, the individual is likely to ((enable an individual to)) enter or retain as a primary objective, full time employment, or if appropriate, part time employment, consistent with ((his/her)) the capacities ((and)) or abilities of the individual in the competitive labor market; the practice of a profession; self-employment; homemaking; farm or family work (including work for which payment is in kind rather than in cash); sheltered employment; ((homebound)) home based employment; or other gainful work.

(10) "Evaluation of rehabilitation potential" means, as appropriate, in each case:

(a) A preliminary diagnostic study to determine:

(i) That an individual has blindness ~~((and may also have))~~ or visual impairment and a physical or mental disability which for such individual constitutes or results in a substantial handicap to employment; and

(ii) That vocational rehabilitation services may reasonably be expected to benefit the individual in terms of employability, and that the individual is eligible therefore for vocational rehabilitation services;

(b) A thorough diagnostic study consisting of a comprehensive evaluation of pertinent factors, which bear on the individual's handicap to employment and rehabilitation potential, and an appraisal of the individual's work behavior and ability to develop work patterns suitable for successful job performance in order to determine which vocational rehabilitation services may be of benefit to the individual in terms of employability;

(c) Any other goods or services provided for the purposes of ascertaining the nature of the handicap and whether it may reasonably be expected that the individual can benefit from vocational rehabilitation services in terms of employability;

(d) The provision of vocational rehabilitation services to an individual for a total period of extended evaluation not in excess of eighteen months for the purpose of determining whether such individual is a handicapped individual for whom a vocational goal is feasible, including the initiation and continuing development of an individual written rehabilitation program, and a periodic assessment of the results of the provision of such services to ascertain whether an individual is an eligible individual for whom a vocational goal is feasible.

(11) "Family member" or "member of the family" means:

(a) Any relative by blood or marriage of a handicapped individual; and

(b) Other individuals living in the same household with whom the handicapped individual has a close interpersonal relationship.

(12) "Handicapped individual" means an individual:

(a) Who has a physical or mental disability which for such individual constitutes or results in a substantial handicap to employment; and

(b) Who is expected to benefit in terms of employability from the provision of vocational rehabilitation services, or for whom an extended evaluation of rehabilitation potential is necessary for the purpose of determining whether he might benefit in terms of employability from the provision of vocational rehabilitation services.

(13) Legal blindness for purposes of this chapter is a physical disability defined as follows:

Central visual acuity of 20/200 or less in the better eye with correcting lenses or a field defect in which the peripheral field has contracted to such an extent that the widest diameter of visual field subtends an angular distance of no greater than 20°.

(14) "Medical consultant" shall mean a physician licensed pursuant to chapters 18.57 and 18.71 RCW employed by the department to provide consultation to rehabilitation counselors and rehabilitation teachers concerning the medical aspects of rehabilitation, usually reviewing and discussing medical problems of individual clients.

~~((14))~~ (15) "Ophthalmological consultant" shall mean a physician licensed pursuant to chapters 18.57 and 18.71 RCW specializing in diseases of the eye employed by the department to provide consultation to rehabilitation counselors and rehabilitation teachers regarding procedures and prognosis relating to eye conditions.

~~((15))~~ (16) "Physical and mental restoration services" means those services which are necessary to correct or substantially modify within a reasonable period of time a physical or mental condition which is stable or slowly progressive.

~~((16))~~ (17) "Physical or mental disability" means a physical or mental condition which materially limits, contributes to limiting or, if not corrected, will probably result in limiting an individual's activities or functioning. The term "physical disability" includes blindness and/or visual impairment.

~~((17))~~ (18) "Public safety officer" means a person serving the United States or a state or unit of general local government, with or without compensation, in any activity pertaining to:

(a) The enforcement of the criminal laws, including highway patrol, or the maintenance of civil peace by the national guard or the armed forces;

(b) A correctional program, facility, or institution where the activity is potentially dangerous because of contact with criminal suspects, defendants, prisoners, probationers, or parolees;

(c) A court having criminal or juvenile delinquent jurisdiction where the activity is potentially dangerous because of contact with criminal suspects, defendants, prisoners, probationers, or parolees;

(d) Firefighting, fire prevention, or emergency rescue missions.

~~((19))~~ (19) "Referral" is defined as any individual who applied or has been referred to a department office by letter, telephone, direct contact or by any other means for whom the minimum information has been furnished:

(a) Name and address;

(b) Disability;

(c) Age and sex;

(d) Date of referral; and

(e) Source of referral.

~~((19))~~ (20) "Rehabilitation facility" means a facility which is operated for the primary purpose of providing vocational rehabilitation services to handicapped individuals and which provides one or more of the following services for handicapped individuals:

(a) Vocational rehabilitation services which shall include under one management, medical, psychological, social, and vocational services;

(b) Testing, fitting, or training in the use of prosthetic and orthotic devices;

(c) Prevocational conditioning or recreational therapy;

(d) Physical and occupational therapy;

(e) Speech and hearing therapy;

(f) Psychological and social services;

(g) Evaluation of rehabilitation potential;

(h) Personal and work adjustment;

(i) Orientation and mobility training and other adjustment services;

(j) Braille instruction;

(k) Evaluation or control of specific disabilities;

(l) Transitional or extended employment for those handicapped individuals who cannot be readily absorbed in the competitive labor market provided that all medical and related health services must be prescribed by, or under the formal supervision of, persons licensed to prescribe or supervise the provision of such services in the state.

~~((20))~~ (21) "Rehabilitation teacher" (RT) shall refer to an employee of the department who has responsibility to determine eligibility, and to develop and implement individual written rehabilitation programs leading to a vocational outcome of homemaker. The full range of vocational rehabilitation services may be provided or purchased as determined by the needs of the individual written rehabilitation program.

~~((21))~~ (22) "Similar benefits" is a financial resource for which a client is legally qualified, or entitled, or meets the criteria for obtaining without undue contingencies. The financial resource must be an organized, ongoing form of service or financial assistance, whether public or private. It must be free or may require a deductible, coinsurance feature, token payment or personal claim.

~~((22))~~ "Prevocational services" includes assessment and training in the skills which are necessary for blind persons to function independently in all settings as distinguished from the vocational skills necessary to perform a specific occupation. The prevocational services provided by the department include communications, personal management, orientation and mobility, personal adjustment, home management, activities of daily living, and client's use of residual vision.)

(23) "Substantial handicap to employment" means that a physical or mental disability (in light of attendant medical, psychological, vocational, educational, and other related factors) impedes an individual's occupational performance, by preventing his/her obtaining, retaining, or preparing for employment consistent with his/her capacities and abilities.

(24) Visual impairment for the purpose of this chapter is a physical disability defined as follows: Visual acuity in the best eye between 20/200 and 20/70 with correction; or angle of vision subtends between 20° and 30°, or severe functional visual problem; or a progressive condition which ultimately will lead to a visual handicap or to blindness.

(25) "Vocational rehabilitation counselor" (VRC) shall refer to an employee of the department who has direct responsibility for providing, or supervising the provision of all vocational rehabilitation services to a client of the department.

~~((25))~~ (26) "Vocational rehabilitation services," shall mean any of the following:

(a) Any goods or services provided to a client that is likely to enable him/her to enter or retain employment consistent with his/her capacities and abilities in the competitive labor market.

(b) Any goods or services provided to a client for the purpose of extended evaluation to determine his/her rehabilitation potential.

(c) The establishment, construction, development, operation, and maintenance of workshops and rehabilitation facilities.

(d) The provision of any facilities and services which promise to contribute substantially to the rehabilitation of a group of individuals but which are not related directly to the rehabilitation program.

~~((26))~~ (27) "Workshop" means a rehabilitation facility, or that part of a rehabilitation facility, engaged in a production or service operation and which is operated for the primary purpose of providing gainful employment or professional services to the handicapped as an interim step in the rehabilitation process for those who cannot be readily absorbed in the competitive labor market or during such time as employment opportunities for them in the competitive labor market do not exist.

AMENDATORY SECTION (Amending Order 83-08, filed 12/15/83)

WAC 67-25-030 ELIGIBILITY FOR SERVICES—CRITERIA. (1) Eligibility shall be based only upon:

(a) The existence of a condition of legal blindness or visual impairment as defined in WAC 67-25-005;

(b) The presence of a physical or mental disability which for the individual constitutes or results in a substantial handicap to employment; and

~~((b))~~ (c) A reasonable expectation that vocational rehabilitation services may benefit the individual in terms of employability.

(2) ~~Persons ((found eligible shall have a primary disability of blindness or visual impairment. Persons for whom blindness or visual impairment is determined to be a secondary disability may be provided services at the discretion of the director or may be referred to other appropriate)) who are found to be blind or visually impaired and who also have a physical or mental disability which for that person constitutes or results in a substantial handicap to employability, but for whom the usual scope of services offered by the department are not expected to benefit the individual in terms of employability may be referred to other service providers or may be provided services through a ((coordinated)) cooperative plan with other service providers.~~

(3) Eligibility requirements will be provided by the department without regard to sex, race, age, creed, color, or national origin of the individual applying for service.

(4) No person or group of persons shall be found ineligible for services solely on the basis of type of disability.

(5) No person shall be found ineligible for services solely on the basis of age.

(6) No person shall be found ineligible for services based on residence requirement, durational or other.

Reasons Supporting Proposal: Revenues collected under WAC 318-04-030 have proven inadequate to meet necessary Washington State Maritime Commission's expenditures to provide those services required by RCW 88.44.100. Clarification of cleanup contractor requirements is needed.

Name of Agency Personnel Responsible for Drafting: Richard W. Buchanan, Rules Coordinator, Seattle, Washington, (206) 623-4990; Implementation: Washington State Maritime Commission, Seattle, Washington, (206) 448-7557; and Enforcement: G. A. (Geir) Sylte, Treasurer, Washington State Maritime Commission, Seattle, Washington, (206) 448-7757.

Name of Proponent: Washington State Maritime Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: RCW 88.44.100 requires the Washington State Maritime Commission to levy assessments on all vessels transiting waters of the state of Washington unless they are specifically exempt under RCW 88.44.101(5) or show alternate compliance. The assessments are, at a minimum, to be capable of covering commission expenses and generating a substantial cleanup fund within 4 years. The current assessment schedule, WAC 318-04-030 which became effective on January 1, 1991, has proven inadequate to meet the statutory requirements. Therefore, in order to comply with the mandates of chapter 88.44 RCW, the assessment schedule is being amended in order to increase current revenues. RCW 88.44.100 authorizes the Washington State Maritime Commission or the Department of Ecology to officially recognize qualified private cleanup contractors. It is necessary for the commission to adopt minimum qualification standards consistent with proposed rules published by the Department of Ecology in WAC 173-181-090, et. seq.

Proposal Changes the Following Existing Rules: The proposed rule will amend WAC 318-04-020 and 318-04-030. WAC 318-04-020 will be amended to define certain additional classes of vessels subject to assessment. WAC 318-04-030 will be amended to reflect a modified assessment schedule. WAC 318-05-010, et. seq., will add additional rules on cleanup contractors.

Small Business Economic Impact Statement: The proposed assessment rule will have some economic impact on the majority of the maritime shipping industry, in that they will be receiving and paying increased assessment invoices when their vessels enter Washington waters. It is not anticipated that the proposed rule will have any different impact on small businesses than the current rules. The smallest commercial vessels, 300 gross tons and under, and certain other vessels and their owners/operators are exempt from assessment under the statute and proposed rules and will not be affected unless they voluntarily ask to be covered in return for assessment payments. The increases will apply to most commercial vessels over 300 gross tons carrying oil as fuel or cargo. However, the assessments are tiered to size of vessel or quantity of oil carried or capable of carriage, so that the smaller vessels and their owner/operators pay

WSR 91-16-086

PROPOSED RULES

MARITIME COMMISSION

[Filed August 7, 1991, 9:03 a.m.]

Original Notice.

Title of Rule: Amended vessel assessment schedule and cleanup contractor approval requirements.

Purpose: To raise assessment revenues to provide sufficient funds to pay cleanup contractor retainer charges, around the clock communications, routine communication expenditures, including emergency oil spill drill response and 24-hour emergency containment and cleanup in the waters of the state of Washington pursuant to RCW 88.44.100.

Other identifying information: See WSR 91-02-005.

Statutory Authority for Adoption: RCW 88.44.100.

Statute Being Implemented: Chapter 88.44 RCW.

Summary: WAC 318-04-030 Assessments is being amended in order to increase revenues to provide the services required by RCW 88.44.100 and WAC 318-05-010 et. seq. added to implement requirements for approval of cleanup contractors.

much less than the largest tankers. The rules as to approved contractors will only serve to clarify an ambiguous requirement. There is a negligible administrative impact at worst from the amended rules. No additional reporting, record keeping or compliance procedures will be required by the rules as compared to those already in place. The effected vessels, owners or operators already keep records of arrivals and departures from Washington waters and the times when its tankers or tanker barges load or discharge oil cargoes in this state. Even the small businesses already have employees processing commission invoices and issuing checks, so the additional administrative requirement of the rule to issue one or more larger monthly checks to the Maritime Commission would be *de minimis*. No additional personnel or professional expertise will be required to comply with the amended rule. It is estimated that the type of bookkeeping employee needed to process the commission's invoices would earn not to exceed \$10 per hour, and that no more than 1/10 of an hour would be needed to process such invoice(s) and cut a check.

Hearing Location: Port of Seattle, Commissioner's Meeting Room, 3rd Floor, Pier 66, Seattle, Washington 98121, on September 11, 1991, at 9:00 a.m.

Submit Written Comments to: Richard W. Buchanan, Rules Coordinator, c/o LeGros, Buchanan, Paul & Whitehead, 2500 Columbia Center, 701 5th Avenue, Seattle, WA 98104-7098, by September 4, 1991.

Date of Intended Adoption: September 12, 1991, or upon approval by the Office of Marine Safety.

August 6, 1991

Richard W. Buchanan
Rules Coordinator

AMENDATORY SECTION (Amending WSR 91-02-005, filed 12/21/90)

WAC 318-04-020 DEFINITIONS Unless the context clearly requires otherwise, the definitions in this section apply throughout these rules.

"Tanker Barge" is a vessel as defined by RCW 88.44.010(15) which is not self-propelled and is designed, constructed or adapted primarily to carry, or carries oil, as defined by RCW 88.44.010(6), in bulk as cargo or cargo residue.

"Tanker Vessel" is a vessel as defined by R.C.W. 88.44.010(15) which is self-propelled and designed, constructed or adapted primarily to carry or carries oil, as defined by R.C.W. 88.44.010(6), in bulk as cargo or cargo residue.

"Small Tanker Vessel" - is a vessel as defined by R.C.W. 88.44.010(15), of 300 gross registered tons or less, which is self-propelled and designed, constructed or adapted primarily to carry or carries oil, as defined by R.C.W. 88.44.010(6), in bulk as cargo or cargo residue which voluntarily pays assessments under WAC 318-04-030 and submits to the provisions of R.C.W. Chapter 88.44.

"Dry Cargo Barge" is a vessel as defined by R.C.W. 88.44.010(15) which is not self-propelled, but because it is not designed, constructed or adapted primarily to carry oil, is not a tanker barge. To be subject to assessment, the dry cargo barge must be carrying oil solely to fuel barge machinery or mobile equipment carried as cargo.

"Non-tanker Vessel" is a vessel as defined by R.C.W. 88.44.010(15) which is neither a tanker barge, a tanker vessel, nor a dry cargo barge.

"Maximum Capacity" is the volume of oil, as defined by R.C.W. 88.44.010(6) that a tanker barge or tanker vessel is capable of carrying when fully loaded as designed, constructed or adapted.

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 91-02-005, filed 12/21/90)

WAC 318-04-030 ASSESSMENTS Effective ~~January 1, 1991~~, September 12, 1991 or upon approval by the Office of Marine Safety, whichever is later (except as provided below in this subsection), there is hereby levied by the Washington State Maritime Commission upon all nonexempt vessels, as defined by R.C.W. 88.44.010(15) and WAC 318-04-020, which transit upon the waters of this state and upon small tanker vessels, or the owners or operators thereof, an assessment in the following amounts:

(A) On Tanker Barges whose maximum capacity is:

	Rate
(1) 0 to 28,999 bbls	\$ 38.00 \$ 68.00
(2) 29,000 to 44,999 bbls	\$ 48.00 \$ 78.00
(3) 45,000 to 59,999 bbls	\$ 60.00 \$ 97.00
(4) 60,000 to 79,999 bbls	\$ 75.00 \$ 122.00
(5) 80,000 and over	\$ 94.00 \$ 152.00

(B) On Tanker Vessels Carrying Oil as Cargo

	Rate
(1) 0 to 300 Gross Registered Tons - On Small Tanker Vessels	\$ 25.00
(2) <u>(2)</u> 301 to 9,999 Gross Reg. Tons	\$ 1,000 \$ 1,620
(3) <u>(3)</u> 10,000 Gross Reg. Tons and over	\$ 2,000 \$ 3,240

(C) On Tanker Vessels When Not Carrying Oil as Cargo, but While Carrying Other Liquid or Semi-Liquid Cargoes

	Rate
(1) 300 <u>301</u> - 500 gross reg. tons	\$ 45.00 \$ 73.00
(2) 501 - 1,000 Gross Reg. Tons	\$ 60.00 \$ 97.00
(3) 1,001 - 4,999 Gross Reg. Tons	\$ 75.00 \$ 122.00
(4) 5,000 Gross Reg. Tons and over	\$ 100.00 \$ 162.00

(D) On Dry Cargo Barges (not Tanker Barges)

	Rate
(1) 300 <u>301</u> - 500 gross reg. tons	\$ 45.00 \$ 73.00

(E) On Non-tanker Vessels Carrying Oil as Fuel for Propulsion Machinery

	Rate
(1) 300 <u>301</u> - 500 Gross Reg. Tons	\$ 45.00 \$ 73.00
(2) 501 - 1,000 Gross Reg. Tons	\$ 60.00 \$ 97.00
(3) 1,001 - 4,999 Gross Reg. Tons	\$ 75.00 \$ 122.00
(4) 5,000 Gross Reg. Tons and over	\$ 100.00 \$ 162.00

The assessment levied on all vessels, or the owners or operators thereof, which transit upon the portion of the Columbia River that runs between the states of Washington and Oregon, shall be effective on and after January 1, 1992.

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.

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

NEW SECTION

WAC 318-05-010 CONTRACTOR STANDARDS (1) Approval is required for all primary response contractors, i.e., response contractors that contract directly with a plan holder to provide oil spill containment and cleanup services as part of a plan.

(2) Primary response contractors shall be approved by the Maritime Commission, subject to the following conditions:

(a) Equipment, equipment maintenance and location, equipment and personnel deployment readiness must be verifiable by Commission inspection. Any resources not on site at the time of an inspection must be accounted for by company records. Approval of equipment location and of personnel readiness shall require capability of a one hour call out time in which personnel must be able to begin mobilization of response efforts and equipment readiness shall include being available and able to be deployed to a spill site without delay, not counting normal maintenance and repairs;

(b) Response personnel shall comply with all appropriate safety and training requirements listed in WAC 296-62-300. Training records may be audited for verification; and

(c) Determination of an acceptable company safety history by review of pertinent records on a case-by-case, best professional judgment basis. Lack of a safety history will not be grounds for denying approval.

Reviser's note: The unnecessary underscoring 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 318-05-020 CONTRACTOR APPROVAL INFORMATION REQUIRED To determine approval, the following items shall be submitted to the Commission:

(1) Contractor's name, UBI number, address and phone number;
(2) Response capability, including geographic area of response coverage, with any exclusions;
(3) The types of oil and media (e.g., marine, fresh water or land) the contractor is willing and able to respond to;

(4) An organizational diagram depicting chain of command;
(5) A call-down list within the organization as described in WAC 173-181-050 (11)(a)(i) and (iii);

(6) All information described in WAC 173-181-050 (12)(a), (b) and (d) and (13)(a);

(7) A list of all OSHA/WISHA citations and reports, lost-time accidents and accident claims related to oil spill response operations for the last five years. Any applicant with less than five years under their current business name or organization shall provide a listing of any oil spill response contract businesses owned or operated by the principals in the new company within the last five years including a brief description of the company(ies) and their safety history information listed above; and

(8) The Description and location of dedicated cleanup equipment.

Reviser's note: The unnecessary underscoring 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 318-05-030 SUBMITTAL OF CONTRACTOR APPROVAL APPLICATIONS (1) Three copies of the contractor's approval application shall be delivered to:

Spill Management, Response Contract or Approval
Washington State Maritime Commission
c/o Mr. Hal Schuyler, Chairman
5100 AT&T Gateway Tower
700 Fifth Avenue
Seattle, Washington 98104

(2) Applications may be submitted at any time before or after adoption of this regulation. If submitted with a copy of a proposed contingency plan, the information required pursuant to WAC 318-04-110 shall be presented separately.

Reviser's note: The unnecessary underscoring 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 318-05-040 CONTRACTOR APPLICATION REVIEW (1) The Commission shall have forty-five calendar days to review each application for primary response contractor approval. If the Commission determines that an application is incomplete, the submitter shall be notified of deficiencies. The forty-five day review period shall begin when the application is complete.

(2) An application shall be approved if it meets the conditions specified in WAC 318-05-010 and 318-05-020.

(3) The Commission shall notify the applicant that the application has been approved/not approved within ten working days after the review is completed.

(a) If the application is approved, the contractor shall receive a written approval describing the terms of approval, including expiration dates.

(b) If the application is not approved, the contractor shall receive a written explanation of the factors resulting in disapproval and a list of actions to be taken to gain approval. The contractor may not act as a primary response contractor for a facility contingency plan until approved by the Commission or Department of Ecology.

(c) If the application is not approved, the contractor shall have ten working days after notification to appeal the decision. Appeals shall be ruled on by the full Commission.

(d) Approval of a response contractor by the Commission does not constitute an express assurance regarding the adequacy of the contractor nor constitute a defense to liability imposed under state law.

(4) Response contractor approvals shall be reviewed by the Commission or Department of Ecology every two years pursuant to WAC 318-05-030 or WAC 173-181-094. Reapproval applications shall be submitted a minimum of sixty calendar days in advance of the approval expiration date.

Reviser's note: The unnecessary underscoring 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 318-05-050 SEVERABILITY If any provision of this chapter is held invalid, the remainder of the rule is not to be affected.

Reviser's note: The unnecessary underscoring 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 91-16-087**PROPOSED RULES
PUGET SOUND****AIR POLLUTION CONTROL AGENCY**

[Filed August 7, 1991, 9:35 a.m.]

Original Notice.

Title of Rule: Amend Article 13 of Regulation I.

Purpose: To upgrade the regulation to reflect recent changes to the Washington Clean Air Act, and to make minor housekeeping changes to improve legibility.

Other Identifying Information: Article 13 pertains to solid fuel burning device standards.

Statutory Authority for Adoption: Chapter 70.94 RCW.

Statute Being Implemented: RCW 70.94.141.

Summary: Amendments would incorporate new provisions enacted under ESHB 1028 and would improve legibility of the regulation.

Reasons Supporting Proposal: Existing regulations are out of date and difficult to read.

Name of Agency Personnel Responsible for Drafting: Naydene Maykut, 200 West Mercer Street, Room 205,

Seattle, 98119, 296-7467; Implementation and Enforcement: Jim Nolan, 200 West Mercer Street, Room 205, Seattle, 98119, 296-7467.

Name of Proponent: Puget Sound Air Pollution Control Agency, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposal would rescind some unnecessary definitions, incorporate some of the recent amendments to the Washington Clean Air Act, and make minor house-keeping changes to the regulation to improve legibility. The statement of policy in section 13.01 would be amended to state that the Puget Sound Air Pollution Control Agency board of directors intends to encourage the replacement of uncertified wood stoves with cleaner heating alternatives.

Proposal Changes the Following Existing Rules: The changes would reflect statutory languages as adopted in ESHB 1028 on May 15, 1991. An addition was made to the policy statement to encourage the replacement of uncertified wood stoves with cleaner heating alternatives.

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

Hearing Locations: Bremerton City Hall, Council Chambers, 239 Fourth Street, Bremerton, 98310, on September 12, 1991, at 9:30 a.m.; and Seattle Center House, Conference Room "A", Seattle, 98119, on September 26, 1991, at 9:00 a.m.

Submit Written Comments to: Anita Frankel, 200 West Mercer Street, Room 205, Seattle, WA 98119, by August 31, 1991.

Date of Intended Adoption: September 26, 1991.

August 1, 1991

Naydene Maykut

Senior Air Quality Scientist

AMENDATORY SECTION

REGULATION I SECTION 13.01 POLICY AND PURPOSE

The Board of Directors of the Puget Sound Air Pollution Control Agency declares it to be the public policy of the Agency to control and reduce air pollution caused by woodstove emissions. It is the Agency's policy to reduce woodstove emissions by encouraging the continued efforts to educate the public about the effects of woodstove emissions, other heating alternatives, and the desirability of achieving better emission performance and heating efficiency from woodstoves pursuant to the emissions performance standards as adopted by the Department of Ecology. It is further the policy of the Board to encourage the replacement of uncertified woodstoves with cleaner sources of heat.

The Board encourages cities, towns and counties within its jurisdiction to adopt woodsmoke control programs including enhanced public education and abatement ordinances and assist in the enforcement of this Regulation during declared air quality episodes and periods of impaired air quality. Nothing in this Regulation shall be construed to impair the right of any city, town or county to adopt and enforce woodsmoke abatement ordinances.

AMENDATORY SECTION

REGULATION I SECTION 13.02 DEFINITIONS

(a) ADEQUATE SOURCE OF HEAT means the ability to maintain 70°F at a point 3 feet above the floor in all normally inhabited areas of a dwelling.

~~((fb) CERTIFIED means that a woodstove meets emission performance standards when tested by an accredited independent laboratory according to EPA or DEQ procedures.~~

~~((c) CURTAILMENT means the act of shortening, abridging, diminishing, lessening or reducing.~~

~~((d) DEQ means Oregon Department of Environmental Quality.~~

~~((e) EPA means United States Environmental Protection Agency.)~~

~~((ff)) ((b) FIRST STAGE OF IMPAIRED AIR QUALITY means a condition declared by the ((Department of Ecology or the Air Pollution)) Control Officer ((whenever)) when particulates 10 microns and smaller in diameter are at an ambient level of 75 micrograms per cubic meter measured on a 24-hour average or when carbon monoxide is at an ambient level of 8 parts of contaminant per million parts of air by volume measured on an 8-hour average.~~

~~((fg)) ((c) SECOND STAGE OF IMPAIRED AIR QUALITY means a condition declared by the ((Department of Ecology or the Air Pollution)) Control Officer ((whenever)) when particulates 10 microns and smaller in diameter are at an ambient level of 105 micrograms per cubic meter measured on a 24-hour average.~~

~~((th)) ((d) SEASONED WOOD means wood of any species that has been sufficiently dried so as to contain 20% or less moisture by weight.~~

~~((ti)) ((e) SOLID FUEL BURNING DEVICE (same as solid fuel heating device) means a device that burns wood, coal or any other nongaseous or nonliquid fuels, and includes any device burning any solid fuel used for aesthetic or space-heating purposes in a private residence or commercial establishment, which has a heat input less than 1 million Btu per hour.~~

~~((tj)) ((f) TREATED WOOD means wood of any species that has been chemically impregnated, painted or similarly modified.~~

~~((tk) WOODSTOVE (same as wood heater) means an enclosed solid fuel burning device capable of and intended for space heating and domestic water heating that meets all of the following criteria:~~

~~((1) For the purposes of determining qualification under "Oregon Administrative Rules, Chapter 340, Division 21 Woodstove Certification" dated November 1984: An air to fuel ratio in the combustion chamber less than 30.0 during the burning of 90% or more of the fuel mass consumed in the low firing cycle. The low firing cycle means less than or equal to 25% of the maximum burn rate achieved with the doors closed or the minimum burn rate achievable, whichever is greater, or~~

~~((2) For the purposes of determining qualification under "40 CFR 60 Subpart AAA Standards of Performance for Residential Wood Heaters" dated February 26, 1988:~~

~~((A) An air to fuel ratio in the combustion chamber averaging less than 35.0, as determined by EPA Reference Method 28A;~~

~~((B) A usable firebox volume of less than 20 cubic feet;~~

~~((C) A minimum burn rate less than 5 kg/hr as determined by EPA Reference Method 28;~~

~~((D) A maximum weight of 800 kg, excluding fixtures and devices that are normally sold separately, such as flue pipe, chimney, and masonry components not integral to the appliance.~~

~~Any combination of parts, typically consisting of, but not limited to; doors, legs, flue pipe collars, brackets, bolts and other hardware, when manufactured for the purpose of being assembled, with or without additional owner supplied parts, into a woodstove, is considered a woodstove.)~~

AMENDATORY SECTION

REGULATION I SECTION 13.04 PROHIBITED FUEL TYPES

A person shall not cause or allow any of the following materials to be burned in a solid fuel burning device:

- (1) Garbage;
- (2) Treated wood;
- (3) ~~((Plastic))~~ Plastics;
- (4) Rubber products;
- (5) Animals;
- (6) Asphaltic products;
- (7) Waste petroleum products;
- (8) Paints; or

(9) Any substance, other than properly seasoned fuel wood, or coal with sulfur content less than 1.0% by weight burned in a coal stove, which normally emits dense smoke or obnoxious odors.

AMENDATORY SECTION

REGULATION I SECTION 13.05 CURTAILMENT

~~((ta) A person in a residence or commercial establishment with an adequate source of heat other than the burning of solid fuel shall not~~

burn solid fuel in any solid fuel burning device whenever the Department of Ecology has declared an air pollution episode for the geographical area pursuant to RCW 70.94.715.

(b) A person in a residential or commercial establishment with an adequate source of heat other than the burning of solid fuel shall not burn solid fuel in any fuel burning device except those which meet the standards set forth in RCW 70.94.457, or a pellet stove, either certified or issued an exemption certificate by the United States Environmental Protection Agency in accordance with Title 40, Part 60 of the code of federal regulations, whenever the Air Pollution Control Officer has declared a first stage of impaired air quality.

(c) A person in a residential or commercial establishment with an adequate source of heat other than the burning of solid fuel shall not burn solid fuel in any fuel burning device, including those which meet the standards set forth in RCW 70.94.457, whenever the Air Pollution Control Officer or Department of Ecology has declared a second stage of impaired air quality.

(d) A person responsible for a solid fuel burning device already in operation at the time an episode or second stage of impaired air quality is declared shall extinguish that device by withholding new solid fuel for the duration of the episode. A person responsible for a solid fuel burning device that is not either certified under RCW 70.94.457 or a pellet stove, either certified or issued an exemption certificate by the United States Environmental Protection Agency in accordance with Title 40, Part 60 of the code of federal regulations, already in operation at the time the first stage of impaired air quality is declared shall extinguish that device by withholding new solid fuel for the duration of the impaired air quality. Smoke visible from a chimney, flue or exhaust duct after a time period of 3 hours has elapsed from the time of declaration of the episode or impaired air quality shall constitute prima facie evidence of unlawful operation of an applicable solid fuel burning device. This presumption may be refuted by demonstration that the smoke was not caused by an applicable solid fuel burning device.)) Any person in a residence or commercial establishment that has an adequate source of heat without using a solid fuel burning device shall:

(a) Not use any solid fuel burning device except those which are either Oregon Department of Environmental Quality Phase II or United States Environmental Protection Agency certified or certified by the Department of Ecology under RCW 70.94.457(1) or a pellet stove either certified or issued an exemption by the United States Environmental Protection Agency in accordance with Title 40, Part 60 of the Code of Federal Regulations, in the geographical area and for the period of time that a first stage of impaired air quality has been declared for that area.

(b) Not use any solid fuel burning device in a geographical area and for the period of time that a second stage of impaired air quality has been declared for that area.

((c)) (c) Compliance with the above solid fuel burning device curtailment rules may be enforced after a time period of 3 hours has elapsed from the time of declaration of ((the episode or)) impaired air quality. Smoke visible from a chimney, flue, or exhaust duct shall constitute prima facie evidence of unlawful operation of an applicable solid fuel burning device. This presumption may be refuted by demonstration that the smoke was not caused by an applicable solid fuel burning device.

WSR 91-16-088
PROPOSED RULES
HIGHER EDUCATION
COORDINATING BOARD
[Filed August 7, 1991, 10:09 a.m.]

Original Notice.

Title of Rule: WAC 250-78-010 through 250-78-060, Washington excellence in education academic grant award, also known as the Washington state Christa McAuliffe academic grant award.

Purpose: To establish administrative procedures for disbursing the academic grants awarded through the Washington excellence in education (Christa McAuliffe) academic grant program.

Statutory Authority for Adoption: Chapter 28B.80 RCW and 2nd SS 5022 (chapter 255, Laws of 1991).

Statute Being Implemented: 2nd SSB 5022 (chapter 255, Laws of 1991).

Summary: See Purpose above.

Name of Agency Personnel Responsible for Drafting and Implementation: Ann McLendon and Marilyn Sojlund, 917 Lakeridge Way, Olympia, WA, (206) 586-5505; and Enforcement: Ann Daley and Shirley Ort, 917 Lakeridge Way, Olympia, WA, (206) 753-3571.

Name of Proponent: Higher Education Coordinating Board, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See Title of Rule and 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: Higher Education Coordinating Board, 917 Lakeridge Way, GV-11, Olympia, WA 98504, on September 16, 1991, at 9:00 a.m.

Submit Written Comments to: Ann Daley, Executive Director, at address specified above, by September 13, 1991.

Date of Intended Adoption: September 25, 1991.

August 7, 1991

Ann Daley
Executive Director

STATE OF WASHINGTON
WASHINGTON AWARD FOR EXCELLENCE IN EDUCATION ACADEMIC
GRANT
(also known as the Washington State Christa McAuliffe Academic Grant Award)

Chapter 255, Laws of 1991

RULES AND REGULATIONS

WAC 250-78

WAC 250-78-010	Purpose
WAC 250-78-020	Authority to Administer
WAC 250-78-030	Definitions
WAC 250-78-040	Eligibility to Participate
WAC 250-78-050	Award Amount
WAC 250-78-060	Management of Funds

NEW SECTION

WAC 250-78-010 PURPOSE. The Washington award for excellence in education program, also known as the Washington state Christa McAuliffe award program, was established to recognize teachers, principals, administrators, classified staff, school district superintendents, and school boards for their leadership, contributions, and commitment to education. The purpose of this chapter is to establish administrative procedures for disbursing academic grants awarded through this program to teachers, principals, and administrators.

NEW SECTION

WAC 250-78-020 AUTHORITY TO ADMINISTER. The authority for this chapter is 28B.80 RCW which authorizes the higher education coordinating board to adopt rules relating to the administration of programs assigned to the board, and chapter 255, laws of 1991, which assigns to the board the administration of the academic grants awarded through the Washington award for excellence in education (Christa McAuliffe) academic grant award program. The 1991 legislation corrects inequities inherent in the related preceding tuition waiver program by creating an academic cash grant in lieu of a tuition

and fee waiver. Not all institutions awarded the waiver, thus some recipients received a benefit while others did not. These regulations are intended not only to implement the new legislative changes but also to provide continued benefits to those previously granted the award.

NEW SECTION

WAC 250-78-030 DEFINITIONS. (1) "Institution of higher education" or "institution" shall mean:

(a) Any public university, college, community college, or technical college operated by the state of Washington or any political subdivision thereof; or any other university, college, school, or institute in the state of Washington offering instruction beyond the high school level which is a member institution of the northwest association of schools and colleges; and providing such institution agrees to participate in the program in accordance with all applicable rules and regulations. Any institution, branch, extension, or facility operating within the state of Washington which is affiliated with an institution operating in another state must be a separately accredited member institution of the northwest association of schools and colleges or another regional accrediting association.

(b) Any other university, college, school, or institute located in another state offering instruction beyond the high school level which is a member institution of a regional accrediting association or otherwise approved by the board in accordance with WAC 250-78-050 (d)(i); or

(c) Any other university, college, school, or institute located in another country outside of the United States of America offering instruction beyond the high school level which in the judgment of the board meets academic standards comparable to those established by a regional accrediting association.

(2) "Academic grant" shall mean the monetary award which shall be used to take courses at an institution of higher education. The academic grant may be used to pay for reasonable educational expenses including, but not limited to, tuition/fees, room and board, and books and supplies.

(3) "Board" means the higher education coordinating board. When a duty or responsibility of the board is referenced in these regulations, the authority needed to discharge that responsibility lies with the executive director or his or her designee.

(4) "Recipient" means a teacher, principal, or administrator who has been designated to receive the Washington award for excellence in education by the superintendent of public instruction, and who has elected to receive his or her award in the form of the academic grant.

NEW SECTION

WAC 250-78-040 ELIGIBILITY TO PARTICIPATE. (1) Each year, the higher education coordinating board shall receive from the superintendent of public instruction, or his or her designee, an official list of the names of the current-year Washington award for excellence in education (Christa McAuliffe) recipients who have elected to receive the academic grant.

(2) The superintendent of public instruction, or his or her designee, shall provide the higher education coordinating board with an official list of the names of Washington award for excellence in education (Christa McAuliffe) recipients who were awarded the waiver of forty-five quarter or thirty semester credits of tuition and fees under RCW 28B.15.547 prior to May, 1991 and who are eligible to receive the remaining value of their award in the form of the academic grant.

(3) Recipients may not use the academic grant for any courses that include any religious worship or exercise, or for any degree in religious, seminarian, or theological academic studies.

(4) Benefits under this program must be fully utilized and courses completed within four years of the board's official written notification to the recipient of the academic grant award, or will be forfeited.

(5) Recipients must agree to provide documentation of credit and course completion or other expenses paid by the academic grant as required by the board.

(6) Recipients must agree to comply with all conditions of the award and provide documentation to the board as necessary for proper grant administration.

NEW SECTION

WAC 250-78-050 AWARD AMOUNT. (1) The current academic year full-time resident graduate tuition rate in effect at the state's public universities in the year a recipient receives official notification of grant award by the board shall be the maximum academic grant available to any recipient granted an award in that year.

(2) The recipient's initial institution of attendance following receipt of official notice of the grant award by the board shall be used to determine the total dollar value of individual grant awards as follows:

(a) Award recipients who elect to use the grant for courses at one of the state's research universities shall receive a grant which shall not exceed the current academic year full-time resident graduate tuition in effect at the time the recipient receives official written notification of grant award by the board.

(b) Award recipients who elect to use the grant for courses at one of the state's regional universities or The Evergreen State College shall receive a grant which shall not exceed the current academic year full-time resident graduate tuition in effect at the time the recipient receives official written notification of grant award by the board.

(c) Award recipients who elect to use the grant for courses at one of the state's private institutions shall receive a grant which shall not exceed the current academic year full-time resident graduate tuition and the services and activities fees in effect at the state-funded research universities at the time the recipient receives official written notification of grant award by the board, provided the following additional criterion is met:

(i) The private institution shall match on at least a dollar-for-dollar basis, either with actual money or by waiver of fees, the amount of the academic grant received by the recipient from the state.

(d) Award recipients who elect to use the grant for courses at a public or private higher education institution in another state or country shall receive a grant which shall not exceed the current academic year full-time resident graduate tuition and the services and activities fees in effect at the state-funded research universities at the time the recipient receives official written notification of grant award by the board, provided the following additional criteria are met:

(i) The institution has an exchange program with a public or private higher education institution in Washington and the exchange program is approved or recognized by the higher education coordinating board; or

(ii) The institution is approved or recognized by the higher education coordinating board; and

(iii) The recipient of the Washington award for excellence in education (Christa McAuliffe) academic grant has submitted in writing to the higher education coordinating board an explanation of why the preferred course or courses are not available at a public or private institution in Washington.

(e) The remaining value of the tuition/fee waiver for recipients who were awarded the tuition/fee waiver for forty-five quarter or thirty semester credits prior to May 1991 shall be calculated as a ratio of available (unused) credits to the total credits originally awarded. That ratio shall be converted to a dollar value which is proportional to the academic year full-time resident graduate tuition in effect at one of the state's public universities at the time the recipient receives official written notification of grant award by the board.

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 250-78-060 MANAGEMENT OF FUNDS. (1) Disbursements of all grant funds are contingent upon appropriations and, in the event that funds are insufficient, disbursements will be issued term by term.

(2) At the option of the board, the academic grant may be disbursed as a lump sum award or in incremental amounts related to the recipient's plan of study and under a schedule of payments as developed by the board.

(3) Recipients who have not fully utilized their award benefit within the four year eligibility period shall forfeit the remaining value of their academic grant award.

WSR 91-16-089
PROPOSED RULES
PERSONNEL BOARD
 [Filed August 7, 1991, 10:16 a.m.]

Original Notice.

Title of Rule: WAC 356-15-061 Shift premium schedule and 356-15-063 Supplemental shift premium for registered nurses.

Purpose: These rules explain shift differential for registered nurses.

Statutory Authority for Adoption: RCW 41.06.040.

Statute Being Implemented: RCW 41.06.150.

Summary: This proposal will revise the amount of registered nurse shift differential and clarify its implementation.

Reasons Supporting Proposal: The 1991-93 state operating budget increased the registered nurse shift differential amount.

Name of Agency Personnel Responsible for Drafting: Dorothy Gerard, 521 Capitol Way South, 753-2708; **Implementation and Enforcement:** Department of Personnel.

Name of Proponent: Department of Personnel, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: These rules explain registered nurses shift differential. This proposal will revise the amount of shift differential and clarify its implementation.

Proposal Changes the Following Existing Rules: This proposal implements increases to registered nurses shift differential contained in the biennial budget and clarifies explanatory language regarding the payment of registered nurse shift differential.

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

Hearing Location: Department of Personnel, 521 Capitol Way South, Olympia, WA 98504, on September 12, 1991, at 10:00 a.m.

Submit Written Comments to: Dorothy Gerard, P.O. Box 1789, Mailstop FE-11, Olympia, Washington 98507, by September 10, 1991.

Date of Intended Adoption: September 12, 1991.

August 7, 1991

Dee W. Henderson
Secretary

AMENDATORY SECTION (Amending Order 259, filed 10/10/86)

WAC 356-15-061 **SHIFT PREMIUM SCHEDULE.** ~~((+))~~ The shift premium is 50¢ an hour ~~((for evening and night shifts;))~~ and is payable ~~((only))~~ under ~~((conditions))~~ the provisions described in WAC 356-15-060.

~~((2) Registered nurses 1, 2, 3, and 4 receive a \$1.00 an hour shift differential (classes 5630-5630;))~~

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

AMENDATORY SECTION (Amending Order 305 and 305A, filed 8/16/88 and 9/12/88)

WAC 356-15-063 ~~((SUPPLEMENTAL))~~ **SHIFT PREMIUM FOR REGISTERED NURSES 1-4 AND RELATED JOB CLASS-ES REQUIRING LICENSURE AS A REGISTERED NURSE.** ~~((1) For the classes of registered nurse 1, 2, 3, and 4 only, there shall be the following supplemental shift premium rates payable only in the amounts and under the conditions described in this section:))~~

~~((a) \$0.50 an hour, payable alone or in any combination with shift premiums authorized in sections WAC 356-15-060, 356-15-061, and 356-15-063 (1)(b) during any hours worked from 11:00 p.m. until 7:00 a.m. and for no other hours:))~~

~~((b) \$3.00 an hour, payable alone or in combination with shift premiums authorized in sections WAC 356-15-060, 356-15-061, and 356-15-063 (1)(a) during any hours worked from any Saturday morning midnight to Monday morning midnight, and for no other hours:))~~

~~((Example: A registered nurse 2 is scheduled to work from 10:00 p.m. to 6:00 a.m. Friday through Tuesday. On Friday from 10:00 p.m. to 11:00 p.m. the shift premium would be \$1.00 an hour as provided in WAC 356-15-060 and 356-15-061. From 11:00 p.m. until 12:00 midnight the supplemental \$0.50 an hour would be added, raising the premium rate to \$1.50 an hour. At midnight, the supplemental \$3.00 an hour for work on Saturday would be added, raising the premium to \$4.50 an hour until the end of the shift at 6:00 a.m.))~~

~~((If the employee is directed to work overtime until noon, the basic \$1.00 an hour night shift premium continues to be payable to this night shift employee. And the \$3.00 Saturday-Sunday premium continues. But the 11:00 p.m. to 7:00 a.m. \$0.50 stops at 7:00 a.m., reducing the premium to \$4.00 an hour until noon:))~~

~~((2) These supplemental shift premiums are payable regardless of whether the work was previously scheduled, and regardless of whether the employee is full time or part time:))~~

~~((3) These supplemental shift premiums are not payable during hours other than those specified, even though additional continuous hours may be worked by the employee:))~~

(1) Definition: Evening and Night Shift - Specified work schedules, other than day shift, typically eight hours in length occurring any time between 2:00 p.m. and 12:00 a.m. and 10:00 p.m. and 7:00 a.m. respectively. Agencies are responsible for specifying evening and night shift schedules.

(2) The following shift premium rates are subject and payable under the provisions described in WAC 356-15-060 (3), (4), and (5) and those provided below:

(a) \$1.50/hr. during evening shift hours worked or scheduled.

(b) \$2.50/hr. during night shift hours worked or scheduled.

(3) A \$3.00/hr. weekend premium shall be paid during any hours worked or scheduled between 12:00 a.m. (midnight) Saturday and 12:00 a.m. Monday.

For weekend hours worked or scheduled evening or night shift, the shift premium would also include the premiums previously noted in (2)(a) or (b).

(4) Shift premium applies to full and part-time employees working or scheduled to work evening or night shift and is payable only during those hours specified by each agency as being evening or night shift schedules.

WSR 91-16-090

PROPOSED RULES

**UTILITIES AND TRANSPORTATION
COMMISSION**

[Filed August 7, 1991, 10:56 a.m.]

Original Notice.

Title of Rule: WAC 480-12-130 relating to identification cards for common or contract carriers or registered carriers. The proposed amendment is shown below as Appendix A, Docket No. TV-910903. Written and/or oral submissions may also contain data, views, and arguments concerning the effect of the proposed

amendment on economic values pursuant to chapter 43-.21H RCW.

Purpose: To implement chapter 241, Laws of 1991 which authorized the commission to increase the motor vehicle stamp fee from \$3 to \$10 and to amend one option to payment of the motor vehicle regulatory fee to allow the purchase of a single trip regulatory fee card at the port of entry or any commission office or from an authorized commission agent.

Statutory Authority for Adoption: RCW 80.01.040 and 81.80.300.

Statute Being Implemented: Chapter 241, Laws of 1991.

Summary: Raises stamp fee from \$3 per vehicle to \$10 and revises one option to the regulatory fee by allowing the purchase of a regulatory fee card at the port of entry or at any commission office or from an authorized commission agent.

Reasons Supporting Proposal: It would implement chapter 241, Laws of 1991 and increase options to the regulatory fee for some carriers as authorized in RCW 81.80.300.

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: The rule would not result in any additional revenue being collected by the commission from regulated motor carriers. The commission is limited to spending that which the legislature authorizes it to spend and may set regulatory fees only in such amount to cover the costs of regulation. This rule amendment would increase the stamp fee but the result necessarily would be a decrease in the regulatory fees so there would be no overall revenue impact. There may, however, for some carriers be some minor change in the overall fee paid given that the present combined stamp and regulatory fee for some vehicles is slightly less than \$10.

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.

No economic impact statement is necessary as any economic impact would be minor or negligible for the reason set forth in Implementation of Rule, its Purpose, and Anticipated Effects above. Further, commission staff have determined that whatever minor impact that does exist would be borne by less than ten percent of the relevant industry (Standard Industrial Classification 421).

Hearing Location: Commission Hearing Room, Second Floor, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, WA, on September 11, 1991, at 9:00 a.m.

Submit Written Comments to: Paul Curl, Secretary, 1300 South Evergreen Park Drive S.W., Olympia, WA by September 3, 1991.

Date of Intended Adoption: September 11, 1991.

August 7, 1991

Paul Curl
Secretary

Appendix "A"

AMENDATORY SECTION (Amending Order R-276, Cause No. TV-2092, filed 9/17/87)

WAC 480-12-130 IDENTIFICATION CARDS—AMENDMENT—SUBSTITUTION. (1) No vehicle ((of)) or combination of vehicles operated by a common or contract carrier or registered carrier upon the highways of this state or the streets of regulated cities shall be so operated without having available within the cab of the motive power vehicle a valid identification cab card properly signed and with appropriate stamp affixed. Such identification card shall be subject to inspection by the commission's representatives at all times.

(2) An application for sufficient number of identification stamps shall be filed with the commission, accompanied by the necessary stamp and regulatory fee, during the month of October each year, or at any time thereafter that additional stamps are required. Such application shall be on forms furnished by the commission. The schedule of stamp and maximum regulatory fees is as follows:

GROSS LICENSED WEIGHT	STAMP FEE	REGULATORY FEE
Less than 4,000 lbs.	((3-00)) \$10.00	\$ 7.00
4,000 to 7,999 lbs.	((3-00)) 10.00	9.00
8,000 to 11,999 lbs.	((3-00)) 10.00	11.00
12,000 to 15,999 lbs.	((3-00)) 10.00	13.00
16,000 to 19,999 lbs.	((3-00)) 10.00	15.00
20,000 to 23,999 lbs.	((3-00)) 10.00	17.00
24,000 to 27,999 lbs.	((3-00)) 10.00	19.00
28,000 to 31,999 lbs.	((3-00)) 10.00	21.00
32,000 to 35,999 lbs.	((3-00)) 10.00	23.00
36,000 to 39,999 lbs.	((3-00)) 10.00	30.00
40,000 to 43,999 lbs.	((3-00)) 10.00	32.00
44,000 to 47,999 lbs.	((3-00)) 10.00	34.00
48,000 to 51,999 lbs.	((3-00)) 10.00	36.00
52,000 to 55,999 lbs.	((3-00)) 10.00	38.00
56,000 to 59,999 lbs.	((3-00)) 10.00	40.00
60,000 to 63,999 lbs.	((3-00)) 10.00	42.00
64,000 to 67,999 lbs.	((3-00)) 10.00	44.00
68,000 to 71,999 lbs.	((3-00)) 10.00	46.00
72,000 to 75,999 lbs.	((3-00)) 10.00	48.00

Note: The above regulatory fees are maximum only. Under RCW 81.80.320 the commission may, by general order entered before October 1 of any year, reduce the fees on a proportional basis.

(3) The stamp fee named in subsection (2) applies to each stamp applied for. The regulatory fee is also payable in connection with each stamp and is determined as follows:

(a) On any "solo" vehicle, or in combinations pulling any trailer operated either in intrastate or interstate commerce, the regulatory fee shall be as stated in subsection (2) and shall be based upon the maximum gross weight thereof as set by the carrier in his application for his regular license plates plus any additional tonnage or log tolerance permits. In the event that trailers or semitrailers are separately licensed for gross weight and not included within the licensed gross weight of the motive power unit, the fees provided herein shall be computed on the basis of the licensed gross weight of the trailers, plus additional weight fees if any, in which case a separate identification cab card will be issued for such trailers in the same manner as for a motive power vehicle.

(b) In lieu of the payment of a full regulatory fee for each vehicle or combination of vehicles operated across or between points in the state

and points outside the state exclusively in interstate or foreign commerce, and as to vehicles operated between points in this state and points outside the state in interstate commerce as well as points within this state in intrastate commerce, the regulatory fee may, at the request of the carrier, be paid on the basis of one of the following options:

Option 1. Floater regulatory fee cards.

Carriers who operate vehicles between points in this state and points outside this state exclusively in interstate commerce, and carriers who operate fleets in excess of 200 motive power units between points in this state and points outside this state in interstate commerce as well as points within this state in intrastate commerce may elect to purchase unassigned regulatory fee receipts at one hundred fifty percent of the applicable gross weight fee stated in subsection (2). One of these regulatory fee receipts must be carried within the cab of the motive power vehicle when such equipment is operated in this state and must be accompanied by a properly executed National Association of Regulatory Utility Commissioners uniform identification cab card and Washington utilities and transportation commission identification stamp. When applied for in this manner the fee must be that for the highest gross licensed weight of such solo or combination with which the receipt showing the payment of regulatory fees may be used.

The carrier must purchase an identification stamp for each power unit as provided for in subsection (2).

In the case of unladen automobiles and trucks operated in interstate driveaway service across or between points in the state and points outside the state, the carrier may use unassigned National Association of Regulatory Utility Commissioners uniform identification cab cards and Washington utilities and transportation commission identification stamps upon payment of one hundred fifty percent of the applicable gross weight fee and the three dollar stamp fee for each unassigned cab card and stamp.

Option 2. Lump sum regulatory fee payment.

Carriers who operate fleets in excess of 200 motive power vehicles either exclusively in interstate or foreign commerce across or between points in this state and points outside this state or between points in this state and points outside this state in interstate commerce as well as points within this state in intrastate commerce, and who have so operated under Option 1, above, or this option for the immediately preceding calendar year, may elect to pay a lump sum regulatory fee based on the number of power units for which identification stamps have been purchased during the immediately preceding calendar year at the regulatory fee established by general order of the commission entered before October 1st of any year. These carriers must purchase an identification stamp for each power unit as provided in subsection (2). With a properly executed National Association of Regulatory Utility Commissioners uniform identification cab card and Washington utilities and transportation commission identification stamp attached, no proof of regulatory fee payment need be carried.

Option 3. Single trip transit permit.

Carriers engaged exclusively in casual or occasional interstate or foreign commerce across or between points in the state and points outside the state may as in alternative to all other requirements of this chapter obtain a single trip transit permit, valid for ten days, authorizing a one-way trip into, out of or across the state. This permit will be issued upon payment of a fee of ten dollars and must be carried in the cab of the power vehicle. The carrier must state the name and policy number or binder of the insurance company with whom the carrier has insurance which meets the provisions of WAC 480-12-350.

Option 4. Single trip regulatory fee card.

A carrier registered with the Washington utilities and transportation commission to engage in interstate or foreign commerce across or between points in this state and points outside of this state, may purchase single trip regulatory fee cards, valid for ~~((five days))~~ seventy-two hours, authorizing a ~~((one-way))~~ trip into, out of or across this state, for a fee of ten dollars each.

Prenumbered single trip regulatory fee cards must be purchased ~~((in advance and no refund will be allowed for unused cards. Cards must be filled out, in ink or by typewriter, by the carrier, showing the description of the vehicle, license number, state in which the vehicle is licensed, name of owner (if other than the carrier), the commodity to be transported, the origin and destination of the shipment and be signed by an officer, agent or employee of the carrier authorized to use the card.))~~ at any commission office or port of entry, or from an authorized commission field agent. The card must be carried in the power

unit. ~~((The vehicle operating under a single trip regulatory fee card shall be under the control and direction of the motor carrier issuing the card and shall be used only within the scope of the authority of that motor carrier.~~

~~At the end of each calendar month a report shall be sent to the commission, showing the card number, dates used, origin of shipment, destination of shipment and vehicle number.))~~

(c) In intrastate or interstate commerce between points within the state of Washington the identification cab card and stamp may, at the request of the carrier, not be assigned to any particular motive power vehicle under the following circumstances:

(i) In connection with trucks or tractors to be operated under master leasing agreements provided for in WAC 480-12-210 (1)(h), in which case the cab card may be used only with vehicles operated under such master leasing agreements; and

(ii) In connection with unladen automobiles or trucks in driveaway service, in which case the cab card may be used only with such vehicles in driveaway service. The fees shall be as stated in subsection (3)(a) for the highest gross licensed weight (highest actual weight in driveaway service) on any power vehicle with which the identification cab card and stamp may be used.

(d) In intrastate commerce between points within the state of Washington, a common or contract carrier acquiring the use of private carrier equipment under the provisions of WAC 480-12-210 (1)(c) may, in connection with short term leases, elect to purchase single trip regulatory fee cards, valid for five days, authorizing a one-way trip between points within this state, for a fee of ten dollars each, in lieu of payment of the full regulatory fee.

Prenumbered single trip regulatory fee cards must be purchased in advance and no refunds will be allowed for unused cards. Cards must be filled out, in ink or by typewriter, by the carrier, showing the description of the vehicle, license number, state in which the vehicle is licensed, name of owner, the commodity to be transported, the origin and destination of the shipment and be signed by an officer, agent or employee of the carrier authorized to use the card. The card must be carried in the power unit. The vehicle operating under a single trip regulatory fee card shall be under the control and direction of the motor carrier issuing the card and shall be used only within the scope of the authority of that motor carrier.

At the end of each calendar month a report shall be sent to the commission, showing the card number, date used, origin of shipment, destination of shipment and vehicle number.

(4) On any truck or tractor for which the licensed capacity is increased during the year an IMMEDIATE APPLICATION accompanied by the amount of the increase in regulatory fee is necessary. The commission will provide for amendment of the cab card accordingly.

(5) No refund will be made on unused stamps.

(6) Any "lost" stamps will be replaced only at full stamp and regulatory fee: PROVIDED, HOWEVER, That in unusual circumstances the commission may, by order, waive all or a portion of the replacement cost.

(7) Each carrier shall obtain from the Washington utilities and transportation commission or from the National Association of Regulatory Utility Commissioners a sufficient number of blank identification cab cards to satisfy its requirements. Equipment which is used exclusively within the state, i.e., does not cross the state line, shall use the Washington utilities and transportation commission prescribed identification cab card. Equipment which is used exclusively in interstate or foreign commerce which crosses the state line shall use the National Association of Regulatory Utility Commissioners uniform identification cab card. Equipment used in both types of operation may use either cab card, however it is recommended that the National Association of Regulatory Utility Commissioners uniform identification cab card be used. Upon receipt of stamps from the commission, an identification cab card shall be duly completed by the carrier for each motive power unit and the appropriate stamp firmly affixed thereto. Such identification cab card shall be placed in the cab of each power unit in accordance with subsection (1).

(8) All identification cab cards and stamps issued for a particular calendar year expire January 31 of each succeeding year. However a stamp may be issued for the ensuing calendar year on or after the first day of October preceding, and may be used from the date of issue.

(9) When a permit is revised or extended, the commission will provide a new copy of the revised or extended authority to be retained on the carrier's vehicle(s), in addition to the cab card.

(10) All delinquent stamp fees, regulatory fees, tariff fees and tariff maintenance fees which are due and payable by the carrier to the

commission must be paid at the time application is made. The commission may refuse to issue identification stamps until all such fees are paid.

(11) An identification cab card may be reassigned to a substituted vehicle (power unit) only when the original vehicle has been destroyed or is being permanently withdrawn from the ownership or possession of the permittee.

WSR 91-16-091
PROPOSED RULES
DEPARTMENT OF
RETIREMENT SYSTEMS
 [Filed August 7, 1991, 12:45 p.m.]

Original Notice.

Title of Rule: A rule relating to assessment of interest charges for employers' overdue payments owed to the Department of Retirement Systems.

Purpose: The purpose of these rules is clarification and definition of the interest rate and assessment procedures relating to payments owed to the Department of Retirement Systems.

Statutory Authority for Adoption: RCW 41.50.050, 41.50.120, and chapter 34.05 RCW.

Statute Being Implemented: RCW 41.50.120.

Summary: These rules provide clarification and definitions relating to the interest rate and assessment procedures for payments owed to the Department of Retirement Systems.

Name of Agency Personnel Responsible for Drafting: Hector Gonzalez, Manager, Legislative/Legal Affairs, Department of Retirement Systems, 1025 East Union, Olympia, WA, (206) 586-3414; **Implementation:** George Northcroft, Director, Department of Retirement Systems, 1025 East Union, Olympia, WA, (206) 753-5281; and **Enforcement:** Jean Wilkinson, Assistant Attorney General, Office of Attorney General, Highways-Licenses Building, Olympia, Washington, (206) 753-0224.

Name of Proponent: Department of Retirement Systems, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: These rules and definitions are intended to implement the assessment of interest charges against employers' over due payments owed to the Department of Retirement Systems.

Proposal does not change existing rules.

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

Hearing Location: Department of Retirement Systems, Capital Plaza Building, 2nd Floor Boardroom, 1025 East Union Avenue, Olympia, WA, on September 10, 1991, at 1:00 p.m.

Submit Written Comments to: Hector Gonzalez, Manager, Legislative/Legal Affairs, Department of Retirement Systems, 1025 East Union, Olympia, WA 98504, by September 6, 1991.

Date of Intended Adoption: September 13, 1991.

August 2, 1991
 George Northcroft
 Director

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 415-114-010	Purpose.
WAC 415-114-020	Definitions.
WAC 415-114-030	What is Considered an Overdue Payment of an Obligation Owed to the Department.
WAC 415-114-040	Assessment of Interest Charge.
WAC 415-114-050	Assessment of Interest Charge on Accrued Obligations.
WAC 415-114-055	Assessment of Interest Charge on Debit Balance Forward.
WAC 415-114-060	Billing of Interest Charges.
WAC 415-114-070	Erroneous Charges of Interest.

CHAPTER 415-114

A Rule Relating to the Assessment of Interest Charges on Employers' Overdue Payments

NEW SECTION

WAC 415-114-100 **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 415-114-200 **DEFINITIONS.** As used in this chapter, unless a different meaning is plainly required by the context:

1. "Department" - refers to the Department of Retirement Systems established pursuant to chapter 41.50 RCW as now existing or hereafter amended;
2. "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 415-114-300 **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 415-114-400 **ASSESSMENT OF INTEREST CHARGE.**
 1. When a payment is overdue, interest will be charged in the following manner:

A 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 number 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 415-114-300, interest charges will be based on an average of contribution reports processed from the prior six months. 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 current obligations which are due on or before June 15, 1991. Current obligations are all obligations except debit balance forwards as defined in WAC 415-114-550.

NEW SECTION

WAC 415-114-500 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 on the third business day after June 15, 1991, will be assessed an interest charge in accordance with WAC 415-114-400.

NEW SECTION

WAC 415-114-550 ASSESSMENT OF INTEREST CHARGE ON DEBIT BALANCE FORWARD. Employers will be given until August 15, 1991, to pay the total debit balance forward. Debit balance forwards are obligations accrued and owing to the Department prior to March 1989 and not paid subsequently. Debit balance forwards not paid by the close of business day on the third business day after August 15, 1991, will be assessed an interest charge in accordance with WAC 415-114-400. Employers with a credit balance forward will not have their credit balance forward applied to current obligations until August 15, 1991. Credit balance forwards are credits given prior to March 1989.

NEW SECTION

WAC 415-114-600 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 415-114-300.

NEW SECTION

WAC 415-114-700 ERRONEOUS CHARGES OF INTEREST. If the department erroneously charges interest against an employer, the Department will credit the employer's account an amount equal to the erroneous interest that was charged. Employers who believe that they have been erroneously charged interest must submit to the Department written proof prior to the Department making a determination regarding the cancellation of the interest charge.

WSR 91-16-092
PROPOSED RULES
DEPARTMENT OF
RETIREMENT SYSTEMS
[Filed August 7, 1991, 12:52 p.m.]

Original Notice.

Title of Rule: A rule relating to amendment of administrative petition procedure.

Purpose: To amend WAC 415-04-020 to rename Department of Retirement Systems personnel designated in the petition process.

Statutory Authority for Adoption: RCW 41.50.050.

Statute Being Implemented: RCW 41.50.030.

Summary: To amend WAC 415-04-020 to rename Department of Retirement Systems personnel designated in the petition process.

Name of Agency Personnel Responsible for Drafting: Hector Gonzalez, Manager, Legislative/Legal Affairs, Department of Retirement Systems, 1025 East Union, Olympia, WA, (206) 586-3414; Implementation: George Northcroft, Director, Department of Retirement

Systems, 1025 East Union, Olympia, WA, (206) 753-5281; and Enforcement: Jean Wilkinson, Assistant Attorney General, Office of Attorney General, Highways-Licenses Building, Olympia, Washington, (206) 753-0224.

Name of Proponent: Department of Retirement Systems, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The rule is proposed to amend WAC 415-04-020 to rename Department of Retirement Systems personnel designated in the petition process. There is no substantive effect on the rights or procedures of members regarding the administrative petition process.

Proposal Changes the Following Existing Rules: It changes the title of the person assigned to render a decision in the petition process.

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

Hearing Location: Department of Retirement Systems, Capital Plaza Building, 2nd Floor Boardroom, 1025 East Union Avenue, Olympia, WA, on September 10, 1991, at 1:00 p.m.

Submit Written Comments to: Hector Gonzalez, Manager, Legislative/Legal Affairs, Department of Retirement Systems, 1025 East Union, Olympia, WA 98504, by September 6, 1991.

Date of Intended Adoption: September 13, 1991.

August 2, 1991
George Northcroft
Director

AMENDATORY SECTION (Amending Order 4, filed 7/27/77)

WAC 415-04-020 PETITION—RESPONSE—DECISION—APPEAL. The initial application or petition shall contain the following:

(1) A complete and detailed statement of the factual situation underlying the application or petition; which may include all relevant documents and sworn statements deemed appropriate by the petitioner.

(2) A concise but detailed statement of the constitutional, statutory or common law provisions or precedents relied upon by the petitioner in support of his petition.

(3) An identification of the individual or individuals filing the petition, as well as an identification of legal counsel if such persons are represented by the same.

(4) The address to which the petitioner wishes further correspondence from the department to be sent.

(5) Upon receipt of the petition, the director will assign the same to the special assistant to the director (~~for program services~~). The special assistant to the director will, within seven days, notify the employer(s) if the petitioner is a member(s) or the affected member(s) if the applicant or petitioner is an employer(s). Said notification shall request the employer(s) or member(s) to submit any written response to the petition no later than 20 days from the date of receipt of the notice, except upon an extension being granted by the special assistant to the director upon good cause shown. The response shall generally take the form of and contain information required of the original petition as described in this section.

(6) Upon receipt of the response, the special assistant to the director shall forward a copy of the response to the original petitioner who shall have ten days in which to reply to the same.

(7) Within 20 days of the expiration of the 10 day period for reply, the special assistant to the director shall enter a written decision containing such findings of fact and conclusions of law as he deems necessary to dispose of the matter.

(8) The decision of the special assistant to the director may be appealed to the director in accordance of the procedures established by WAC 415-08-010 through 415-08-480. An appeal of the (~~assistant~~

director's)) special assistant's decision to the director shall be a necessary prerequisite to appeal to the superior court of the state of Washington.

WSR 91-16-093
PROPOSED RULES
DEPARTMENT OF
RETIREMENT SYSTEMS
 [Filed August 7, 1991, 12:56 p.m.]

Original Notice.

Title of Rule: Records indexing.

Purpose: To implement RCW 42.17.260 (4)(a) and (b), which require state agencies to establish and implement a system of indexing for certain records maintained by the agencies.

Statutory Authority for Adoption: RCW 41.50.050, and 42.17.260 (4)(a) and (b).

Statute Being Implemented: RCW 42.17.260 (4)(a) and (b).

Summary: A rule implementing a system of indexing for certain records maintained by the Department of Retirement Systems pursuant to RCW 42.17.260 (4)(a) and (b).

Name of Agency Personnel Responsible for Drafting: Hector Gonzalez, Manager, Legislative/Legal Affairs, Department of Retirement Systems, 1025 East Union, Olympia, WA, (206) 586-3414; Implementation: George Northcroft, Director, Department of Retirement Systems, 1025 East Union, Olympia, WA (206) 753-5281; and Enforcement: Jean Wilkinson, Assistant Attorney General, Office of Attorney General, Highways-Licenses Building, Olympia, Washington, (206) 753-0224.

Name of Proponent: Department of Retirement Systems, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: A rule to implement a system of indexing for certain records maintained by the Department of Retirement Systems pursuant to RCW 42.17.260 (4)(a) and (b). The rule provides criteria under which the Department of Retirement Services [Systems] must index public records.

Proposal does not change existing rules.

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

Hearing Location: Department of Retirement Systems, Capital Plaza Building, 2nd Floor Boardroom, 1025 East Union Avenue, Olympia, WA, on September 10, 1991, at 1:00 p.m.

Submit Written Comments to: Hector Gonzalez, Manager, Legislative/Legal Affairs, Department of Retirement Systems, 1025 East Union, Olympia, WA 98504, by September 6, 1991.

Date of Intended Adoption: September 13, 1991.

August 2, 1991
 George Northcroft
 Director

AMENDATORY SECTION (Amending Order 4, filed 7/27/77)

WAC 415-06-090 RECORDS INDEX. (1) (~~INDEX. The director has available to all persons a current index which provides identifying information as to the following records issued, adopted or promulgated since June 30, 1972:~~

~~"(a) Final opinions, including concurring and dissenting opinions, as well as orders, made in the adjudication of cases;~~

~~"(b) Those statements of policy and interpretations of policy, statute and the constitution which have been adopted by the agency;~~

~~"(c) Administrative staff manuals and instructions to staff that affect a member of the public;~~

~~"(d) Planning policies and goals, and interim and final planning decisions;~~

~~"(e) Factual staff reports and studies, factual consultant's reports and studies, scientific reports and studies, and any other factual information derived from tests, studies, reports or surveys, whether conducted by public employees or others; and~~

~~"(f) Correspondence, and materials referred to therein, by and with the agency relating to any regulatory, supervisory or enforcement responsibilities of the agency, whereby the agency determines, or opines upon, or is asked to determine or opine upon, the rights of the state, the public, a subdivision of state government, or of any private party."~~

(2) AVAILABILITY. ~~The current index promulgated by the director shall be available to all persons under the same rules and on the same conditions as are applied to public records available for inspection.)~~ Purpose. This rule is intended to implement RCW 42.17.260 (4)(a) and (b), which require state agencies to establish and implement a system of indexing for certain records maintained by state agencies.

(2) Responsibility for department's indexing system. The department's indexing system for records covered under this section is administered by the manager of the files unit. All record indices described in this section shall be located at the department's files unit.

(3) The department shall establish and implement a system of indexing for all records issued before July 1, 1990, for which the department has maintained an index. The department has maintained an index for the following records which have existed before July 1, 1990:

(a) "Final opinions" which include the director's final orders and other final orders in adjudicative proceedings concerning the department;

(b) "Statements and interpretations of law and policy" which include the department's "DRS notices" advising employers of the department's position regarding law and/or policy; and formal and informal opinions by the state attorney general's office, used by the department as the basis for administrative decisions;

(c) "Administrative staff manuals and instructions" which affect members of the public;

(d) "Planning policies and goals";

(e) "Factual reports and studies" by department staff, consultants, other governmental entities, and private organizations;

(f) "Correspondence" by the department in which the department determines or provides an opinion on the rights of state government, the public, subdivisions of state government, or any private party.

(4) The department shall establish and implement a system of indexing for the following records on or after July 1, 1990:

(a) "Final orders" which are issued in an adjudicative proceeding as defined by RCW 34.05.010(1) containing analyses or decisions of substantial importance to the department;

(b) "Declaratory orders" which are issued pursuant to RCW 34.05-.240 containing analyses or decisions of substantial importance to the department;

(c) "Interpretive statements" which are a written expression of an opinion by the department, entitled "interpretive statement" by the department's director, or his or her designee, and relating to the meaning of a statute or other provision of law, court decision, or agency order; and

(d) "Policy statements" which are a written description of the department's current policy, entitled "policy statement" by the department's director, or his or her designee, and implementing a statute or other provision of law, or court decision, or agency order.

(5) The system of indexing the records identified in WAC 415-06-090 (3) and (4) is as follows:

(a) An index will be organized in WAC 415-06-090 (3) and (4).

(b) Staff of the department's legal/legislative affairs unit will select the final orders and declaratory orders to be indexed reviewing all final orders and declaratory orders entered after June 30, 1990, and evaluating the substantial importance of the orders.

(c) Records will be indexed by a phrase describing the record's subject, issue or holding, and by citation of the law involved. Examples of phrases to be used are "service credit," "retirement benefits," "membership," and "contributions."

(6) Availability: The department record index shall be available to all persons in the same manner as public records available for inspection, under chapter 415-06 WAC.

**WSR 91-16-094
PROPOSED RULES
DEPARTMENT OF
RETIREMENT SYSTEMS**
[Filed August 7, 1991, 1:05 p.m.]

Original Notice.

Title of Rule: A rule relating to amendment of Law Enforcement Officers' and Firefighters' Retirement System (LEOFF) actuarial tables.

Purpose: To amend WAC 415-104-108 relating to actuarial tables.

Statutory Authority for Adoption: RCW 41.50.050 and 41.26.060.

Statute Being Implemented: RCW 41.26.060.

Summary: This rule amends WAC 415-104-108 by deleting a duplicate of an actuarial table relating to LEOFF members.

Name of Agency Personnel Responsible for Drafting: Hector Gonzalez, Manager, Legislative/Legal Affairs, Department of Retirement Systems, 1025 East Union, Olympia, WA, (206) 586-3414; **Implementation:** George Northcroft, Director, Department of Retirement Systems, 1025 East Union, Olympia, WA, (206) 753-5281; and **Enforcement:** Jean Wilkinson, Assistant Attorney General, Office of Attorney General, Highways-Licenses Building, Olympia, Washington, (206) 753-0224.

Name of Proponent: Department of Retirement Systems, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This rule amends WAC 415-104-108 by deleting a duplicate actuarial table. There is no substantive effect to this amendment.

Proposal does not change existing rules.

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

Hearing Location: Department of Retirement Systems, Capital Plaza Building, 2nd Floor Boardroom, 1025 East Union Avenue, Olympia, WA, on September 10, 1991, at 1:00 p.m.

Submit Written Comments to: Hector Gonzalez, Manager, Legislative/Legal Affairs, Department of Retirement Systems, 1025 East Union, Olympia, WA 98504, by September 6, 1991.

Date of Intended Adoption: September 13, 1991.

August 2, 1991
George Northcroft
Director

AMENDATORY SECTION (Amending WSR 91-02-019, filed 12/21/90, effective 1/21/91)

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

LAW ENFORCEMENT OFFICERS AND FIREFIGHTERS RETIREMENT SYSTEM PLAN I Monthly Benefit per \$1.00 of Accumulation		LAW ENFORCEMENT OFFICERS AND FIREFIGHTERS RETIREMENT SYSTEM PLAN II Monthly Benefit per \$1.00 of Accumulation	
20	.0025142	20	.0039808
21	.0025304	21	.0039997
22	.0025472	22	.0040196
23	.0025647	23	.0040405
24	.0025828	24	.0040624
25	.0026017	25	.0040855
26	.0026214	26	.0041098
27	.0026418	27	.0041353
28	.0026632	28	.0041622
29	.0026854	29	.0041905
30	.0027086	30	.0042204
31	.0027327	31	.0042518
32	.0027579	32	.0042850
33	.0027842	33	.0043200
34	.0028117	34	.0043569
35	.0028404	35	.0043958
36	.0028704	36	.0044370
37	.0029018	37	.0044805
38	.0029346	38	.0045266
39	.0029690	39	.0045752
40	.0030050	40	.0046267
41	.0030427	41	.0046810
42	.0030823	42	.0047384
43	.0031237	43	.0047988
44	.0031672	44	.0048626
45	.0032128	45	.0049298
46	.0032607	46	.0050007
47	.0033111	47	.0050753
48	.0033640	48	.0051539
49	.0034197	49	.0052369
50	.0034785	50	.0053245
51	.0035404	51	.0054172
52	.0036059	52	.0055155
53	.0036751	53	.0056199
54	.0037485	54	.0057310
55	.0038265	55	.0058496
56	.0039096	56	.0059764
57	.0039981	57	.0061122
58	.0040928	58	.0062578
59	.0041941	59	.0064139
60	.0043026	60	.0065811
61	.0044195	61	.0067600
62	.0045451	62	.0069511

LAW
ENFORCEMENT OFFICERS
AND FIREFIGHTERS
RETIREMENT SYSTEM
PLAN I
Monthly Benefit per
\$1.00 of Accumulation

LAW
ENFORCEMENT OFFICERS
AND FIREFIGHTERS
RETIREMENT SYSTEM
PLAN II
Monthly Benefit per
\$1.00 of Accumulation

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

63	.0046805	63	.0071548
64	.0048266	64	.0073714
65	.0049847	65	.0076011
66	.0051560	66	.0078441
67	.0053424	67	.0081009
68	.0055445	68	.0083721
69	.0057645	69	.0086591
70	.0060046	70	.0089634
71	.0062678	71	.0092866
72	.0065554	72	.0096299
73	.0068706	73	.0099940
74	.0072168	74	.0103786
75	.0075947	75	.0107825
76	.0080069	76	.0112040
77	.0084560	77	.0116408
78	.0089449	78	.0120905
79	.0094696	79	.0125511
80	.0100369	80	.0130204
81	.0106372	81	.0134944
82	.0112701	82	.0139758
83	.0119271	83	.0144609
84	.0126119	84	.0149489
85	.0133170	85	.0154388
86	.0140467	86	.0159282
87	.0147922	87	.0164053
88	.0155623	88	.0168983
89	.0163745	89	.0173754
90	.0172295	90	.0178441
91	.0181323	91	.0183008
92	.0190934	92	.0187436
93	.0201303	93	.0191730
94	.0212247	94	.0195820
95	.0223693	95	.0199697
96	.0236226	96	.0203443
97	.0250062	97	.0207038
98	.0265426	98	.0210462
99	.0282645	99	.0213706

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

0	0	1.0000
	1	.9918
	2	.9836
	3	.9754
	4	.9672
	5	.9590
	6	.9508
	7	.9426
	8	.9344
	9	.9262
	10	.9180
	11	.9098
1	0	.9016
	1	.8943
	2	.8870
	3	.8797
	4	.8724
	5	.8652
	6	.8579
	7	.8506
	8	.8433
	9	.8360

	10	.8287
	11	.8215
2	0	.8142
	1	.8077
	2	.8012
	3	.7947
	4	.7883
	5	.7818
	6	.7753
	7	.7688
	8	.7623
	9	.7558
	10	.7494
	11	.7429
3	0	.7364
	1	.7306
	2	.7248
	3	.7191
	4	.7133
	5	.7075
	6	.7017
	7	.6959
	8	.6902
	9	.6844
	10	.6786
	11	.6728
4	0	.6670
	1	.6619
	2	.6567
	3	.6515
	4	.6464
	5	.6412
	6	.6360
	7	.6309
	8	.6257
	9	.6205
	10	.6153
	11	.6102
5	0	.6050
	1	.6004
	2	.5958
	3	.5911
	4	.5865
	5	.5819
	6	.5772
	7	.5726
	8	.5680
	9	.5634
	10	.5587
	11	.5541
6	0	.5495
	1	.5453
	2	.5412
	3	.5370
	4	.5329
	5	.5287
	6	.5246
	7	.5204
	8	.5163
	9	.5121
	10	.5080
	11	.5038
7	0	.4996
	1	.4959
	2	.4922
	3	.4884
	4	.4847
	5	.4810
	6	.4773

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

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

7	.4735	4	.2806
8	.4698	5	.2786
9	.4661	6	.2765
10	.4623	7	.2745
11	.4586	8	.2725
8 0	.4549	9	.2705
1	.4515	10	.2684
2	.4481	11	.2664
3	.4448	14 0	.2644
4	.4414	1	.2625
5	.4381	2	.2607
6	.4347	3	.2588
7	.4313	4	.2570
8	.4280	5	.2551
9	.4246	6	.2533
10	.4213	7	.2514
11	.4179	8	.2496
9 0	.4145	9	.2478
1	.4115	10	.2459
2	.4085	11	.2441
3	.4054	15 0	.2422
4	.4024	1	.2405
5	.3994	2	.2389
6	.3964	3	.2372
7	.3933	4	.2355
8	.3903	5	.2338
9	.3873	6	.2322
10	.3842	7	.2305
11	.3812	8	.2288
10 0	.3782	9	.2271
1	.3754	10	.2254
2	.3727	11	.2238
3	.3700	16 0	.2221
4	.3672	1	.2206
5	.3645	2	.2190
6	.3618	3	.2175
7	.3590	4	.2160
8	.3563	5	.2145
9	.3535	6	.2129
10	.3508	7	.2114
11	.3481	8	.2099
11 0	.3453	9	.2084
1	.3429	10	.2068
2	.3404	11	.2053
3	.3379	17 0	.2038
4	.3354	1	.2024
5	.3330	2	.2010
6	.3305	3	.1996
7	.3280	4	.1982
8	.3255	5	.1968
9	.3231	6	.1955
10	.3206	7	.1941
11	.3181	8	.1927
12 0	.3156	9	.1913
1	.3134	10	.1899
2	.3112	11	.1885
3	.3089	18 0	.1871
4	.3067	1	.1858
5	.3044	2	.1846
6	.3022	3	.1833
7	.2999	4	.1820
8	.2977	5	.1808
9	.2955	6	.1795
10	.2932	7	.1782
11	.2910	8	.1770
13 0	.2887	9	.1757
1	.2867	10	.1744
2	.2847	11	.1732
3	.2826		

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

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

19	0	.1719
	1	.1708
	2	.1696
	3	.1684
	4	.1673
	5	.1661
	6	.1650
	7	.1638
	8	.1627
	9	.1615
	10	.1604
	11	.1592
20	0	.1580
	1	.1570
	2	.1559
	3	.1549
	4	.1538
	5	.1528
	6	.1517
	7	.1506
	8	.1496
	9	.1485
	10	.1475
	11	.1464
21	0	.1454
	1	.1444
	2	.1434
	3	.1425
	4	.1415
	5	.1405
	6	.1396
	7	.1386
	8	.1376
	9	.1367
	10	.1357
	11	.1347
22	0	.1338
	1	.1329
	2	.1320
	3	.1311
	4	.1302
	5	.1294
	6	.1285
	7	.1276
	8	.1267
	9	.1258
	10	.1249
	11	.1241
23	0	.1232
	1	.1224
	2	.1216
	3	.1208
	4	.1199
	5	.1191
	6	.1183
	7	.1175
	8	.1167
	9	.1159
	10	.1151
	11	.1143
24	0	.1135
	1	.1127
	2	.1120
	3	.1113
	4	.1105
	5	.1098
	6	.1090
	7	.1083
	8	.1075

	9	.1068
	10	.1061
	11	.1053
25	0	.1046
	1	.1039
	2	.1032
	3	.1025
	4	.1019
	5	.1012
	6	.1005
	7	.0998
	8	.0991
	9	.0985
	10	.0978
	11	.0971
26	0	.0964
	1	.0958
	2	.0952
	3	.0946
	4	.0939
	5	.0933
	6	.0927
	7	.0921
	8	.0914
	9	.0908
	10	.0902
	11	.0896
27	0	.0889
	1	.0884
	2	.0878
	3	.0872
	4	.0867
	5	.0861
	6	.0855
	7	.0849
	8	.0844
	9	.0838
	10	.0832
	11	.0826
28	0	.0821
	1	.0815
	2	.0810
	3	.0805
	4	.0800
	5	.0794
	6	.0789
	7	.0784
	8	.0779
	9	.0773
	10	.0768
	11	.0763
29	0	.0758
	1	.0753
	2	.0748
	3	.0743
	4	.0738
	5	.0733
	6	.0729
	7	.0724
	8	.0719
	9	.0714
	10	.0709
	11	.0704
30	0	.0700
	1	.0695
	2	.0691
	3	.0686
	4	.0682
	5	.0677

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

	6	.0673
	7	.0668
	8	.0664
	9	.0660
	10	.0655
	11	.0651
31	0	.0646
	1	.0642
	2	.0638
	3	.0634
	4	.0630
	5	.0626
	6	.0622
	7	.0618
	8	.0613
	9	.0609
	10	.0605
	11	.0601
32	0	.0597
	1	.0593
	2	.0590
	3	.0586
	4	.0582
	5	.0578
	6	.0575
	7	.0571
	8	.0567
	9	.0563
	10	.0559
	11	.0556
33	0	.0552
	1	.0548
	2	.0545
	3	.0541
	4	.0538
	5	.0535
	6	.0531
	7	.0528
	8	.0524
	9	.0521
	10	.0517
	11	.0514
34	0	.0510
	1	.0507
	2	.0504
	3	.0501
	4	.0497
	5	.0494
	6	.0491
	7	.0488
	8	.0485
	9	.0481
	10	.0478
	11	.0475
35	0	.0472
	1	.0469
	2	.0466
	3	.0463
	4	.0460
	5	.0457
	6	.0454
	7	.0451
	8	.0448
	9	.0445
	10	.0442
	11	.0439

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

	36	0	.0437
		1	.0434
		2	.0431
		3	.0428
		4	.0426
		5	.0423
		6	.0420
		7	.0417
		8	.0415
		9	.0412
		10	.0409
		11	.0407
	37	0	.0404
		1	.0401
		2	.0399
		3	.0396
		4	.0394
		5	.0391
		6	.0389
		7	.0386
		8	.0384
		9	.0381
		10	.0379
		11	.0376
	38	0	.0374
		1	.0372
		2	.0369
		3	.0367
		4	.0365
		5	.0363
		6	.0361
		7	.0359
		8	.0356
		9	.0354
		10	.0352
		11	.0350
	39	0	.0348
		1	.0346
		2	.0344
		3	.0342
		4	.0340
		5	.0338
		6	.0336
		7	.0334
		8	.0332
		9	.0330
		10	.0327
		11	.0325
	40	or more	.0323

LAW ENFORCEMENT OFFICERS
AND FIREFIGHTERS RETIREMENT SYSTEM

PLAN II

Option II	Age Difference	Option III
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Member Older

0.800	0	0.887
0.790	1	0.883
0.778	2	0.877
0.768	3	0.871
0.759	4	0.865
0.750	5	0.859
0.742	6	0.854
0.734	7	0.849

LAW ENFORCEMENT OFFICERS
AND FIREFIGHTERS RETIREMENT SYSTEM

PLAN II		
Option II	Age Difference	Option III
0.726	8	0.843
0.718	9	0.838
0.711	10	0.833
0.704	11	0.828
0.697	12	0.824
0.690	13	0.818
0.681	14	0.812
0.672	15	0.805
0.663	16	0.799
0.656	17	0.794
0.650	18	0.790
0.644	19	0.786
0.639	20	0.782
0.634	21	0.778
0.630	22	0.775
0.625	23	0.771
0.621	24	0.768
0.617	25	0.765
0.613	26	0.762
0.609	27	0.759
0.606	28	0.756
0.602	29	0.754
0.599	30	0.751
0.596	31	0.749
0.593	32	0.746
0.590	33	0.744
0.587	34	0.742
0.585	35	0.740
0.582	36	0.738
0.580	37	0.736
0.578	38	0.734
0.575	39	0.732
0.573	40	0.731
	Beneficiary Older	
0.956	-20 or more	0.980
0.951	-19	0.978
0.946	-18	0.975
0.940	-17	0.972
0.934	-16	0.968
0.927	-15	0.965
0.920	-14	0.961
0.913	-13	0.957
0.905	-12	0.953
0.897	-11	0.948
0.889	-10	0.944
0.881	-9	0.939
0.872	-8	0.933
0.863	-7	0.929
0.854	-6	0.924
0.846	-5	0.919
0.837	-4	0.913
0.828	-3	0.908
0.819	-2	0.902
0.810	-1	0.897

(LEOFF II JSR Age Difference LEOFF I JSR
OPTION II Beneficiary Older OPTION III)

0.913	-13	0.957
0.905	-12	0.953
0.897	-11	0.948
0.889	-10	0.944
0.881	-9	0.939
0.872	-8	0.934
0.863	-7	0.929
0.854	-6	0.924
0.846	-5	0.919
0.837	-4	0.913
0.828	-3	0.908
0.819	-2	0.902
0.810	-1	0.897
	Beneficiary Younger	
0.800	0	0.894
0.790	1	0.889
0.778	2	0.881
0.768	3	0.874
0.759	4	0.866
0.750	5	0.860
0.742	6	0.854
0.734	7	0.849
0.726	8	0.843
0.718	9	0.838
0.711	10	0.833
0.704	11	0.828
0.697	12	0.824
0.690	13	0.818
0.681	14	0.812
0.672	15	0.805
0.663	16	0.799
0.656	17	0.794
0.650	18	0.790
0.644	19	0.786
0.639	20	0.782
0.634	21	0.778
0.630	22	0.775
0.625	23	0.771
0.621	24	0.768
0.617	25	0.765
0.613	26	0.762
0.609	27	0.759
0.606	28	0.756
0.602	29	0.754
0.599	30	0.751
0.596	31	0.749
0.593	32	0.746
0.590	33	0.744
0.587	34	0.742
0.585	35	0.740
0.582	36	0.738
0.580	37	0.736
0.578	38	0.734
0.575	39	0.732
0.573	40 or more	0.731

Age difference = member's age minus beneficiary age))

AGE DIFFERENCE = MEMBER'S AGE MINUS BENEFICIARY AGE

* For converting the Normal Form (Option I) to Option II or III.

(LEOFF II JSR Age Difference LEOFF I JSR
OPTION II Beneficiary Older OPTION III)

0.956	-20 or more	0.980
0.951	-19	0.978
0.946	-18	0.975
0.940	-17	0.972
0.934	-16	0.968
0.927	-15	0.965
0.920	-14	0.961

WSR 91-16-095
PROPOSED RULES
DEPARTMENT OF
RETIREMENT SYSTEMS
[Filed August 7, 1991, 1:10 p.m.]

Original Notice.

Title of Rule: A rule relating to amendment of Washington Teachers' Retirement System (TRS) actuarial tables.

Purpose: To amend WAC 415-112-040 relating to TRS actuarial tables.

Statutory Authority for Adoption: RCW 41.50.050 and 41.32.140.

Statute Being Implemented: RCW 41.32.140.

Summary: This is a rule relating to the extension of the TRS Plan II actuarial table for early retirement factors, by year and month, to 45.

Name of Agency Personnel Responsible for Drafting: Hector Gonzalez, Manager, Legislative/Legal Affairs, Department of Retirement Systems, 1025 East Union, Olympia, WA, (206) 586-3414; Implementation: George Northcroft, Director, Department of Retirement Systems, 1025 East Union, Olympia, WA, (206) 753-5281; and Enforcement: Jean Wilkinson, Assistant Attorney General, Office of Attorney General, Highways-Licenses Building, Olympia, Washington, (206) 753-0224.

Name of Proponent: Department of Retirement Systems (DRS), governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This rule extends the TRS II actuarial table relating to early retirement factors, from 35 to 45, by year and month. There is no substantive impact from this rule; it is the completion of an actuarial table.

Proposal does not change existing rules.

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

Hearing Location: Department of Retirement Systems, Capital Plaza Building, 2nd Floor Boardroom, 1025 East Union Avenue, Olympia, WA, on September 10, 1991, at 1:00 p.m.

Submit Written Comments to: Hector Gonzalez, Manager, Legislative/Legal Affairs, Department of Retirement Systems, 1025 East Union, Olympia, WA 98504, by September 6, 1991.

Date of Intended Adoption: September 13, 1991.

August 2, 1991
George Northcroft
Director

AMENDATORY SECTION (Amending WSR 91-02-020, filed 12/21/90, effective 1/21/91)

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

Teachers
Retirement System
TRS I Optional
COLA*

Teachers
Retirement System
TRS I Option I
Monthly Benefit per
\$1.00 of Accumulation

20	.633	20	.0061484
21	.634	21	.0061561
22	.636	22	.0061643
23	.638	23	.0061732
24	.639	24	.0061828
25	.641	25	.0061930
26	.643	26	.0062039
27	.645	27	.0062156
28	.647	28	.0062281
29	.649	29	.0062414
30	.652	30	.0062558
31	.654	31	.0062711
32	.656	32	.0062875
33	.659	33	.0063050
34	.661	34	.0063238
35	.664	35	.0063440
36	.667	36	.0063655
37	.670	37	.0063886
38	.673	38	.0064133
39	.676	39	.0064398
40	.679	40	.0064682
41	.682	41	.0064988
42	.686	42	.0065315
43	.689	43	.0065666
44	.693	44	.0066042
45	.697	45	.0066444
46	.701	46	.0066874
47	.705	47	.0067334
48	.709	48	.0067823
49	.714	49	.0068345
50	.718	50	.0068901
51	.723	51	.0069492
52	.728	52	.0070122
53	.734	53	.0070794
54	.739	54	.0071512
55	.745	55	.0072280
56	.751	56	.0073102
57	.758	57	.0073984
58	.764	58	.0074931
59	.771	59	.0075950
60	.779	60	.0077049
61	.787	61	.0078235
62	.795	62	.0079521
63	.804	63	.0080907
64	.814	64	.0824070
65	.824	65	.0084029
66	.835	66	.0085784
67	.847	67	.0087680
68	.860	68	.0089727
69	.875	69	.0091936
70	.890	70	.0094312
71	.907	71	.0096865
72	.927	72	.0099604
73	.948	73	.0102542
74 or more	.972	74	.0105696
		75	.0109088
		76	.0112739
		77	.0116669
		78	.0120898
		79	.0125439
		80	.0130304
		81	.0135505
		82	.0141057
		83	.0146979
		84	.0153295
		85	.0160001
		86	.0167200
		87	.0174922
		88	.0183233
		89	.0192217
		90	.0201938

Teachers
Retirement System
TRS 1 Optional
COLA*

Teachers
Retirement System
TRS 1 Option 1
Monthly Benefit per
\$1.00 of Accumulation

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

91	.0212433
92	.0223781
93	.0236079
94	.0249403
95	.0263868
96	.0279635
97	.0296927
98	.0315504
99	.0335425

* For converting from the normal form Option 0 without a COLA, to Option 0 with a COLA

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

0 0	1.0000
1	.9927
2	.9854
3	.9780
4	.9707
5	.9634
6	.9561
7	.9488
8	.9414
9	.9341
10	.9268
11	.9195
1 0	.9122
1	.9056
2	.8990
3	.8924
4	.8858
5	.8792
6	.8727
7	.8661
8	.8595
9	.8529
10	.8463
11	.8397
2 0	.8331
1	.8272
2	.8213
3	.8153
4	.8094
5	.8034
6	.7975
7	.7916
8	.7856
9	.7797
10	.7737
11	.7678
3 0	.7619
1	.7565
2	.7511
3	.7457
4	.7404
5	.7350
6	.7296
7	.7243
8	.7189
9	.7135
10	.7082
11	.7028

4 0	.6974
1	.6926
2	.6877
3	.6829
4	.6780
5	.6731
6	.6683
7	.6634
8	.6586
9	.6537
10	.6489
11	.6440
5 0	.6391
1	.6347
2	.6303
3	.6259
4	.6215
5	.6171
6	.6127
7	.6083
8	.6039
9	.5995
10	.5951
11	.5907
6 0	.5863
1	.5823
2	.5783
3	.5743
4	.5703
5	.5663
6	.5623
7	.5583
8	.5543
9	.5503
10	.5463
11	.5423
7 0	.5383
1	.5346
2	.5310
3	.5273
4	.5237
5	.5201
6	.5164
7	.5128
8	.5092
9	.5055
10	.5019
11	.4982
8 0	.4946
1	.4913
2	.4880
3	.4847
4	.4813
5	.4780
6	.4747
7	.4714
8	.4681
9	.4648
10	.4615
11	.4582
9 0	.4548
1	.4518
2	.4488
3	.4458
4	.4428
5	.4397
6	.4367
7	.4337
8	.4307
9	.4276

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

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

10	.4246	9	.2630
11	.4216	10	.2612
10 0	.4186	11	.2594
1	.4158	16 0	.2577
2	.4131	1	.2560
3	.4103	2	.2544
4	.4076	3	.2528
5	.4048	4	.2511
6	.4020	5	.2495
7	.3993	6	.2479
8	.3965	7	.2462
9	.3938	8	.2446
10	.3910	9	.2430
11	.3882	10	.2413
11 0	.3855	11	.2397
1	.3830	17 0	.2381
2	.3804	1	.2366
3	.3779	2	.2351
4	.3754	3	.2336
5	.3729	4	.2321
6	.3704	5	.2306
7	.3678	6	.2291
8	.3653	7	.2276
9	.3628	8	.2261
10	.3603	9	.2246
11	.3578	10	.2231
12 0	.3552	11	.2216
1	.3529	18 0	.2201
2	.3506	1	.2187
3	.3483	2	.2173
4	.3460	3	.2159
5	.3437	4	.2146
6	.3414	5	.2132
7	.3391	6	.2118
8	.3368	7	.2104
9	.3345	8	.2090
10	.3322	9	.2077
11	.3299	10	.2063
13 0	.3276	11	.2049
1	.3254	19 0	.2035
2	.3233	1	.2023
3	.3212	2	.2010
4	.3191	3	.1997
5	.3170	4	.1984
6	.3149	5	.1972
7	.3128	6	.1959
8	.3107	7	.1946
9	.3085	8	.1934
10	.3064	9	.1921
11	.3043	10	.1908
14 0	.3022	11	.1896
1	.3003	20 0	.1883
2	.2983	1	.1871
3	.2964	2	.1860
4	.2945	3	.1848
5	.2925	4	.1836
6	.2906	5	.1824
7	.2887	6	.1813
8	.2867	7	.1801
9	.2848	8	.1789
10	.2828	9	.1778
11	.2809	10	.1766
15 0	.2790	11	.1754
1	.2772	21 0	.1743
2	.2754	1	.1732
3	.2736	2	.1721
4	.2719	3	.1710
5	.2701	4	.1699
6	.2683	5	.1689
7	.2665	6	.1678
8	.2648	7	.1667

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

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

8	.1656
9	.1646
10	.1635
11	.1624
22 0	.1613
1	.1603
2	.1593
3	.1583
4	.1573
5	.1563
6	.1554
7	.1544
8	.1534
9	.1524
10	.1514
11	.1504
23 0	.1494
1	.1485
2	.1476
3	.1466
4	.1457
5	.1448
6	.1439
7	.1430
8	.1421
9	.1411
10	.1402
11	.1393
24 0	.1384
1	.1375
2	.1367
3	.1358
4	.1350
5	.1341
6	.1333
7	.1325
8	.1316
9	.1308
10	.1299
11	.1291
25 0	.1282
1	.1274
2	.1267
3	.1259
4	.1251
5	.1243
6	.1235
7	.1227
8	.1220
9	.1212
10	.1204
11	.1196
26 0	.1188
1	.1181
2	.1174
3	.1167
4	.1159
5	.1152
6	.1145
7	.1138
8	.1131
9	.1123
10	.1116
11	.1109
27 0	.1102
1	.1095
2	.1088
3	.1082
4	.1075
5	.1068
6	.1062

7	.1055
8	.1048
9	.1041
10	.1035
11	.1028
28 0	.1021
1	.1015
2	.1009
3	.1003
4	.0997
5	.0991
6	.0984
7	.0978
8	.0972
9	.0966
10	.0960
11	.0953
29 0	.0947
1	.0942
2	.0936
3	.0930
4	.0924
5	.0919
6	.0913
7	.0907
8	.0902
9	.0896
10	.0890
11	.0884
30 0	.0879
1	.0873
2	.0868
3	.0863
4	.0858
5	.0852
6	.0847
7	.0842
8	.0836
9	.0831
10	.0826
11	.0820
31 0	.0815
1	.0810
2	.0805
3	.0801
4	.0796
5	.0791
6	.0786
7	.0781
8	.0776
9	.0771
10	.0766
11	.0761
32 0	.0756
1	.0752
2	.0747
3	.0743
4	.0738
5	.0734
6	.0729
7	.0725
8	.0720
9	.0716
10	.0711
11	.0707
33 0	.0702
1	.0698
2	.0694
3	.0689
4	.0685
5	.0681

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

6	.0677
7	.0673
8	.0668
9	.0664
10	.0660
11	.0656
34 0	.0652
1	.0648
2	.0644
3	.0640
4	.0636
5	.0632
6	.0628
7	.0624
8	.0620
9	.0617
10	.0613
11	.0609
35 or more	.0605

TRS I OPTION II	Age Difference Beneficiary Older	TRS I OPTION III
0.778	24	0.875
0.776	25	0.874
0.774	26	0.873
0.772	27	0.872
0.771	28	0.871
0.769	29	0.870
0.768	30	0.869
0.767	31	0.868
0.765	32	0.867
0.764	33	0.866
0.763	34	0.866
0.762	35	0.865
0.761	36	0.864
0.760	37	0.864
0.759	38	0.863
0.758	39	0.862
0.757	40 or more	0.862

Age difference = member's age minus beneficiary age

TEACHERS
RETIREMENT SYSTEM
PLAN 2
Monthly Benefit per \$1:00
of Accumulation

TRS I OPTION II	Age Difference Beneficiary Older	TRS I OPTION III
0.974	-20 or more	0.988
0.972	-19	0.987
0.969	-18	0.986
0.967	-17	0.984
0.964	-16	0.983
0.961	-15	0.982
0.958	-14	0.980
0.955	-13	0.978
0.952	-12	0.977
0.949	-11	0.975
0.945	-10	0.973
0.942	-9	0.971
0.938	-8	0.969
0.934	-7	0.967
0.930	-6	0.965
0.926	-5	0.963
0.922	-4	0.961
0.916	-3	0.957
0.908	-2	0.952
0.898	-1	0.946
Beneficiary Younger		
0.887	0	0.940
0.876	1	0.934
0.866	2	0.928
0.858	3	0.923
0.852	4	0.920
0.847	5	0.917
0.842	6	0.914
0.838	7	0.912
0.834	8	0.910
0.830	9	0.907
0.826	10	0.905
0.823	11	0.903
0.819	12	0.901
0.815	13	0.898
0.810	14	0.895
0.803	15	0.891
0.798	16	0.888
0.794	17	0.886
0.792	18	0.885
0.789	19	0.883
0.786	20	0.881
0.784	21	0.880
0.782	22	0.878
0.780	23	0.876

20	.0038822
21	.0038963
22	.0039111
23	.0039267
24	.0039430
25	.0039602
26	.0039783
27	.0039972
28	.0040171
29	.0040380
30	.0040600
31	.0040831
32	.0041074
33	.0041329
34	.0041598
35	.0041882
36	.0042180
37	.0042494
38	.0042826
39	.0043175
40	.0043544
41	.0043934
42	.0044346
43	.0044781
44	.0045240
45	.0045725
46	.0046237
47	.0046777
48	.0047347
49	.0047948
50	.0048583
51	.0049252
52	.0049959
53	.0050707
54	.0051499
55	.0052339
56	.0053230
57	.0054178
58	.0055186
59	.0056262
60	.0057410
61	.0058637
62	.0059953
63	.0061358
64	.0062864
65	.0064475
66	.0066200

TEACHERS
RETIREMENT SYSTEM
PLAN 2
Monthly Benefit per \$1.00
of Accumulation

TRS II
OPTION II

Age Difference
Beneficiary Older

TRS II
OPTION III

67	.0068046
68	.0070018
69	.0072122
70	.0074365
71	.0076750
72	.0079285
73	.0081977
74	.0084836
75	.0087870
76	.0091089
77	.0094497
78	.0098095
79	.0101882
80	.0105851
81	.0109995
82	.0114309
83	.0118787
84	.0123425
85	.0128212
86	.0133167
87	.0138277
88	.0143534
89	.0148925
90	.0154423
91	.0159988
92	.0165585
93	.0171179
94	.0176717
95	.0182139
96	.0187396
97	.0192453
98	.0197237
99	.0201727

0.748	11	0.861
0.741	12	0.857
0.733	13	0.852
0.724	14	0.847
0.716	15	0.841
0.709	16	0.836
0.704	17	0.831
0.699	18	0.828
0.694	19	0.824
0.689	20	0.821
0.685	21	0.818
0.681	22	0.814
0.676	23	0.811
0.672	24	0.808
0.669	25	0.805
0.665	26	0.803
0.661	27	0.800
0.658	28	0.798
0.655	29	0.795
0.652	30	0.793
0.649	31	0.791
0.646	32	0.788
0.643	33	0.786
0.641	34	0.784
0.638	35	0.782
0.636	36	0.781
0.634	37	0.779
0.632	38	0.777
0.630	39	0.775
0.628	40 or more	0.773

Age difference = member's age minus beneficiary age

TEACHERS
RETIREMENT SYSTEM
PLAN 2
Early Retirement Factors
by Year and Month

TRS II
OPTION II

Age Difference
Beneficiary Older

TRS II
OPTION III

0.982	-20 or more	0.990
0.980	-19	0.988
0.978	-18	0.987
0.975	-17	0.985
0.973	-16	0.984
0.970	-15	0.982
0.967	-14	0.980
0.963	-13	0.978
0.959	-12	0.975
0.955	-11	0.973
0.951	-10	0.971
0.947	-9	0.968
0.943	-8	0.965
0.938	-7	0.962
0.934	-6	0.959
0.930	-5	0.956
0.923	-4	0.952
0.913	-3	0.947
0.897	-2	0.940
0.878	-1	0.932

Beneficiary Younger

0.858	0	0.923
0.838	1	0.914
0.820	2	0.906
0.806	3	0.899
0.797	4	0.893
0.789	5	0.888
0.781	6	0.883
0.774	7	0.879
0.767	8	0.874
0.761	9	0.870
0.754	10	0.866

0	0	1.0000
	1	.9916
	2	.9832
	3	.9748
	4	.9664
	5	.9580
	6	.9495
	7	.9411
	8	.9327
	9	.9243
	10	.9159
	11	.9075
1	0	.8991
	1	.8916
	2	.8842
	3	.8768
	4	.8693
	5	.8619
	6	.8545
	7	.8470
	8	.8396
	9	.8322
	10	.8247
	11	.8173
2	0	.8099
	1	.8033
	2	.7967
	3	.7901
	4	.7835
	5	.7769
	6	.7704
	7	.7638
	8	.7572
	9	.7506

TEACHERS
RETIREMENT SYSTEM
PLAN 2
Early Retirement Factors
by Year and Month

TEACHERS
RETIREMENT SYSTEM
PLAN 2
Early Retirement Factors
by Year and Month

10	.7440	9	.4172
11	.7374	10	.4139
3 0	.7308	11	.4105
1	.7250	9 0	.4072
2	.7191	1	.4042
3	.7133	2	.4012
4	.7074	3	.3981
5	.7016	4	.3951
6	.6957	5	.3921
7	.6899	6	.3891
8	.6840	7	.3861
9	.6781	8	.3831
10	.6723	9	.3800
11	.6664	10	.3770
4 0	.6606	11	.3740
1	.6554	10 0	.3710
2	.6502	1	.3683
3	.6449	2	.3656
4	.6397	3	.3628
5	.6345	4	.3601
6	.6293	5	.3574
7	.6241	6	.3547
8	.6189	7	.3520
9	.6137	8	.3493
10	.6085	9	.3465
11	.6032	10	.3438
5 0	.5980	11	.3411
1	.5934	11 0	.3384
2	.5887	1	.3359
3	.5841	2	.3335
4	.5794	3	.3310
5	.5748	4	.3286
6	.5701	5	.3261
7	.5654	6	.3237
8	.5608	7	.3212
9	.5561	8	.3188
10	.5515	9	.3163
11	.5468	10	.3139
6 0	.5422	11	.3114
1	.5380	12 0	.3089
2	.5338	1	.3067
3	.5297	2	.3045
4	.5255	3	.3023
5	.5214	4	.3001
6	.5172	5	.2979
7	.5130	6	.2956
8	.5089	7	.2934
9	.5047	8	.2912
10	.5005	9	.2890
11	.4964	10	.2868
7 0	.4922	11	.2846
1	.4885	13 0	.2823
2	.4847	1	.2803
3	.4810	2	.2783
4	.4773	3	.2763
5	.4735	4	.2743
6	.4698	5	.2723
7	.4661	6	.2703
8	.4623	7	.2683
9	.4586	8	.2663
10	.4549	9	.2643
11	.4511	10	.2623
8 0	.4474	11	.2603
1	.4441	14 0	.2582
2	.4407	1	.2564
3	.4374	2	.2546
4	.4340	3	.2528
5	.4307	4	.2510
6	.4273	5	.2491
7	.4239	6	.2473
8	.4206	7	.2455

TEACHERS
RETIREMENT SYSTEM
PLAN 2
Early Retirement Factors
by Year and Month

TEACHERS
RETIREMENT SYSTEM
PLAN 2
Early Retirement Factors
by Year and Month

8	.2437
9	.2419
10	.2400
11	.2382
15 0	.2364
1	.2348
2	.2331
3	.2315
4	.2298
5	.2282
6	.2265
7	.2248
8	.2232
9	.2215
10	.2199
11	.2182
16 0	.2166
1	.2151
2	.2136
3	.2121
4	.2106
5	.2091
6	.2076
7	.2061
8	.2046
9	.2031
10	.2016
11	.2001
17 0	.1986
1	.1972
2	.1959
3	.1945
4	.1931
5	.1918
6	.1904
7	.1890
8	.1877
9	.1863
10	.1849
11	.1836
18 0	.1822
1	.1810
2	.1797
3	.1785
4	.1772
5	.1760
6	.1747
7	.1735
8	.1723
9	.1710
10	.1698
11	.1685
19 0	.1673
1	.1662
2	.1650
3	.1639
4	.1628
5	.1616
6	.1605
7	.1594
8	.1582
9	.1571
10	.1560
11	.1548
20 0	.1537
1	.1527
2	.1516
3	.1506
4	.1496
5	.1485
6	.1475

7	.1465
8	.1454
9	.1444
10	.1433
11	.1423
21 0	.1413
1	.1403
2	.1394
3	.1384
4	.1375
5	.1366
6	.1356
7	.1347
8	.1337
9	.1328
10	.1318
11	.1309
22 0	.1299
1	.1291
2	.1282
3	.1274
4	.1265
5	.1256
6	.1248
7	.1239
8	.1230
9	.1222
10	.1213
11	.1205
23 0	.1196
1	.1188
2	.1180
3	.1172
4	.1164
5	.1156
6	.1149
7	.1141
8	.1133
9	.1125
10	.1117
11	.1109
24 0	.1101
1	.1094
2	.1087
3	.1079
4	.1072
5	.1065
6	.1058
7	.1051
8	.1043
9	.1036
10	.1029
11	.1022
25 0	.1014
1	.1008
2	.1001
3	.0994
4	.0988
5	.0981
6	.0975
7	.0968
8	.0961
9	.0955
10	.0948
11	.0941
26 0	.0935
1	.0929
2	.0923
3	.0917
4	.0911
5	.0904

TEACHERS
RETIREMENT SYSTEM
PLAN 2
Early Retirement Factors
by Year and Month

TEACHERS
RETIREMENT SYSTEM
PLAN 2
Early Retirement Factors
by Year and Month

6	.0898
7	.0892
8	.0886
9	.0880
10	.0874
11	.0868
27 0	.0862
1	.0856
2	.0851
3	.0845
4	.0840
5	.0834
6	.0828
7	.0823
8	.0817
9	.0812
10	.0806
11	.0801
28 0	.0795
1	.0790
2	.0785
3	.0780
4	.0775
5	.0769
6	.0764
7	.0759
8	.0754
9	.0749
10	.0744
11	.0739
29 0	.0734
1	.0729
2	.0724
3	.0720
4	.0715
5	.0710
6	.0705
7	.0701
8	.0696
9	.0691
10	.0687
11	.0682
30 0	.0677
1	.0673
2	.0669
3	.0664
4	.0660
5	.0656
6	.0651
7	.0647
8	.0643
9	.0638
10	.0634
11	.0630
31 0	.0625
1	.0621
2	.0617
3	.0613
4	.0609
5	.0605
6	.0602
7	.0598
8	.0594
9	.0590
10	.0586
11	.0582
32 0	.0578
1	.0574
2	.0570
3	.0567

4	.0563
5	.0559
6	.0556
7	.0552
8	.0548
9	.0545
10	.0541
11	.0537
33 0	.0534
1	.0530
2	.0527
3	.0524
4	.0520
5	.0517
6	.0514
7	.0510
8	.0507
9	.0503
10	.0500
11	.0497
34 0	.0493
1	.0490
2	.0487
3	.0484
4	.0481
5	.0478
6	.0475
7	.0472
8	.0469
9	.0465
10	.0462
11	.0459
((35 or more 0	.0456))
35 0	.0456
1	.0453
2	.0450
3	.0448
4	.0445
5	.0442
6	.0439
7	.0436
8	.0433
9	.0430
10	.0428
11	.0425
36 0	.0422
1	.0419
2	.0417
3	.0414
4	.0411
5	.0409
6	.0406
7	.0403
8	.0401
9	.0398
10	.0396
11	.0393
37 0	.0390
1	.0388
2	.0385
3	.0383
4	.0381
5	.0378
6	.0376
7	.0373
8	.0371
9	.0368
10	.0366
11	.0364

**TEACHERS
RETIREMENT SYSTEM
PLAN 2
Early Retirement Factors
by Year and Month**

38	0	.0361
	1	.0359
	2	.0357
	3	.0354
	4	.0352
	5	.0350
	6	.0348
	7	.0345
	8	.0343
	9	.0341
	10	.0339
	11	.0336
39	0	.0334
	1	.0332
	2	.0330
	3	.0328
	4	.0326
	5	.0324
	6	.0322
	7	.0320
	8	.0318
	9	.0316
	10	.0313
	11	.0311
40	0	.0309
	1	.0307
	2	.0306
	3	.0304
	4	.0302
	5	.0300
	6	.0298
	7	.0296
	8	.0294
	9	.0292
	10	.0290
	11	.0288
41	0	.0286
	1	.0285
	2	.0283
	3	.0281
	4	.0279
	5	.0278
	6	.0276
	7	.0274
	8	.0272
	9	.0271
	10	.0269
	11	.0267
42	0	.0265
	1	.0264
	2	.0262
	3	.0260
	4	.0259
	5	.0257
	6	.0255
	7	.0254
	8	.0252
	9	.0251
	10	.0249
	11	.0247
43	0	.0246
	1	.0244
	2	.0243
	3	.0241
	4	.0240
	5	.0238
	6	.0237
	7	.0235
	8	.0234

**TEACHERS
RETIREMENT SYSTEM
PLAN 2
Early Retirement Factors
by Year and Month**

	9	.0232
	10	.0231
	11	.0229
44	0	.0228
	1	.0226
	2	.0225
	3	.0223
	4	.0222
	5	.0221
	6	.0219
	7	.0218
	8	.0216
	9	.0215
	10	.0214
	11	.0212
45 or more	0	.0211

**WSR 91-16-096
PROPOSED RULES
PARKS AND RECREATION
COMMISSION**

[Filed August 7, 1991, 1:12 p.m.]

Original Notice.

Title of Rule: Ski lift inspection program: Signing.

Purpose: Brings state parks administrative codes into compliance with 1991 legislation on ski lift signing.

Statutory Authority for Adoption: RCW 43.51.040.

Statute Being Implemented: SSB 5835, chapter 75, Laws of 1991.

Summary: Chapter 352-44 WAC is amended to clarify the ski lift signing standards and operation of ski lift areas.

Reasons Supporting Proposal: SSB 5835 requires parks to adopt new WACs to reflect statutory changes.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Kris Kauffman, 7150 Cleanwater Lane, Olympia, WA 98504, 753-2020.

Name of Proponent: Washington State Parks and Recreation Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This WAC clarifies the ski lift signing and operator requirements for ski areas. It will allow the director of state parks to require minimum signing standards for ski lifts and for the operator's qualifications.

Proposal Changes the Following Existing Rules: Adds clarifying language.

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

Hearing Location: Cedars Inn, Highway 97, Okanogan, Washington, on September 13, 1991, at 9:00 a.m.

Submit Written Comments to: Kris Kauffman, 7150 Cleanwater Lane, Olympia, WA 98504, by September 6, 1991.

Date of Intended Adoption: September 13, 1991.

August 7, 1991

Nina Carter

Executive Assistant

AMENDATORY SECTION (Amending Order 20, filed 7/31/74)

WAC 352-44-010 RECREATIONAL CONVEYANCES—DEFINITIONS. Whenever used in this chapter, the following terms shall have the meanings herein defined unless the context clearly indicates otherwise:

(1) "Commission" shall mean the Washington state parks and recreation commission.

(2) "Director" shall mean the director of the Washington state parks and recreation commission or his designee.

(3) "Certificate" shall mean either the certificate to operate or the conditional certificate to operate.

(4) "Qualified engineer" shall mean an engineer meeting the requirements of the state of Washington Professional Engineers Registration Act (chapter 18.43 RCW).

(5) "Lift signing" shall mean all signs required to meet applicable codes as determined in WAC 352-44-060.

AMENDATORY SECTION (Amending Order 20, filed 7/31/74)

WAC 352-44-060 RECREATIONAL CONVEYANCES—STANDARDS. The current American National Standards Safety Requirements for Aerial Passenger Tramways shall apply to the design (~~and~~), inspection, signing, and operation of all conveyances as interpreted by the director unless a request for waiver is submitted by the operator and a waiver is granted by the director.

AMENDATORY SECTION (Amending Order 20, filed 7/31/74)

WAC 352-44-070 RECREATIONAL CONVEYANCES—CONSTRUCTION OF NEW CONVEYANCES. All new conveyances which are to be constructed after the effective date of these regulations shall:

(1) Require approval of the director prior to commencement of construction.

(2) Be designed by ~~((am))~~ a qualified engineer ~~((meeting the requirements of the state of Washington Professional Engineers Registration Act (chapter 18.43 RCW)))~~.

(3) Be certified by ~~((the design))~~ a qualified engineer that the conveyance has been installed in accordance with the plans and specifications.

(4) Be subjected to an acceptance test and inspection as specified in the current American National Standards Safety Requirements for Aerial Passenger Tramways before certification by the director. The director shall be given a minimum of seven days notice of the schedule for the final load test.

AMENDATORY SECTION (Amending Order 20, filed 7/31/74)

WAC 352-44-080 RECREATIONAL CONVEYANCES—SIMULATED LOAD TEST. All aerial conveyances (those which carry passengers above ground) shall be subject to an annual simulated load test to specifically demonstrate the braking capabilities of each braking system on the lift. Additional load testing may be required when requested by the director.

(1) Simulated loads shall be in the amount recommended by ~~((the design))~~ a qualified engineer and approved by the director.

(2) The simulated load may be a static load and shall be imposed in any manner recommended by the design engineer or be acceptable to a qualified engineer and/or the director.

(3) All brakes recommended by the design engineer and/or designated by the director shall be required to hold the test load independent of all other brakes.

(4) The load test(s) shall be performed in the presence of an individual designated by the director.

(5) All aerial conveyances shall be in full compliance with this section by December 31, 1975.

AMENDATORY SECTION (Amending Order 20, filed 7/31/74)

WAC 352-44-090 RECREATIONAL CONVEYANCES—OPERATORS AND OPERATOR QUALIFICATIONS. The director may require minimum ~~((operation))~~ operator qualifications, ski lift

signing standards, and operational procedures to assure a reasonable degree of safety to the using public. ~~((The director shall appoint a committee representative of skiing interest to consider and recommend a set of guidelines and minimum standards for the operators and the safe operation of conveyances.))~~ The director shall adopt standards ~~((on or before December 31, 1974))~~ and the operation of all conveyances shall be in full compliance with ~~((the))~~ said approved standards ~~((by December 31, 1975))~~.

WSR 91-16-097

NOTICE OF PUBLIC MEETINGS

WASHINGTON STATE UNIVERSITY

[Memorandum—August 1, 1991]

Washington State University hereby gives notice that it has cancelled its regular meeting of the board of regents currently scheduled for Friday, September 13, 1991. The university also gives notice that its regular meeting scheduled for August 2, 1991, is adjourned until 9:00 a.m. August 23, 1991, at which time the regents will meet on the Pullman campus.

WSR 91-16-098

PROPOSED RULES

WASHINGTON STATE PATROL

[Order 91-006—Filed August 7, 1991, 1:41 p.m.]

Original Notice.

Title of Rule: Private carrier regulations, chapter 446-65 WAC.

Purpose: Amend the WAC to establish exemptions for motor carriers with GVWR of 26000 pounds or less. Also establishes the exemptions for tow truck firms on drivers qualifications and hours of service.

Statutory Authority for Adoption: RCW 46.32.020.

Summary: Adds two new sections explaining exemptions and clarifies motor carriers.

Reasons Supporting Proposal: Brings this rule into compliance with chapters 446-55 and 446-60 WAC.

Name of Agency Personnel Responsible for Drafting: John A. Balcom, Olympia, 753-6554; Implementation and Enforcement: LaVere E. Klewin, Olympia, 753-6554.

Name of Proponent: Washington State Patrol, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Explains the exemptions allowed to private motor carriers with GVWR of 26000 pounds or less. Allows licensed tow truck firms exemptions from CFR 391 driver qualifications and CFR 395 hours of service, by adding to WAC 446-65-010 (3) and (4). Also in WAC 446-65-005 strikes private carriers and adds motor carriers.

Proposal Changes the Following Existing Rules: Clarifies chapter 446-65 WAC, Motor carriers and brings it into compliance with chapters 446-55 and 446-60 WAC.

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

Hearing Location: General Administration Building, Room G150, Olympia, Washington 98504, on September 24, 1991, at 8:00 a.m.

Submit Written Comments to: Washington State Patrol, Research and Development Section, General Administration Building, AX-12, Olympia, Washington 98504, by September 24, 1991.

Date of Intended Adoption: October 25, 1991.

August 7, 1991
George B. Tellevik
Chief

Chapter 446-65 WAC
(~~(PRIVATE)~~) MOTOR CARRIER REGULATIONS

AMENDATORY SECTION (Amending Order 90-005, filed 3/1/91, effective 4/1/91)

WAC 446-65-005 PROMULGATION. By authority of RCW 46.32.020, the Washington state patrol hereby adopts the following rules establishing standards for (~~(private)~~) motor carriers as defined by RCW 81.80.010(6).

AMENDATORY SECTION (Amending Order 90-005, filed 3/1/91, effective 4/1/91)

WAC 446-65-010 TRANSPORTATION REQUIREMENTS. (1) The Washington state patrol hereby adopts the following parts of Title 49 Code of Federal Regulations as they exist during 1989, subject to any appendices and amendments in the future: Parts 390 General, 392 Driving of motor vehicles, 393 Parts and accessories necessary for safe operation, 394 Notification and reporting of accidents, 396 Inspections, repair, and maintenance, 397 Transportation of hazardous materials; driving and parking rules.

(2) Copies of Title 49 CFR, parts 390 through 397, now in force are on file at the code reviser's office, Olympia and at the Washington state patrol headquarters, commercial vehicle enforcement section, Olympia. Additional copies may be available for review at Washington state patrol district headquarters offices, public libraries, Washington utilities and transportation commission offices, and at the United States Department of Transportation, Bureau of Motor Carrier Safety Office, Olympia. Copies of the CFR may be purchased through the Superintendent of Documents, United States Government Printing Office, Washington, D.C. 20402.

(3) All intrastate private motor carriers who are operating vehicle(s) with a licensed gross weight of twenty-six thousand pounds or less, including the load carried thereon, are exempt from the provisions of the rules and regulations in CFR 391, Driver Qualifications and CFR 395, Hours of Service. Transporters of a placardable amount of hazardous materials as described in 49 CFR, Part 172.101 are not exempt from the regulations.

(4) Licensed tow truck firms that possess a valid business and individual truck registration(s), as per the requirements of chapter 46.55 RCW, are exempt from the regulations in CFR 391, Driver Qualification and CFR 395, Hours of Service.

WSR 91-16-099

PROPOSED RULES

WASHINGTON STATE PATROL

[Order 91-007—Filed August 7, 1991, 1:43 p.m.]

Original Notice.

Title of Rule: Report time limitations—Criminal records, WAC 446-16-080.

Purpose: To update address section and include campus mailstop.

Statutory Authority for Adoption: RCW 10.97.090.

Summary: Changes address to a campus mailstop.

Name of Agency Personnel Responsible for Drafting: S. Coon, Olympia, 753-6827; Implementation and Enforcement: R. Phillips, Olympia, 753-6827.

Name of Proponent: Washington State Patrol, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: No change to substance of rule.

Proposal Changes the Following Existing Rules: Changes address where dispositions are submitted.

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

The department has considered whether this rule is subject to the Regulatory Fairness Act, and has determined that it is not for the following reason: Revision is administrative in nature, changes address for submissions only.

Hearing Location: General Administration Building, Room G 150, Olympia, Washington 98504, on September 24, 1991, at 9:00 a.m.

Submit Written Comments to: Washington State Patrol, Research and Development Section, General Administration Building, AX-12, Olympia, Washington 98504, by September 24, 1991.

Date of Intended Adoption: October 25, 1991.

August 7, 1991
George B. Tellevik
Chief

AMENDATORY SECTION (Amending Order 1, filed 2/11/74)

WAC 446-16-080 REPORT TIME LIMITATIONS. All of the information requested on the disposition report shall be completed and the report mailed to the Washington State Identification Section, (~~(P.O. Box 2527)~~) Mailstop: QE-02, Olympia, Washington 98504, within 10 days of the date that a disposition becomes effective.

WSR 91-16-100

PROPOSED RULES

WASHINGTON STATE PATROL

[Order 91-008—Filed August 7, 1991, 1:46 p.m.]

Original Notice.

Title of Rule: Amending WAC 204-10-140 Motorcycle helmets.

Purpose: To clarify what types of devices for transmitting sound can be used in motorcycle helmets.

Statutory Authority for Adoption: RCW 46.37.005.

Summary: To make sure the electronic devices installed in helmets do not pose a threat to motorists by blocking the hearing of motorcycle drivers.

Reasons Supporting Proposal: Legislature passed a bill [SB] 5041 allowing motorcycle helmets to have headsets or earphones in helmets.

Name of Agency Personnel Responsible for Drafting: Lt. Lonnie R. Brackins, 515 15th, Olympia, 753-0347; Implementation and Enforcement: L. E. Klewin, Olympia, 753-6554.

Name of Proponent: Washington State Patrol, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: To ensure that electronic devices for transmitting sound in motorcycle helmets do not block the ear canal.

Proposal Changes the Following Existing Rules: Adds a second paragraph to the existing WAC rule.

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

Hearing Location: General Administration Building, Room G 150, Olympia, Washington 98504, on September 24, 1991, at 8:30 a.m.

Submit Written Comments to: Washington State Patrol, Research and Development Section, General Administration Building, AX-12, Olympia, Washington 98504, by September 24, 1991.

Date of Intended Adoption: October 25, 1991.

August 7, 1991
George B. Tellevik
Chief

AMENDATORY SECTION (Amending Order 81-08-02, filed 8/21/81)

WAC 204-10-040 MOTORCYCLE HELMETS. (1) Federal Motor Vehicle Safety Standard 218 is hereby adopted by reference as the standard for motorcycle helmets.

(2) If a motorcycle helmet meeting the above Federal requirements is to be equipped with an electronic device for transmitting sound, the speaker portion, affixed to the helmet, must not enter or completely block the ear canals.

WSR 91-16-101
PROPOSED RULES
DEPARTMENT OF HEALTH
(Board of Nursing)
[Filed August 7, 1991, 3:00 p.m.]

Original Notice.

Title of Rule: WAC 246-839-010 (13)(c) Definitions—Supervision and delegation.

Purpose: To clarify the Board of Nursing guidance and expectations of the registered nurse in supervision of nursing care and delegation of nursing tasks. Includes housekeeping change to revise WAC reference to new Department of Health WAC number.

Statutory Authority for Adoption: RCW 18.88.080.

Statute Being Implemented: Chapter 18.88 RCW.

Summary: Sets specific criteria for four types of supervision or consultation by a registered nurse. Specifies when a registered nurse may delegate nursing tasks and what conditions must be present.

Reasons Supporting Proposal: Requests to the board have indicated a need for more guidance from the board in these two areas.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Patricia O. Brown, RN, MSN, 1300 Quince, EY-27, Olympia, (206) 753-2686.

Name of Proponent: Washington State Board of Nursing, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Definition changes are for clarity and better guidance for nursing practice. Anticipated enhanced patient safety.

Proposal Changes the Following Existing Rules: New definitions.

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

Hearing Location: Shilo Inn, East 923 Third Avenue, Spokane, WA 99202, on October 25, 1991, at 1:00 p.m.; and at the Wyndham Gardens Hotel, SeaTac, Washington, on November 22, 1991, at 1:00 p.m.

Submit Written Comments to: Patricia O. Brown, Board of Nursing, 1300 Quince, EY-27, Olympia, WA 98388 [98504], by October 1, 1991.

Date of Intended Adoption: November 22, 1991.

July 2, 1991
Patricia O. Brown, RN, MSN
Executive Secretary

AMENDATORY SECTION (Amending Order 152B, filed 3/20/91, effective 4/20/91)

WAC 246-839-010 DEFINITIONS. (1) "Board" means the Washington state board of nursing.

(2) "School" means an educational unit charged with the responsibility of preparing persons to practice as registered nurses. Three types of basic schools of nursing are distinguished by the certificate awarded to the graduate. Schools of nursing within colleges and universities award the associate degree or baccalaureate degree. Schools of nursing sponsored by a hospital award a diploma.

(3) "Provisional approval" of schools of nursing is the approval given a new school of nursing based on its proposed program prior to the admission of its first class.

(4) "Full approval" of a school of nursing is the approval given a school of nursing that meets the requirements of the law and the rules and regulations of the board.

(5) "Conditional approval" of a school of nursing is the approval given a school of nursing that has failed to meet the requirements of the law and the rules and regulations of the board, and it specifies conditions that must be met within a designated time to rectify the failure.

(6) An "unapproved school of nursing" is a school of nursing that has been removed from the list of approved schools for failure to meet the requirements of the law and the rules and regulations of the board or a school that has never been approved by the board.

(7) "Extended learning sites" refers to any area external to the parent organization selected by faculty for student learning experiences.

(8) "Faculty" means persons who are responsible for the educational program of the school of nursing and who hold faculty appointment in the school.

(9) "Nursing student" is a person currently enrolled in an approved school of nursing.

(10) The phrase "nursing aide" used in RCW 18.88.280(3) shall mean a "nursing technician." "Nursing technician" is a nursing student currently enrolled in a state board of nursing approved nursing education program and employed for the purpose of giving help, assistance and support in the performance of those services which constitute the practice of registered nursing. The nursing student shall use the title "nursing technician" while employed.

(11) "Registered nurse" as used in these rules shall mean a nurse as defined by RCW 18.88.170.

(12) "Nurse administrator" is an individual who meets the qualifications contained in WAC ((308-120-555)) 246-839-555 and who has been designated as the person primarily responsible for the direction of the program in nursing. Titles for this position may include, among others, dean, director, coordinator or chairperson.

(13) "Definition of terms appearing in RCW 18.88.280" - the terms "direction and supervision," "auxiliary services," and "minor nursing services" are defined as follows:

(a) "Minor nursing services." The techniques and procedures used by the nursing profession are extremely difficult to categorize as major or minor nursing services. The important factor with which this law is

concerned is the determination of which nursing person and at what level of preparation that person may perform said technique or procedure in relation to the condition of a given patient, and this kind of determination rests with the registered nurse.

(b) "Auxiliary services" are all those nursing services provided to patients by persons other than the registered nurse, the licensed practical nurse and the nursing student.

(c) ("~~Direction and supervision~~" shall include, but not be limited to the following:

(i) ~~Delegation of duties with regard to each individual patient, which duties shall be consistent with and shall not be greater than the abilities of the auxiliary personnel, as indicated by their level of education preparation:~~

(ii) ~~An awareness of the activity of auxiliary personnel:~~

(iii) ~~A continuing evaluation of the performance of the auxiliary personnel:~~

(iv) ~~It is the responsibility of the auxiliary person to accept only those assignments which are within the limits of his or her preparation:~~

(~~+~~) "Supervision" of licensed or unlicensed nursing personnel means the provision of guidance and evaluation by a qualified registered nurse for the accomplishment of a nursing task or activity with the initial direction of the task or activity; periodic inspection of the actual act of accomplishing the task or activity; and the authority to require corrective action.

(i) "Immediate supervision" shall mean the licensed registered nurse is on the premises and is within audible and visual range of the patient and the patient has been assessed by the licensed registered nurse prior to the delegation of duties to any care giver.

(ii) "Direct supervision" shall mean the licensed registered nurse is on the premises, is quickly and easily available and the patient has been assessed by the licensed registered nurse prior to the delegation of the duties to any care giver.

(iii) "Indirect supervision" shall mean the licensed registered nurse is not on the premises but has given either written or oral instructions for the care and treatment of the patient and the patient has been assessed by the licensed registered nurse prior to the delegation of duties to any care giver.

(iv) "Consulting capacity" shall mean the recommendations to a professional entity, employed at that facility, which may be accepted, rejected, or modified. These recommendations shall not be held out as providing nursing services by the consulting nurse to the patient or public.

(14) "Delegation" means the licensed registered nurse transfers the performance of selected nursing tasks to competent individuals in selected situations. The licensed registered nurse delegating the task retains the responsibility and accountability for the nursing care of the client.

(a) Nursing acts delegated by the licensed registered nurse shall:

(i) Be within the area of responsibility of the nurse delegating the act;

(ii) Be such that, in the opinion of the nurse, it can be properly and safely performed by the person without jeopardizing the client welfare;

(iii) Be acts that a reasonable and prudent nurse would find are within the scope of sound nursing judgment.

(b) Nursing acts delegated by the licensed registered nurse shall not require the unlicensed person to exercise nursing judgment or intervention except in an emergency situation (RCW 18.88.280(2)).

(c) When delegating a nursing act to an unlicensed individual, the nurse shall:

(i) Make an assessment of the patient's nursing care need before delegating the task;

(ii) Instruct the unlicensed person in the delegated task or verify competency to perform or be assured that the person is competent to perform the nursing task as a result of the systems in place by the health care agency;

(iii) Supervise and evaluate the performance of the unlicensed person;

(iv) Retain responsibility and accountability for the nursing care of the client, including nursing assessment, evaluation, and assuring documentation;

(v) Recognize that some nursing interventions require nursing knowledge, judgment, and skill and therefore may not lawfully be delegated to unlicensed persons.

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

((~~+~~)) (16) "Office on AIDS" means a section within the department of social and health services or any successor department with jurisdiction over public health matters as defined in chapter 70.24 RCW.

WSR 91-16-102

PROPOSED RULES

DEPARTMENT OF HEALTH

(Dental Disciplinary Board)

[Filed August 7, 1991, 3:03 p.m.]

Original Notice.

Title of Rule: New sections WAC 246-816-610 General provisions, 246-816-620 Mandatory reporting, 246-816-630 Health care institutions, 246-816-640 Dental associations or societies, 246-816-650 Health care services contractors and disability insurance carriers, 246-816-660 Courts, and 246-816-670 State and federal agencies.

Purpose: To add new sections which pertain to mandatory reporting requirements relating to dentistry.

Statutory Authority for Adoption: RCW 18.130.070.

Statute Being Implemented: RCW 18.130.070.

Summary: The rules set forth the requirements for health care institutions, dental associations or societies, health care services contractors and disability insurance carriers, courts, and state and federal agencies to report any convictions or findings that a license holder has committed unprofessional conduct or may not be able to practice with reasonable skills and safety to consumers as a result of a mental or physical condition.

Reasons Supporting Proposal: To identify practitioners who may have committed acts of unprofessional conduct or who may not be able to practice with a reasonable skill and safety to consumers.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Linda McCue, 1300 Quince Street S.E., EY-26, Olympia, WA 98504, (206) 753-1156.

Name of Proponent: Dental Disciplinary Board, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: These rules set forth the requirements for health care institutions, dental associations or societies, health care services contractors and disability insurance carriers, courts and state and federal agencies to report any convictions or findings that a license holder has committed unprofessional conduct or may not be able to practice with reasonable skill and safety to consumers as a result of a mental or physical conditions. To identify practitioners who may have committed acts of unprofessional conduct or who may not be able to practice with a reasonable skill and safety to consumers.

Proposal does not change existing rules.

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

Hearing Location: Sea-Tac Marriott, Yakima Suite, 3201 South 176th Street, Seattle, WA 98188, on September 13, 1991, 9:00 a.m.

Submit Written Comments to: Linda McCue, 1300 Quince Street S.E., EY-26, Olympia, WA 98504, by September 6, 1991.

Date of Intended Adoption: September 13, 1991.

July 31, 1991

Judy Mayo

Program Administrator

MANDATORY REPORTING REQUIREMENTS

NEW SECTION

WAC 246-816-610 GENERAL PROVISIONS. (1) "Unprofessional conduct as used in this chapter shall mean the conduct described in RCW 18.130.180.

(2) "Hospital" means any health care institution licensed pursuant to chapter 70.41 RCW.

(3) "Nursing home" means any health care institution which comes under chapter 18.51 RCW.

(4) "Dental disciplinary board" means the dental disciplinary board of the department of health, whose address is:

Dental Disciplinary Board
Department of Health
Professional Licensing Services
1300 Quince Street SE, EY-26
Olympia, WA 98504

(5) "Dentist" means a person licensed pursuant to chapter 18.32.020.

(6) "Mentally or physically disabled dentist" means a dentist who has either been determined by a court to be mentally incompetent or mentally ill or who is unable to practice dentistry with reasonable skill and safety to patients by reason of any mental or physical condition.

NEW SECTION

WAC 246-816-620 MANDATORY REPORTING. (1) All reports required by this chapter shall be submitted to the dental disciplinary board as soon as possible, but no later than sixty days after a determination is made except in the case of licensees, who are required to report within sixty days of personal knowledge.

(2) A report should contain the following information if known:

(a) The name, address, and telephone number of the person making the report.

(b) The name and address and telephone numbers of the dentist being reported.

(c) The case number of any client whose treatment is a subject of the report.

(d) A brief description or summary of the facts which gave rise to the issuance of the report, including dates of occurrences.

(e) If court action is involved, the name of the court in which the action is filed along with the date of filing and docket number.

(f) Any further information which would aid in the evaluation of the report.

NEW SECTION

WAC 246-816-630 HEALTH CARE INSTITUTIONS. The chief administrator or executive officer of any hospital or nursing home shall report to the dental disciplinary board when any dentist's services are terminated or are restricted based on a determination that the dentist has either committed an act or acts which may constitute unprofessional conduct or to report information which indicates that the license holder may not be able to practice his or her profession with reasonable skill and safety to consumers as a result of a mental or physical condition.

NEW SECTION

WAC 246-816-640 DENTAL ASSOCIATIONS OR SOCIETIES. The president or chief executive officer of any dental association or society within this state shall report to the dental disciplinary board when an association or society determines that a dentist has committed unprofessional conduct or to report information which indicates that the license holder may not be able to practice his or her profession with reasonable skill and safety to consumers as a result of a mental or physical condition. The report required by this section shall be made

without regard to whether the license holder appeals, accepts or acts upon the determination made by the association or society. A complaint filed pursuant to this section shall be considered a complain under the Uniform Disciplinary Act and subject to immunity for the complainant as described in RCW 18.130.070 and RCW 18.130.080.

NEW SECTION

WAC 246-816-650 HEALTH CARE SERVICES CONTRACTORS AND DISABILITY INSURANCE CARRIERS. The executive officer of every health care service contractor and disability insurer, licensed under chapters 48.20, 48.21, 48.21A, 48.44 RCW, operating in the state of Washington, shall report to the dental disciplinary board all final determinations that a dentist has committed unprofessional conduct or to report information which indicates that the license holder may not be able to practice his or her profession with reasonable skill and safety to consumers as a result of a mental or physical condition.

NEW SECTION

WAC 246-816-660 COURTS. The dental disciplinary board requests the assistance of all clerks of trial courts within the state to report all professional malpractice judgments and all convictions of licensed dentists, other than minor traffic violations.

NEW SECTION

WAC 246-816-670 STATE AND FEDERAL AGENCIES. The dental disciplinary board requests the assistance of executive officers of any state or federal program operating in the state of Washington, under which a dentist is employed to provide client care services, to report to the dental disciplinary board whenever such a dentist has been judged to have demonstrated his/her incompetency or negligence in the practice of dentistry, or has otherwise committed unprofessional conduct, or to report information which indicates that the license holder may not be able to practice his or her profession with reasonable skill and safety to consumers as a result of a mental or physical condition.

NEW SECTION

WAC 246-816-680 LICENSEES. (1) A health care professional licensed under chapter 18.32 RCW shall report to the dental disciplinary board when he or she has personal knowledge that a practicing dentist has either committed an act or acts which constitutes unprofessional conduct or to report information which indicates that a license holder may not be able to practice his or her profession with reasonable skill and safety to consumers as a result of a mental or physical condition.

(2) The board may impose disciplinary sanctions, including license suspension or revocation, or any health care professional subject to the jurisdiction of the board who has failed to comply with this section.

WSR 91-16-103

PROPOSED RULES

DEPARTMENT OF HEALTH

[Filed August 7, 1991, 3:06 p.m.]

Original Notice.

Title of Rule: WAC 246-824-050 Approval of prescribed courses in opticianry; and 246-824-065 Duties and responsibilities of the dispensing optician examination committee.

Purpose: Define duties and responsibilities of the committee and to update current rule to reflect current accrediting body and accreditation standards, requires the one school that is approved by the secretary to become nationally accredited.

Statutory Authority for Adoption: RCW 43.17.060 and 18.130.070.

Summary: Committee would prepare and administer the licensing examinations and provide technical expertise, advise, and make recommendations to the secretary on the administration of the statute. Schools would be approved based upon COA accreditation.

Reasons Supporting Proposal: Committee input is needed for disciplinary, scope of practice issues, budget, and rulemaking. School approval rule should reflect current accrediting body and standards, and rule would require all schools to be accredited by that body—one is not.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Janice K. Boden, 1300 S.E. Quince Street, Olympia, 98504, 753-3576.

Name of Proponent: Opticians Association of Washington, public.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Define the duties of the committee which would allow the committee to be a resource to the secretary and program staff. Update rules to reflect the current national accrediting body and standards. Changes would also require the one school that is not nationally accredited to become nationally accredited by September 30, 1992.

Proposal Changes the Following Existing Rules: Same as 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 September 10, 1991, at 1:00 p.m.

Submit Written Comments to: Leslie Baldwin, 1300 S.E. Quince Street, Mailstop EY-16, Olympia, WA 98504, by September 9, 1991.

Date of Intended Adoption: September 17, 1991.

August 6, 1991

Pam Campbell Mead
for Kristine M. Gebbie
Secretary

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-824-050 APPROVAL OF PRESCRIBED COURSES IN OPTICIANRY. The ~~((director))~~ secretary, pursuant to RCW 18-.34.070, hereby adopts the accreditation standards of the ~~((American Board of Opticianry of the National Academy of Opticianry))~~ Commission on Opticianry Accreditation, "Essentials of an Accredited Educational Program for Ophthalmic Dispensers," ~~((in effect as of March 4, 1979))~~ as adopted by the Commission on Opticianry Accreditation on July 1, 1990. The ~~((director))~~ secretary approves all and only those institutions accredited by, and in good standing with, the ~~((American Board of Opticianry of the National Academy of Opticianry))~~ Commission on Opticianry Accreditation in accordance with these accreditation standards as of ~~((March 4, 1979. Other institutions which apply for the director's approval and which meet the standards to the director's satisfaction may be approved, but it is the responsibility of a school to apply for approval and of a student to ascertain whether or not a school has been approved by the director))~~ July 1, 1990. Institutions approved by the secretary which have not been accredited by the Commission on Opticianry Accreditation are hereby required to obtain such accreditation on or before September 30, 1992. Graduates from institutions that have not received accreditation from the Commission On Opticianry Accreditation by that date will not be eligible to sit for the examination.

~~((The director reserves the right to withdraw approval of any course in opticianry which ceases to meet the approval of the director or the American Board of Opticianry of the National Academy of Opticianry after notifying the school in writing and granting it an opportunity to contest the director's proposed withdrawal.))~~ It is the responsibility of a student to ascertain whether or not a school has been approved by the secretary.

NEW SECTION

WAC 246-824-065 DUTIES AND RESPONSIBILITIES OF THE DISPENSING OPTICIAN EXAMINING COMMITTEE. The dispensing optician examining committee shall meet at such times as deemed necessary by the secretary to prepare and administer the state's licensing examinations and to provide technical expertise, advise, and make recommendations to the secretary on the administration of the dispensing optician statute.

WSR 91-16-104

PROPOSED RULES

DEPARTMENT OF HEALTH

[Filed August 7, 1991, 3:07 p.m.]

Original Notice.

Title of Rule: Osteopathic fees WAC 246-853-990.

Purpose: To implement legislation relative to limited licenses and temporary permits. Also, to collect surcharge for impaired program.

Statutory Authority for Adoption: RCW 43.70.250.

Statute Being Implemented: Chapters 18.57 and 18-.130 RCW.

Summary: To implement legislation relative to limited licenses and temporary permits. To collect surcharge for an impaired practitioner program.

Reasons Supporting Proposal: Fees are required to support program activities.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Arlene Robertson, 1300 Quince Street, Mailstop EY-23, Olympia, WA, 586-8438.

Name of Proponent: Board of Osteopathic Medicine and Surgery, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: To implement legislation relative to limited licenses and temporary permits. Implement an impaired practitioner monitoring program.

Proposal Changes the Following Existing Rules: Adds new fee categories.

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 September 10, 1991, at 1:30 p.m.

Submit Written Comments to: Leslie Baldwin, 1300 S.E. Quince Street, Mailstop EY-16, Olympia, WA 98504, by September 9, 1991.

Date of Intended Adoption: September 17, 1991.

August 2, 1991
Pamela C. Mead
for Kristine M. Gebbie
Secretary

AMENDATORY SECTION (Amending Order 173, filed 6/6/91, effective 7/7/91)

WAC 246-853-990 OSTEOPATHIC FEES. The following fees shall be charged by the professional licensing division of the department of health:

Title of Fee	Fee
Osteopath:	
Renewal	\$410.00
Duplicate	15.00
Certification	25.00
Osteopathic physician:	
Endorsement application	500.00
License renewal	410.00
Late renewal penalty	50.00
Flex exam/state exam application	600.00
Endorsement/state exam application	500.00
Retake flex I	300.00
Retake flex II	350.00
Reexam	100.00
Duplicate license	15.00
Certification	25.00
Limited license application	250.00
Limited license renewal	205.00
Temporary permit application	250.00
Impaired program surcharge	15.00
Osteopathic physician assistant:	
Application	150.00
Renewal	50.00
Duplicate license	15.00

**WSR 91-16-105
PROPOSED RULES
DEPARTMENT OF HEALTH
(State Board of Health)**

[Filed August 7, 1991, 3:09 p.m.]

Original Notice.

Title of Rule: WAC 246-491-029 Adoption of United States standard certificates and report—Modifications; 246-491-039 Confidential information on state of Washington live birth and fetal death certificates pursuant to chapter 70.58 RCW; and 246-491-149 Adoption of United States standard certificates and report—Modifications pursuant to RCW 43.70.150.

Purpose: To meet the new statutory requirements as set forth in SHB 2056 (amendment to chapter 70.58 RCW) to make certificates consistent with United States standard certificates.

Statutory Authority for Adoption: Chapter 70.58 RCW.

Statute Being Implemented: Chapter 70.58 RCW.

Summary: This rule defines the contents of the Washington state certificate of live birth, fetal death, death, marriage and dissolution.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Rowena Wilson-Canty, 1112 S.E. Quince, Olympia, 586-6779.

Name of Proponent: State Board of Health, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This rule defines the contents of the Washington state certificate of live birth, fetal death, death, marriage

and dissolution. The purpose is to meet the statutory requirements as set forth in SHB 2056, amending and adding new sections to chapter 70.58 RCW and to make certificates consistent with United States standard certificates.

Proposal does not change existing rules.

To add items to United States standard and change items previously collected.

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

Hearing Location: Spokane County Health District Building, West 1101 College Avenue, Spokane, WA, Rooms 320-321, on September 11, 1991, at 10:00 a.m.

Submit Written Comments to: Leslie Baldwin, Rules Coordinator, 1300 Quince Street, Mailstop EY 16, Olympia, WA 98504, by September 6, 1991.

Date of Intended Adoption: September 11, 1991.

August 7, 1991

Sylvia Beck

Executive Director

AMENDATORY SECTION (Amending Order 124B, filed 12/27/90, effective 1/31/91)

WAC 246-491-029 ADOPTION OF UNITED STATES STANDARD CERTIFICATES AND REPORT—MODIFICATIONS. Pursuant to ((~~RCW 70.58-200~~)) chapter 70.58 RCW, the Washington state board of health adopts and approves for use in the state of Washington, effective January 1, ((1989)) 1992, the 1988 revisions of the United States standard forms of live birth and fetal death. These forms are developed by the United States Department of Health and Human Services, National Center for Health Statistics. The board of health shall make the following modifications to the confidential section of the U.S. standard certificate of live birth and U.S. standard report of fetal death:

U.S. STANDARD CERTIFICATE OF LIVE BIRTH

Add ((~~"Hispanic" to "race."~~)) "Spanish" to "of Hispanic origin."

Add "or descent? (ancestry)" to "of Hispanic origin."

Add "Asian or Pacific Islander" to "race."

Add "occupation" and "type of business or industry" for both parents.

Add "parental identification of ethnicity and race of child."

Add "~~((more than))~~ twenty weeks or more, less than twenty weeks" to "pregnancy history."

Add separate categories for "spontaneous" and "induced" terminations to "pregnancy history."

Add "total prior pregnancies."

Add under the heading "medical risk factors for this pregnancy," "polyhydramnios, ((~~first trimester bleeding, epilepsy,~~)) genital herpes, syphilis, ((~~rubella test~~)) "hepatitis B-HB_sA_e positive."

Add under the heading "method of delivery," "C-section with no labor, C-section with trial of labor."

Add under the heading "abnormal conditions of the newborn," ((~~"sepsis, asphyxia/depression,"~~)) drug withdrawal syndrome in newborn((~~(-Erb's palsy, jaundice (greater than ten in first forty-eight hours))~~))."

Delete under 38a "hydramnios."

Delete under item 37b "name of facility infant transferred to."

Add under the heading "other risk factors for pregnancy," "weight before pregnancy."

Add under the heading "complication of labor and/or delivery," "nuchal cord."

Change "tobacco use during pregnancy" to "did mother smoke at any time during pregnancy"?

Add "principal source of payment for prenatal care."

Add "during pregnancy mother participated in (special programs)."

U.S. STANDARD REPORT OF FETAL DEATH

Add "or descent? (ancestry)" to "of Hispanic origin."
 Add "Spanish" to "of Hispanic origin."
 Add "Asian or Pacific Islander" to "race."
 ((Add "Hispanic" to "race."))
 Add "((more than)) twenty weeks or more, less than twenty weeks" to "other pregnancy outcomes."
 Add under the heading "medical risk factors for this pregnancy" "polyhydramnios, first trimester bleeding, epilepsy, genital herpes, syphilis((, rubella-test positive))."
 Add separate categories for "spontaneous" and "induced" terminations to "pregnancy history."
 Add "total prior pregnancies."
 Add "fetal hemorrhage, placenta and cord conditions (specify), hemolytic disease, fetal hydrops, shoulder dystocia, other (specify), and none."
 Add "C-section with no labor" and "C-section with trial of labor."
 Add under the heading "other risk factors for pregnancy," "weight before pregnancy."
 Change "tobacco use during pregnancy" to "did mother smoke at any time during pregnancy?"
 Add "principal source of payment for prenatal care."
 Add "during pregnancy mother participated in (special programs)."
 Delete under item 23a "hydramnios and uterine bleeding."
 Delete under item 26 "hysterotomy/hysterectomy."

AMENDATORY SECTION (Amending Order 124B, filed 12/27/90, effective 1/31/91)

WAC 246-491-039 CONFIDENTIAL INFORMATION ON STATE OF WASHINGTON LIVE BIRTH AND FETAL DEATH CERTIFICATES PURSUANT TO ((RCW 70.58-200)) CHAPTER 70.58 RCW. The confidential sections of the certificate of live birth and the certificate of fetal death shall not be subject to public inspection and shall not be included on certified copies of the record except upon order of a court.

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-491-149 ADOPTION OF UNITED STATES STANDARD CERTIFICATES AND REPORT—MODIFICATIONS PURSUANT TO RCW ((43-20A-620)) 43.70.150. The department adopts and approves for use in the state of Washington, effective January 1, ((1989)) 1992, the 1988 revisions of the United States standard forms for live birth, death, fetal death, marriage, and dissolution. These forms are developed by the United States Department of Health and Human Services, National Center for Health Statistics. With the exception of the confidential section, the department may modify any part of these forms and shall make the following modifications:

U.S. STANDARD CERTIFICATE OF LIVE BIRTH.

Add "mother's request to issue Social Security number (allow up to six months)."
 Add "record amendment."
 Add "how long at current residence"?

U.S. STANDARD CERTIFICATE OF DEATH.

((Add "citizen of what country."))
 Under "place of death" add "in transport," "hospital."
 Add "smoking in last fifteen years."
 Add "or descent" after "of Hispanic origin."
 ((Add "Asian-Pacific Islander" after "race."))
 Add "length of residence."
 Add "date of disposition."
 Add "medical examiner/coroner file number."
 Add "hour pronounced dead (24-hours)."
 Add "record amended section."
 Delete "license number (funeral director)" under item 21b.
 Delete "license number (certifier)" under item 23b.
 Delete "were autopsy findings available prior to completion of cause of death yes/no" under item 28b.
 Delete check boxes under item 20a.
 Delete "donation" under item 20a.
 Delete check boxes under item 31a.
 Delete item 32.

Delete "inpatient" under item 9a.
 Delete check boxes under item 29.
 Delete "natural" under item 29.

U.S. STANDARD REPORT OF FETAL DEATH.

Add "fetus name."
 Add "time of delivery."
 Add "place of delivery."
 Add "state of birth."
 Add "registrar signature."
 Add "date filed."
 Add "burial, cremation, removal, other (specify)."
 Add "date (burial)."
 Add "cemetery/crematory-name."
 Add "location (cemetery)."
 Add "funeral director signature."
 Add "name of facility."
 Add "address of facility."
 Add "autopsy yes/no."
 Add "were autopsy findings used to complete the cause of death?"
 Add "certification statement."
 Change title to "certificate of fetal death."

U.S. STANDARD LICENSE AND CERTIFICATE OF MARRIAGE.

Change title to "certificate of marriage."
 Add "type of ceremony (religious/civil ceremony)."
 Add "officiant - date signed."
 Add "inside of city limits for bride and groom."
 Delete "age last birthday" for the groom under item 2.
 Delete "age last birthday" for the bride under item 9.
 Delete "license to marry" section.
 Delete "expiration date of license" under item 17.
 Delete "title of issuing official" under item 20.
 Delete "confidential information" under items 27 through 30b.

U.S. STANDARD CERTIFICATE OF DIVORCE, DISSOLUTION OF MARRIAGE, OR ANNULMENT.

Change title to "certificate of dissolution, declaration of invalidity of marriage or legal separation."
 Add check boxes for "type of decree."
 Add "inside city limits" for both parties.
 Delete "date couple last resided in same household" under item 11.
 Change "number of children under eighteen in this household as of this date" to "number of children born alive of this marriage" under item 12.
 Delete check boxes for "petitioner" under item 13.
 Delete section "number of children under eighteen whose physical custody was awarded to" under item 18.
 Delete "title of court" under item 20.
 Delete "title of certifying official" under item 22.
 Delete "date signed" under item 23.
 Delete "confidential information" under items 24 through 27b.

WSR 91-16-106**PROPOSED RULES****DEPARTMENT OF HEALTH**

[Filed August 7, 1991, 3:10 p.m.]

Original Notice.

Title of Rule: WAC 246-930-075 Supervision of affiliates.

Purpose: To regulate and certify sex offender treatment providers.

Statutory Authority for Adoption: RCW 18.155.040.

Statute Being Implemented: Chapter 18.155 RCW.

Summary: Program implementation.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Joanne Redmond, 1300 Quince Street, Mailstop EY-23, 753-0712.

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: To establish supervision standards for affiliate sex offender treatment providers who evaluate and treat offenders as directed by the courts.

Proposal does not change existing rules.

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 September 10, 1991, at 2:00 p.m.

Submit Written Comments to: Leslie Baldwin, 1300 S.E. Quince Street, Mailstop EY-16, Olympia, WA 98504, by September 9, 1991.

Date of Intended Adoption: September 13, 1991.

August 2, 1991
 Pamela 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 recordkeeping, 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 91-16-107
PERMANENT RULES
DEPARTMENT OF HEALTH
 [Order 185—Filed August 7, 1991, 3:13 p.m.]

Date of Adoption: August 6, 1991.

Purpose: To update the fees for health care facility construction review and approval activities.

Citation of Existing Rules Affected by this Order: Amending WAC 246-314-001, 246-314-010, and 246-314-990.

Statutory Authority for Adoption: RCW 43.70.110.

Pursuant to notice filed as WSR 91-12-019 on May 31, 1991.

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

August 6, 1991

Pam Campbell Mead
 for Kristine M. Gebbie
 Secretary

AMENDATORY SECTION (Amending Order 122, filed 12/27/90, effective 1/31/91)

WAC 246-314-001 **PURPOSE.** The purpose of this chapter is to establish fees ~~((to recover the cost of))~~ for reviewing and approving health and residential care facility construction projects.

AMENDATORY SECTION (Amending Order 122, filed 12/27/90, effective 1/31/91)

WAC 246-314-010 **DEFINITIONS.** (1) "Department" means the Washington state department of health.

(2) "Project" means a construction endeavor including new construction, replacement, alterations, additions, expansions, conversions, improvements, remodeling, renovating, and upgrading of the following types of facilities:

(a) "Adult residential rehabilitation center" as defined under chapters 71.12 RCW and 246-325 WAC;

(b) "Boarding homes" as defined under chapters 18.20 RCW and 246-316 WAC;

(c) "Maternity homes" and "childbirth centers" as defined under chapters 18.46 RCW and 246-329 WAC;

(d) "Nursing homes" as defined under chapters 18.51 RCW and 248-14 WAC;

(e) "Private psychiatric hospitals" as defined under chapters 71.12 RCW and 246-322 WAC;

(f) "Private alcoholism hospitals" as defined under chapters 71.12 RCW and 246-324 WAC;

(g) "Private alcoholism treatment facilities" as defined under chapters 71.12 RCW and 246-326 WAC;

(h) "Residential treatment facilities for psychiatrically impaired children and youth" as defined under chapters 71.12 RCW and 246-323 WAC;

(i) "Hospitals" as defined under chapters 70.41 RCW and 246-318 WAC; and

(j) "Hospice care center" as defined under chapters ~~((70.41))~~ 70.126 RCW and 246-321 WAC.

(3) "Project sponsor" means the person, persons or organization, planning and contracting for the design

and construction of facilities, generally the owner or the owner's representative.

(4) "Project cost" means all costs, except taxes, directly associated with the project, initially estimated and corrected by certification to the date of completion of the project and including:

(a) All architectural-engineering designs, plans, drawings, and specifications;

(b) All fixed and installed equipment in the project; and

(c) Contractor supervision, inspection, and overhead.

AMENDATORY SECTION (Amending Order 122, filed 12/27/90, effective 1/31/91)

WAC 246-314-990 **CONSTRUCTION REVIEW FEES.** (1) The project sponsor shall submit to the department:

(a) A completed project review application form along with project documents for review; and

(b) The appropriate fee based upon the initial project construction cost as determined from the following construction fee table:

CONSTRUCTION FEE TABLE

Project Cost	Project Review Fee
\$ 0 to \$ ((499)) <u>999</u>	((60)) 120
((500 to 999))	((120))
1,000 to ((1,900)) <u>1,999</u>	((180)) 250
2,000 to <u>2,999</u>	((240)) 320
3,000 to 4,999	((300)) 400
5,000 to 9,999	((360)) 520
10,000 to ((19,000)) <u>19,999</u>	((480)) 650
20,000 to ((29,000)) <u>29,999</u>	((600)) 800
30,000 to <u>39,999</u>	((720)) 950
40,000 to 49,999	((840)) 1,100
50,000 to 64,999	((960)) 1,300
65,000 to 79,999	((1,080)) 1,500
80,000 to 99,999	((1,200)) 1,800
100,000 to 124,999	((1,500)) 2,150
125,000 to 149,999	((1,800)) 2,500
150,000 to 199,999	((2,100)) 2,900
200,000 to 249,999	((2,400)) 3,250
250,000 to 324,999	((2,700)) 3,575
325,000 to 449,999	((3,000))

CONSTRUCTION FEE TABLE

Project Cost	Project	Review Fee
		<u>4,000</u>
450,000 to	574,999	((3,300)) <u>4,500</u>
575,000 to	699,999	((3,600)) <u>5,100</u>
700,000 to	849,999	((4,200)) <u>5,700</u>
850,000 to	999,999	((4,800)) <u>6,400</u>
1,000,000 to	1,249,999	((5,400)) <u>7,000</u>
1,250,000 to	2,499,999	((6,000)) <u>7,700</u>
2,500,000 to	2,999,999	((6,600)) <u>8,400</u>
3,000,000 to	3,499,999	((7,200)) <u>9,100</u>
3,500,000 to	4,999,999	((7,800)) <u>10,500</u>
5,000,000 to	6,999,999	((9,000)) <u>11,900</u>
7,000,000 to	9,999,999	((10,200)) <u>13,500</u>
10,000,000 to	14,999,999	((11,400)) <u>15,500</u>
15,000,000 to	19,999,999	((13,200)) <u>17,500</u>
20,000,000 to	29,999,999	((15,000)) <u>19,500</u>
30,000,000 to	39,999,999	((16,800)) <u>22,500</u>
40,000,000 ((and over)) to <u>59,999,999</u>		((19,200)) <u>25,000</u>
<u>60,000,000 and over</u>		<u>28,000</u>

(2) The department shall charge a flat fee of ~~((sixty))~~ eighty dollars for a project involving installation of carpet only.

(3) The project sponsor may request a reduction in the project review fee for fixed or installed technologically advanced diagnostic or treatment equipment projects including lithotripters, CT scans, linear accelerators, or MRI's.

(4) The department may adjust the project review fee if:

(a) The final project cost changes as evidenced on the certificate of project completion card; or

(b) The project sponsor requests a reduction in the fee according to subsection (3) of this section.

WSR 91-16-108
PERMANENT RULES
DEPARTMENT OF HEALTH
 [Order 186—Filed August 7, 1991, 3:16 p.m.]

Date of Adoption: August 2, 1991.

Purpose: Implement chapter 70.175 RCW which authorizes establishment of the rural health system development project. Identifies the goals, procedures, and selection criteria for the rural health system development project.

Statutory Authority for Adoption: Chapter 70.175 RCW.

Pursuant to notice filed as WSR 91-13-093 on June 19, 1991.

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

August 2, 1991

Pamela Campbell Mead
for Kristine Gebbie
Secretary

Chapter 246-560 WAC
RURAL HEALTH SYSTEM PROJECT

NEW SECTION

WAC 246-560-001 PURPOSE. (1) The purpose of these rules is to implement RCW 70.175.010, 70.175.020, 70.175.030, 70.175.040, 70.175.050, 70.175.060, 70.175.070, 70.175.080, and 70.175.090. The Washington rural health system project was established to provide financial and technical assistance to promote affordable access to health care services in rural areas.

(2) The goals of the rural health system project are:

(a) To encourage innovative or established community-based approaches to improving rural health care delivery systems that may serve as models for other communities.

(b) To help rural communities obtain needed technical assistance for local activities designed to:

(i) Identify a reasonable service delivery area in terms of geographic conditions, health care delivery patterns, and population characteristics;

(ii) Identify desired health outcomes and improvements in the health care system;

(iii) Identify and analyze deficiencies in the community's health care system;

(iv) Identify innovative steps the community may need to correct the deficiencies; and

(v) Initiate planned and positive actions to correct problems and make health care system improvements.

(c) To explore the use of outcome targets related to health status for rural health system development.

(d) To encourage the use of planning principles in the rural community health system decision making processes including:

(i) Community decisions regarding expected health outcomes and health care services produced;

(ii) Development of action plans; and

(iii) The regular, periodic updating of objectives.

(e) To identify public and private resources for:

(i) Providing technical assistance to rural communities; and

(ii) Facilitating community access to appropriate resources.

NEW SECTION

WAC 246-560-010 DEFINITIONS. For the purpose of this chapter the following words and phrases have the following meanings unless the context clearly indicates otherwise.

(1) "Advisory committee" means the rural health advisory committee or its successor, appointed by the secretary under RCW 70.175.030(3).

(2) "Applicant" means any eligible entity who has submitted an application proposing a rural health system demonstration project.

(3) "Application" means a proposal for a rural health system demonstration project.

(4) "Assisted demonstration project" means a nonfunded application selected to receive specific technical assistance provided or supported by the department.

(5) "Basic health care services" means organized care modalities to prevent death, disability, and serious illness. The term includes, but is not limited to:

- (a) Emergency services;
- (b) Primary care physicians, physician assistants, nurse practitioners, and midwifery services;
- (c) Short term inpatient care;
- (d) Home health care;
- (e) Community based care for chronic conditions;
- (f) Dental care;
- (g) Vision care;
- (h) Hearing care;
- (i) Hospice care;
- (j) Mental health;
- (k) Necessary support services;
- (l) Nutrition related services; and
- (m) Other "basic health services" specified and described in "A Report to the Legislature on Rural Health Care in the State of Washington" written by the Washington rural health care commission, January 1989.

(6) "Catchment area" means the geographic area where people who are likely to use the service live or are temporarily located.

(7) "Community" means the resident individuals and organizations in a catchment area who may benefit from the services included in a demonstration project.

(8) "Department" means the Washington state department of health.

(9) "Demonstration project" means an application selected to participate in the project, including both funded and assisted demonstration projects.

(10) "Eligible entity" means any for-profit, not-for-profit, or governmental entity which is:

- (a) Located in a rural catchment area;
- (b) Acting on behalf of the population in a rural catchment area; or
- (c) Acting on behalf of the population living in a catchment area, a significant portion of which is rural, and in which the target population is more than thirty minutes average travel time from the primary source of health care.

(11) "Financially vulnerable" means a health care facility falling below a reasonable level of performance.

(a) For hospitals the department uses the Financial Viability Index and/or the Financial Flexibility Index to measure performance.

(b) For health care facilities other than hospitals the department considers:

(i) Financial viability or the overall financial performance of the facility; and/or

(ii) Financial flexibility or the ability of the facility to obtain financing to meet its needs, however unexpected.

(12) "Funded demonstration project" means an application selected by the department to receive funds to support planning, organizing, and implementing activities.

(13) "Health care delivery system" means services and personnel involved in providing health care to a population in a geographic area.

(14) "Health care facility" means any land, structure, system, machinery, equipment, or other real or personal property or appurtenances useful for or associated with delivery of inpatient or outpatient health care service or support for such care or any combination thereof which is operated or undertaken in connection with a hospital, rural health care facility, clinic, health maintenance organization, diagnostic or treatment center, extended care facility, or any facility providing or designed to provide therapeutic, convalescent, or preventive health care services.

(15) "Interested party" means any eligible entity interested in proposing a rural health system development project.

(16) "Letter of interest" means a brief description of a proposal for a demonstration project as described in WAC 246-560-040.

(17) "Letter of invitation" means a letter inviting an interested party who has submitted a letter of interest to submit an application.

(18) "Local project administrator" means an individual or organization representing the applicant and authorized to enter into legal agreements on behalf of the applicant.

(19) "Metropolitan statistical area" or "MSA" means a metropolitan statistical area defined and described by the United States Department of Census, Bureau of the Census, Statistical Abstract of United States: 1988, 108th edition, Washington, D.C., United States Government Printing Office, and displayed for the state of Washington in State of Washington Data Book, Office of Financial Management, Olympia, Washington, 1988, including:

- (a) Benton;
- (b) Clark;
- (c) Franklin;
- (d) King;
- (e) Kitsap;
- (f) Pierce;
- (g) Snohomish;
- (h) Spokane;
- (i) Thurston;
- (j) Whatcom; and
- (k) Yakima.

(20) "Program" means the office of rural health, or its successor, within the Washington state department of health.

(21) "Project" means the Washington rural health system project as authorized under chapter 70.175 RCW.

(22) "Rural" means a geographical area outside the boundaries of metropolitan statistical areas (MSA's) or an area within an MSA but more than thirty minutes average travel time from an area of at least ten thousand population.

(23) "Secretary" means the secretary of the department of health or his or her designee.

(24) "Successful applicant" means an applicant whose project has been selected as a demonstration project.

(25) "Urban" means areas within a MSA that are thirty minutes average travel time or less from a city or town or contiguous cities or towns with a population of ten thousand or more.

NEW SECTION

WAC 246-560-015 IMPLEMENTATION. The department shall:

(1) Notify interested parties of the review schedule at least thirty days prior to the date the department expects to receive the letters of interest; and

(2) Conduct at least two public meetings to explain the demonstration project guidelines and the review process.

NEW SECTION

WAC 246-560-020 REVIEW PROCESS. The department shall:

(1) Administer a review process in the following sequence:

- (a) Request submission of letters of interest;
- (b) Review letters of interest;
- (c) Send letters of invitation;
- (d) Review applications using an expert panel; and
- (e) Approve or deny applications for funding or assistance.

(2) The department may consult with other entities, when appropriate, including but not limited to the advisory committee.

NEW SECTION

WAC 246-560-030 TIME SCHEDULE. (1) Proposals for demonstration projects shall be reviewed and approved according to the following schedule:

(a) The department shall request letters of interest by sending a notice to interested parties once each biennium.

(b) Interested parties shall submit letters of interest to the department ensuring department receipt by the date specified in the notice to interested parties.

(c) The department shall review letters of interest and identify those meeting the criteria in WAC 246-560-050.

(d) The department shall mail a letter of invitation to interested parties meeting the criteria in WAC 246-560-050. The letter of invitation shall be mailed within

forty-five days of the deadline for receipt of letters of interest.

(e) Applicants shall ensure department receipt of the application on the date specified in the letter of invitation. The department shall determine the application due date by adding sixty days to the date letters of invitation are mailed.

(f) The department shall mail a notice to each applicant within sixty days of the deadline for application submission. The notice shall indicate:

- (i) Approval or denial of the application; and
- (ii) When approved, whether as a funded or an assisted demonstration project.

(2) Time periods are computed by excluding the first day and including the last day. The department considers a time period to be over at 5:00 p.m. on the last day. Time periods ending on a Saturday, Sunday, or legal holiday observed by the state of Washington shall be extended until 5:00 p.m. of the first working day thereafter.

NEW SECTION

WAC 246-560-040 LETTERS OF INTEREST.

(1) Any interested party proposing a demonstration project shall submit a letter of interest. The letter shall follow the schedule in WAC 246-560-030 and:

- (a) Not exceed two pages;
- (b) Briefly describe the catchment area and the community;
- (c) Identify the health care problem;
- (d) Briefly describe what will be done; and
- (e) Identify key health care providers, business representatives, public officials, and community leaders to be involved in the project.

(2) The department may request combining activities proposed in separate letters of interest for inclusion in a single application to:

- (a) Avoid duplication;
- (b) Increase cooperation; or
- (c) Strengthen the overall health system serving the catchment area.

(3) The department may request additional information to enable it to apply the letter of interest selection criteria in WAC 246-560-050.

NEW SECTION

WAC 246-560-050 LETTER OF INTEREST SELECTION CONSIDERATIONS. The department shall consider the following factors to select interested parties to receive letters of invitation:

(1) The proposed demonstration project addresses the goals of the rural health system project specified under WAC 246-560-001;

(2) The proposed demonstration project is in an area where a financially vulnerable health care facility is present;

(3) The proposed demonstration project is in an area where a financially vulnerable health care facility is present and an adjoining community in the same catchment area has a competing facility;

(4) The proposed demonstration project addresses access to basic health care services in an area where access is severely limited;

(5) The proposed demonstration project addresses needed improvements in the delivery of basic health services, including preventive services;

(6) The proposed demonstration project contains well thought out approaches to problem solving likely to result in improvements persisting after the project period;

(7) The proposed demonstration project reflects a cooperative approach, which may involve several organizations, categories of health care providers, and communities;

(8) The proposed demonstration project is unique and serves as a model for other communities; and

(9) The extent to which the proposed demonstration project uses multiple funding sources.

NEW SECTION

WAC 246-560-060 SUBMISSION OF APPLICATIONS. Applicants shall submit applications on the form provided by the department. The application shall, at a minimum, follow the time schedule in WAC 246-560-030 and:

(1) Describe the problem including:

(a) The duration of the problem or deficiency; and

(b) The number of people affected;

(2) Describe the catchment area. When the proposal involves a service or services not currently provided, the applicant shall demonstrate to the satisfaction of the department:

(a) A reasonable service delivery area in the sense that geographic conditions, health care delivery patterns, other social and economic relationship patterns, and population characteristics make it a realistic market; and

(b) A reasonable use area from the perspective of the residents, in the sense that residents are likely to go to the proposed delivery site as a preferred source for the proposed service.

(3) Identify any special needs in the catchment area;

(4) Explain how the proposal addresses the goals identified in WAC 246-560-001 or why this proposal should be approved as a demonstration project if the goals are not addressed;

(5) Identify any model or models used in a proposed demonstration project;

(6) Describe the relationship between the proposed demonstration project and any current or previous programs designed in whole or in part to solve related health care problems in the catchment area;

(7) Identify key health care providers, business representatives, public officials, and community leaders involved in the project;

(8) Identify project goals, specific objectives, and procedures to assure results from the project consistent with the letter of interest;

(9) Specify the work program for achieving the objectives;

(10) Explain how the demonstration project will coordinate and avoid unnecessary duplication of services and activities with existing health services, including public and private health care services in the catchment area;

(11) Identify the potential and steps required to financially sustain the activities initiated as a result of the project;

(12) Describe how the applicant will evaluate the demonstration project;

(13) Describe the decision-making process or processes for determining appropriate courses of action throughout the demonstration project;

(14) Provide the proposed budget for the project period indicating:

(a) The amount of state funds requested;

(b) The amount by source of other financial support; and

(c) The schedule of payments requested from the state;

(15) Identify whether the proposal may be considered for:

(a) Designation as a funded demonstration project only; or

(b) Identify the portions of the proposal to be considered as an assisted demonstration project;

(16) Provide letters of support and commitment to participate from key providers, local government officials, and business and community leaders.

(17) Discuss any issues raised by the department in the letter of invitation.

NEW SECTION

WAC 246-560-070 SELECTION CRITERIA FOR FUNDED DEMONSTRATION PROJECTS. (1) The department may group applications proposing similar types of demonstration projects.

(2) The department shall use the following criteria to select funded demonstration projects:

(a) Considerations identified under WAC 246-560-050.

(b) The nature and amount of evidence indicating commitment and support for the demonstration project in the catchment area including:

(i) Participation of community leaders and residents;

(ii) Involvement of effected local health care providers;

(iii) Contribution of local funds and other community resources;

(iv) Availability of local staff;

(v) Use of a multidisciplinary approach;

(vi) Linkages between and among health care facilities offering a similar type and intensity of service; and

(vii) Linkages between and among health care facilities offering different types and intensity of service.

(c) Evidence of a relationship between and among:

(i) Identified problems/deficiencies;

(ii) Proposed activities;

(iii) Participating individuals and organizations;

(iv) Existing local and neighboring health facilities and personnel; and

(v) Total resource commitment to the project;

(d) How the demonstration project enhances service capabilities and economic viability of the health care system serving the community;

(e) How the demonstration project goals address long-term improvements of the health care system in the catchment area;

(f) Evidence of measurable demonstration project objectives;

(g) Evidence the demonstration project improves the public's understanding regarding the relationship between quality of care, health outcomes, and the effects of obtaining services within the catchment area versus having to travel out of area for care;

(h) Evidence of a specific process for local evaluation of the demonstration project; and

(i) The demonstration projects would have a reasonable state-wide geographic distribution.

NEW SECTION

WAC 246-560-080 SELECTION CRITERIA FOR ASSISTED DEMONSTRATION PROJECTS. The department shall evaluate applications to select assisted demonstration projects using the following criteria:

(1) A request for consideration as an assisted demonstration project;

(2) The criteria identified in WAC 246-560-070;

(3) Evaluation of the proposal focus on achieving health status outcome goals;

(4) The extent to which assistance will have a demonstrable impact on resolving the identified problem or problems;

(5) The extent to which assistance will enable activities with ongoing community benefit; and

(6) The extent to which assistance increases the likelihood of obtaining the project objectives.

NEW SECTION

WAC 246-560-090 ISSUANCE OF CONTRACTS. (1) The department shall develop contracts with successful applicants for demonstration projects consistent with State of Washington Department of Health Contracts Manual, November 1990.

(2) The department shall:

(a) Determine the amount awarded in each contract through negotiation with the local project administrator considering:

(i) The amount of the proposed budget;

(ii) The need for state financial support;

(iii) The availability of state funds; and

(iv) The availability of other sources of support for the demonstration project.

(b) Make payments according to the provisions of the contract; and

(c) Specify the duration of funding in each contract.

NEW SECTION

WAC 246-560-100 USE OF PROJECT FUNDS. (1) Project funds may be used to support the following activities consistent with department policy under the State of Washington Department of Health Contract Manual, November 1990:

(a) Problem identification;

(b) Problem analysis;

(c) Identification of possible solutions;

(d) Decision making to determine action steps;

(e) Technical assistance from consultants approved by the department;

(f) Carrying out action steps; and

(g) Capital acquisitions.

(2) Funds shall not be used to retire existing debt.

(3) The department shall:

(a) Award the majority of funds available for the project to funded demonstration projects; and

(b) Generally award funded demonstration project contracts in a range of five to seventy thousand dollars.

NEW SECTION

WAC 246-560-105 CONTINUATION FUNDING. (1) Funded demonstration projects with current contracts may be approved for continuation funding only when the department finds:

(a) Extraordinary circumstances have prevented completion of the demonstration project; and

(b) A brief period of funding will assure the demonstration project's full operation and self-sufficiency.

(2) Funded demonstration projects must submit a request for continuation funding to the department.

(3) The request for continuation funding shall:

(a) Be in writing;

(b) Identify the specific contract items which remain to be completed;

(c) Identify the specific dollar amounts needed to complete the demonstration project;

(d) Identify the extraordinary circumstances which have prevented completion of the project;

(e) Document efforts and explain why alternative funding has not been found;

(f) Provide assurance that activities supported by continuation funding will be supported by other revenue sources at the end of the continuation funding period; and

(g) Describe how continued funding would be consistent with the goals of the project as identified in WAC 246-560-001.

(4) The department shall by July 30 of each new biennium:

(a) Review any requests; and

(b) Approve or deny all requests for continuation funding.

(5) The duration of continuation funding shall not exceed the total elapsed time permitted by the time schedule identified in WAC 246-560-030.

NEW SECTION

WAC 246-560-110 CONSULTATION. The department shall:

(1) Develop a register of public and private resources available to provide technical assistance to demonstration projects;

(2) Include those consultants who expressed interest in assisting demonstration projects if they have consulting experience in rural communities acceptable to the department;

(3) Provide the register to all successful applicants; and

(4) Work with the local project administrator to identify and arrange access to public and private consultation resources.

NEW SECTION

WAC 246-560-120 PERIODIC REPORTS. (1) The contracts shall require the local project administrator to submit to the department:

(a) Progress reports; and

(b) A final evaluation of the demonstration project including:

(i) A comparison of actual accomplishments with the objectives set forth in the proposal;

(ii) An explanation of the reason or reasons for any disparities; and

(iii) Recommendations for improving future project activities.

(2) The department shall prepare an overall evaluation of the project at the conclusion of each contract period including:

(a) An examination of the demonstration project accomplishments in relation to the goals identified under WAC 246-560-001; and

(b) Recommendations for improving project administration.

WSR 91-16-109

PERMANENT RULES

DEPARTMENT OF HEALTH

[Order 187—Filed August 7, 1991, 3:21 p.m.]

Date of Adoption: August 2, 1991.

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).

Citation of Existing Rules Affected by this Order: Amending WAC 246-249-001, 246-249-010, 246-249-020, 246-249-030, 246-249-040, 246-249-050, 246-249-060, 246-249-070, 246-249-080, 246-249-090, 246-250-001, 246-250-010, 246-250-020, 246-250-030, 246-250-050, 246-250-060, 246-250-070, 246-250-090, 246-250-110, 246-250-120, 246-250-130, 246-250-140, 246-250-150, 246-250-160, 246-250-190, 246-250-330, 246-250-350, 246-250-600, 246-252-001, 246-252-010, and 246-252-030.

Statutory Authority for Adoption: RCW 70.98.050 and 70.98.080.

Pursuant to notice filed as WSR 91-11-083 on May 21, 1991.

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

August 2, 1991

Pamela J. 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 11e.(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
I-129	0.08
Alpha emitting transuranic radionuclides with half-life greater than five years	100 ¹
Pu-241	3,500 ¹
Cm-242	20,000 ¹
Ra-226	100 ¹

¹ 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/m³ and Cs-137 in a concentration of 22 Ci/m³. 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 10¹² 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.** ~~((+))~~ 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.

Licensees 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 (~~(semi-arid)~~) 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; overfilling; wind and wave actions; rainfall; run-on; 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
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 ₁₀ H ₁₀ Cl ₆ , 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 design¹ 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 average² release rate of twenty picocuries per square

meter per second (pCi/m²(/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 license 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 open-ended 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 must, 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 91-16-110
PROPOSED RULES
BUILDING CODE COUNCIL
[Filed August 7, 1991, 4:08 p.m.]

Original Notice.
Title of Rule: State regulations for barrier-free facilities.
Purpose: To repeal chapter 51-10 WAC and incorporate the state regulations for barrier-free facilities into chapter 51-20 WAC.
Statutory Authority for Adoption: Chapters 19.27 and 70.92 RCW.
Statute Being Implemented: Chapter 70.92 RCW.
Summary: The Washington state regulations for barrier-free facilities are to be repealed from chapter 51-10 WAC and incorporated into chapter 51-20 WAC.
Reasons Supporting Proposal: The 1991 Uniform Building Code, which is being proposed for adoption into chapter 51-20 WAC, contains requirements for barrier-free design in chapter 31.
Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Willy O'Neil, Ninth and Columbia Building, GH-51, (206) 586-0486.

Name of Proponent: State Building Code Council, Ninth and Columbia Building, Mailstop GH-51, Olympia, Washington 98504-4151, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposal would repeal the state regulations for barrier-free facilities from chapter 51-20 WAC and incorporate it into chapter 31 of the 1991 Uniform Building Code as proposed for adoption in chapter 51-20 WAC. The effect would be to have all Uniform Building Code construction requirements in one WAC chapter.

Proposal does not change existing rules.

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

Hearing Location: Spokane City Hall, West 808 Spokane Falls Boulevard, Spokane, WA 99201, on September 13, 1991, at 9:00 a.m.; and at the Alpine Ballroom, Seattle Airport Hilton, 17620 Pacific Highway South, SeaTac, WA 98188, on September 20, 1991, at 9:00 a.m.

Submit Written Comments to: Gene Colin, Chair, State Building Code Council, Ninth and Columbia Building, Mailstop GH-51, Olympia, Washington 98504-4151, by September 25, 1991.

Date of Intended Adoption: November 8, 1991.

July 12, 1991
Gene J. Colin
Chair

REPEALER

The following chapter of the Washington Administrative Code is repealed:

Chapter 51-10 WAC BARRIER-FREE FACILITIES

WSR 91-16-111
PROPOSED RULES
BUILDING CODE COUNCIL
[Filed August 7, 1991, 4:12 p.m.]

Original Notice.
Title of Rule: Washington State Energy Code.
Purpose: To consider whether to correct typographical errors and omissions, and to assign the equations and tables their own section numbers.
Statutory Authority for Adoption: RCW 19.27A.045.
Statute Being Implemented: Chapter 19.27A RCW.
Summary: To consider whether to correct typographical errors and omissions, and to assign the equations and tables their own section numbers.
Reasons Supporting Proposal: To clarify original intent of code, to correct typographical errors that may lead to incorrect code enforcement.
Name of Agency Personnel Responsible for Drafting: Donald Kaiser, Ninth and Columbia Building, Olympia, Washington 98504-4151, (206) 586-2251; Implementation: Linda Ramsey, Ninth and Columbia Building, Olympia, Washington 98504-4151, (206) 586-3423; and Enforcement: Local governments.

Name of Proponent: Washington State Building Code Council, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This rule is to correct typographical errors. The purpose is to clarify sections of the code that are unclear. These changes will result in better code enforcement.

Proposal Changes the Following Existing Rules: This rule corrects typographical errors, adds an additional exception to section 502.1.5.1. This exception would allow windows to be tested by either AAMA 1503.1-88 or the new nationally accepted NFRC standard. This rule also eliminated conflict between this code and the 1991 Plumbing Code as amended.

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

Hearing Location: Spokane City Council Chambers, Spokane City Hall, West 808 Spokane Falls Boulevard, Spokane, WA, on Friday, September 13, 1991, at 9:00 a.m.; and at the Alpine Ballroom, Seattle Airport Hilton, 17620 Pacific Highway South, SeaTac, WA 98188, on Friday, September 20, 1991, at 9:00 a.m.

Submit Written Comments to: State Building Code Council, Ninth and Columbia Building, Mailstop GH-51, Olympia, Washington 98504-4151, by 5 p.m., September 25, 1991.

Date of Intended Adoption: November 8, 1991.

July 12, 1991
Gene J. Colin
Chair

AMENDATORY SECTION (Amending WSR 91-01-112, filed 12/19/90, effective 7/1/91)

WAC 51-11-0502 BUILDING ENVELOPE REQUIREMENTS.

502.1 General:

502.1.1: The stated U- or F-value of any component assembly, listed in Table 5-1 or 5-2, such as roof/ceiling, opaque wall or opaque floor may be increased and the U-value for other components decreased, provided that the total heat gain or loss for the entire building envelope does not exceed the total resulting from compliance to the U-values specified in this Section.

The U-values for typical construction assemblies are included in Chapter 10. These values shall be used for all calculations. Where proposed construction assemblies are not represented in Chapter 10, values shall be calculated in accordance with Chapters 19-27 in RS-1 listed in Chapter 7, using the framing factors listed in Chapter 10 where applicable.

For envelope assemblies containing metal framing, the U-value shall be determined by one of the following methods:

1. Results of laboratory or field measurements.
2. Standard RS-25, listed in Chapter 7, where the metal framing is bonded on one or both sides to a metal skin or covering.
3. The zone method as provided in Chapter 22 of RS-1, listed in Chapter 7.
4. Effective framing/cavity R-values as provided from the following table for metal stud walls:

WALL FRAMING	CAVITY INSULATION	
	R-11	R-19
2 x 4 @ 16" o.c.	5.50	-
2 x 4 @ 24" o.c.	6.60	-
2 x 6 @ 16" o.c.	-	7.6 0
2 x 6 @ 24" o.c.	-	8.5 5

502.1.2: For consideration of thermal mass effects, see section 402.4.

502.1.3: When return air ceiling plenums are employed, the roof/ceiling assembly shall:

- a. For thermal transmittance purposes, not include the ceiling proper nor the plenum space as part of the assembly; and
- b. For gross area purposes, be based upon the interior face of the upper plenum surface.

502.1.4 Insulation:

502.1.4.1 General: All insulating materials shall comply with sections 1712 and/or 1713 of the Uniform Building Code. Substantial contact of the insulation with the surface being insulated is required. All insulation materials shall be installed according to the manufacturer's instructions to achieve proper densities, and maintain uniform R-values. To the maximum extent possible, insulation shall extend over the full component area to the intended R-value.

502.1.4.2 Insulation Materials: All insulation materials including facings such as vapor barriers or breather papers installed within floor/ceiling assemblies, roof/ceiling assemblies, walls, crawl spaces, or attics shall have a flame spread rating of less than twenty-five and a smoke density not to exceed four hundred fifty when tested in accordance with UBC Standard 42-1.

EXCEPTIONS:

1. Foam plastic insulation shall comply with section 1712 of the Uniform Building Code.
2. When such materials are installed in concealed spaces of Types III, IV, and V construction, the flame spread and smoke developed limitations do not apply to facing, provided that the facing is installed in substantial contact with the unexposed surface of the ceiling, floor, or wall finish.
3. Cellulose insulation shall comply with section 1713 of the Uniform Building Code.

502.1.4.3 Clearances: Where required, insulation shall be installed with clearances according to manufacturers specifications. Insulation shall be installed so that required ventilation is unobstructed. For blown or poured loose fill insulation clearances shall be maintained through installation of a permanent retainer.

502.1.4.4 Access Hatches and Doors: Access doors from conditioned spaces to unconditioned spaces (e.g., attics and crawl spaces) shall be weatherstripped and insulated to a level equivalent to the insulation on the surrounding surfaces. Access shall be provided to all equipment which prevents damaging or compressing the insulation. A wood framed or equivalent baffle or retainer must be provided when loose fill insulation is installed, the purpose of which is to prevent the loose fill insulation from spilling into the living space when the attic access is opened, and to provide a permanent means of maintaining the installed R-value of the loose fill insulation.

502.1.4.5 Roof/Ceiling Insulation: Open-blown or poured loose-fill insulation may be used in attic spaces where the slope of the ceiling is not more than three feet in twelve and there is at least thirty inches of clear distance from the top of the bottom chord of the truss or ceiling joist to the underside of the sheathing at the roof ridge. When eave vents are installed, baffling of the vent openings shall be provided so as to deflect the incoming air above the surface of the insulation. Baffles shall be, rigid material, resistant to wind driven moisture. Requirements for baffles for ceiling insulation shall meet the Uniform Building Code section 3205(c) for minimum ventilation requirements. When feasible, the baffles shall be installed from the top of the outside of the exterior wall, extending inward, to a point six inches vertically above the height of noncompressed insulation, and twelve inches vertically above loose fill insulation.

502.1.4.6 Wall Insulation: Insulation installed in exterior walls shall comply with the provisions of this section. All wall insulation shall fill

the entire cavity. Exterior wall cavities isolated during framing shall be fully insulated to the levels of the surrounding walls. All faced insulation shall be face stapled to avoid compression.

502.1.4.7 Floor Insulation: Floor insulation shall be installed in a permanent manner in substantial contact with the surface being insulated. Insulation supports shall be installed so spacing is no more than twenty-four inches on center. Foundation vents shall be placed so that the top of the vent is below the lower surface of the floor insulation.

EXCEPTION: Insulation may be omitted from floor areas over heated basements, heated garages, or underfloor areas used as HVAC supply plenums. See Uniform Mechanical Code section 1008 for underfloor supply plenum requirements. When foundation walls are insulated, the insulation shall be attached in a permanent manner. The insulation shall not block the airflow through foundation vents when installed. When foundation vents are not placed so that the top of the vent is below the lower surface of the floor insulation, a permanently attached baffle shall be installed at an angle of thirty degrees from horizontal, to divert air flow below the lower surface of the floor insulation.

502.1.4.8 Slab-On-Grade: Slab-on-grade insulation, installed inside the foundation wall, shall extend downward from the top of the slab for a minimum distance of twenty-four inches or downward and then horizontally beneath the slab for a minimum combined distance of twenty-four inches. Insulation installed outside the foundation shall extend downward to a minimum of twenty-four inches or to the frostline. Above grade insulation shall be protected.

EXCEPTION: For monolithic slabs, the insulation shall extend downward from the top of the slab to the bottom of the footing.

502.1.4.9 Radiant Slabs: The entire area of a radiant slab shall be thermally isolated from the soil, with a minimum of R-10 insulation. The insulation shall be an approved product for its intended use. If a soil-gas control system is present below the radiant slab, which results in increased convective flow below the radiant slab, the radiant slab shall be thermally isolated from the sub-slab gravel layer.

502.1.4.10 Below-Grade Walls:

a. Below grade exterior wall insulation used on the exterior (cold) side of the wall shall extend from the top of the below-grade wall to the top of the footing and shall be approved for below-grade use. Above grade insulation shall be protected.

b. Insulation used on the interior (warm) side of the wall shall extend from the top of the below-grade wall to the below-grade floor level.

502.1.5 Glazing and Door U-Values: For Group R Occupancy, glazing and door U-values shall be determined in accordance with section 502.1.5.1. For other occupancies, glazing and door U-values shall be determined in accordance with either section 502.1.5.1 or 502.1.5.2.

502.1.5.1 Standard Procedure for Determination of Glazing and Door U-Values: U-values for glazing and doors, including all fire doors, shall be the tested U-values for thermal transmittance due to conduction resulting from either the AAMA 1503.1-88 test procedure or the ASTM C236-87 or C976-82 test procedures, provided that testing shall be conducted under established winter horizontal heat flow test conditions using fifteen mile per hour wind speed directed perpendicular to the exterior surface of the glazing as specified under AAMA 1503.1-88.

AAMA 1503.1-88 testing, shall be conducted by a laboratory accredited by AAMA to perform that test. ASTM C236-87 or C976-82 testing shall be conducted by an independent laboratory accredited by a nationally recognized accreditation program, independent of that laboratory. All tested U-values reported for listing by the state building code council after January 1, 1991, shall include certification by the manufacturer of gas content in the sealed insulated glass unit used for testing and in the production unit.

Product samples tested shall be production line units or representative of units as purchased by the consumer or contractor. Product sample sizes tested shall be in accordance with AAMA 1503.1-88, except that skylights shall be tested with a nominal two foot by four foot size, or a nominal four foot by four foot size. The installation of the test sample shall be in accordance with AAMA 1503.1-88, section 8.4. All testing performed after January 1, 1991, shall not include screens. All glazing and doors shall be identified with a label that states an

overall product U-value that is no less than the actual tested U-value. The labeled U-value shall be used in all calculations to determine compliance with this Code. Sealed insulating glass shall conform to, or be in test for, ASTM E-774-81 level A.

EXCEPTIONS:

1. The exterior frame dimensions of the product sample size tested shall not deviate by more than three inches from the height and width specified, except that skylights are allowed to be tested in the closest production line size to that specified above.

2. Passive air inlets are not required to be part of the tested assembly.

3. Products tested prior to December 31, 1990, to AAMA 1503.1-80, ASTM C236-80 or C976-82 which are not in compliance with the test size requirement above, and which are in compliance with the product sample sizes in AAMA 1503.1-80, shall be acceptable until December 31, 1994.

4. Untested glazing and doors shall be assigned the default U-values listed in Chapter 10. The default values for the opaque portions of doors shall be those listed in Chapter 10, provided that the U-value listed for a door with a thermal break shall only be allowed if both the door and the frame have a thermal break.

5. The U-value of an insulated glazing product which has a 'grille pattern' installed between the glazing layers shall be deemed equal to the U-value of an insulated glazing product which is tested without a 'grille pattern' in between glazing layers, provided a minimum one-eighth inch air space exists between the 'grille pattern' and both glass lites.

6. For a glazing product which is manufactured with an alternative 'low-e coating' than the 'low-e coating' of the tested glazing product, the U-value shall be deemed equal provided that the alternative 'low-e coating' material has an equal or lower rated emissivity.

7. Products tested to the National Fenestration Rating Council's Procedure for Determining Fenestration Product Thermal Properties March 15, 1991, and adopted June 28, 1991, are acceptable if Model Size AA has been tested as listed therein.

502.1.5.2 Alternate Glazing and Door U-Values for Other Than Group R Occupancy: Glazing U-values for other than Group R Occupancy are also allowed to be taken from Table 13 of Chapter 27 of RS-1 listed in Chapter 7 or calculated in accordance with the procedures of Chapter 27 of RS-1 listed in Chapter 7 and door U-values are also allowed to be taken from Table 6 in Chapter 22 of RS-1 listed in Chapter 7.

502.1.6 Moisture Control:

502.1.6.1: Vapor retarders shall be installed on the warm side (in winter) of insulation as specified in the following cases.

EXCEPTION: Vapor retarder installed with not more than one-third of the nominal R-value between it and the conditioned space.

502.1.6.2 Floors: Floors separating conditioned space from unconditioned space shall have a vapor retarder installed. The vapor retarder shall have a one perm dry cup rating or less (i.e., four mil. polyethylene or kraft faced material).

502.1.6.3: Roof/ceiling assemblies where the ventilation space above the insulation is less than an average of twelve inches shall be provided with a vapor retarder. Faced batt insulation where used as a vapor retarder shall be face stapled. Single rafter joist vaulted ceiling cavities shall be of sufficient depth to allow a minimum one inch vented air space above the insulation.

502.1.6.4: Vapor retarders shall not be required in roof/ceiling assemblies where the ventilation space above the insulation averages twelve inches or greater.

502.1.6.5: Vapor retarders shall not be required where all of the insulation is installed between the roof membrane and the structural roof deck.

502.1.6.6 Wall Insulation: Walls separating conditioned space from unconditioned space shall have a vapor retarder installed. Faced batt insulation shall be face stapled.

502.1.6.7 Ground Cover: A ground cover of six mil (0.006 inch thick) black polyethylene or approved equal shall be laid over the ground within crawl spaces. The ground cover shall be overlapped twelve inches minimum at the joints and shall extend to the foundation wall.

EXCEPTION: The ground cover may be omitted in crawl spaces if the crawl space has a concrete slab floor with a minimum thickness of three and one-half inches.

502.2 Thermal Criteria for Group R Occupancy:

502.2.1: The proposed UA as calculated using Equations 2 and 3 shall not exceed the Target UA as calculated using Equation 1. For the purpose of determining equivalent thermal performance, the glazing area for the target UA shall be calculated using figures in Table 5-1, and all the glazing shall be located in the wall area. The opaque door area shall be the same in the target UA and the proposed UA.

502.2.2 Space Heat Type: The following two categories comprise all space heating types:

1. Electric Resistance: Space heating systems which include baseboard units, radiant units, and forced air units as either the primary or secondary heating system.

EXCEPTION: Electric resistance systems for which the total electric heat capacity in each individual dwelling unit does not exceed the greater of: 1) One thousand watts per dwelling unit, or; 2) One watt per square foot of the gross floor area.

2. Other: All gas, wood, oil, and propane space heating systems, unless electric resistance is used as a secondary heating system, and all heat pump space heating systems. (See EXCEPTIONS, Electric Resistance, section 502.2.2 above.)

502.3 Thermal Performance Criteria For Other Than Group R Occupancies.

502.3.1: The overall thermal transmittance value (U^0) of the gross area of elements of the exterior building envelope of all buildings other than low-rise residential buildings shall not exceed the values given in Tables 5-2. Equations 2, 4 and 5 shall be used to determine acceptable combinations of building components and thermal properties to meet this requirement for heating. U^0 and U^w are specified in units of:

$$\frac{\text{Btu}}{\text{hr} \cdot \text{ft}^2 \cdot ^\circ\text{F}}$$

502.3.2 Slab on Grade Floors: For slab on grade floors the thermal resistance of the insulation around the perimeter of the floor shall not be less than the value given in Table 5-2.

502.3.3 Alternative Wall Allowance for Other Than Group R Occupancies: For other than Group R Occupancies, three stories or less, the maximum allowed value for average thermal transmittance (U_0) of the exterior walls may be increased to the values given in Table 5-2 BUILDINGS OVER THREE CONDITIONED STORIES provided that at least one of the following criteria is also met:

1. Mechanical supply of outside air and mechanical exhaust of building air shall be automatically shut off and the duct closed for at least eight hours per day during hours of nonoccupancy, or

2. The primary source of heating for the building shall be one or more heat pumps meeting the provisions of section 503.4.2 or gas or oil combustion heating equipment with a minimum combustion efficiency of eighty-five percent for central heating plants and eighty percent for room and space heaters. This efficiency shall be determined in accordance with the provisions of section 503.4.3.

PROVIDED FURTHER: That if both criteria are met, the maximum allowed value for thermal transmittance (U^0) of the exterior walls used in Table 5-2 may be increased by 0.05 in determining compliance with the provisions of the Code.

For walls with a wall weight of at least thirty lbs. per ft^2 (provided that walls constructed of hollow masonry units have cores filled with either grout, concrete, or with an insulating material with resistance per inch (R) of at least $2.25 \text{ ft}^2/\text{hr} \cdot ^\circ\text{F}/\text{Btu}$) the calculated thermal resistance of the wall sections measured face to face on wall units which are exposed to inside air temperatures, not including the thermal

resistance of air films or additional exterior wall elements may be increased by twenty-five percent in determining compliance with the provisions of the code provided that:

Heating and cooling set-point temperatures in the conditioned spaces or zones of the building shall be separated by at least five degrees F. The temperature control shall be designed to prevent new energy from being used to heat the space above the heating set-point temperature or cool the space below the cooling set-point temperature.

502.4 Air Leakage for All Occupancies:

502.4.1: The requirements of this section shall apply to all buildings and structures, or portions thereof, and only to those locations separating outdoor ambient conditions from interior spaces that are heated or mechanically cooled.

502.4.2: Exterior doors and windows shall be designed to limit air leakage into or from the building envelope. Site-constructed doors and windows shall be sealed in accordance with Section 502.4.3.

502.4.3:

a. Exterior joints around windows and door frames, openings between walls and foundation, between walls and roof and wall panels; openings at penetrations of utility services through walls, floors, and roofs; and all other openings in the building envelope for all occupancies and all other openings in between units in R-1 occupancy shall be sealed, caulked, gasketed, or weatherstripped to limit air leakage.

b. All exterior doors or doors serving as access to an enclosed unheated area shall be weatherstripped to limit leakage around their perimeter when in a closed position.

c. Site built windows are exempt from testing but shall be made tight fitting. Fixed lights shall have glass retained by stops with sealant or caulking all around. Operating sash shall have weatherstripping working against overlapping trim, and a closer/latch which will hold the sash closed. The window frame to framing crack shall be made tight with caulking, overlapping membrane, or other approved technique.

d. Openings that are required to be fire resistive are exempt from this section.

502.4.4 Recessed Lighting Fixtures: When installed in the building envelope, recessed lighting fixtures shall meet one of the following requirements:

1. Type IC rated, manufactured with no penetrations between the inside of the recessed fixture and ceiling cavity and sealed or gasketed to prevent air leakage into the unconditioned space.

2. Type IC ((~~or non-IC~~)) rated, installed inside a sealed box constructed from a minimum one-half inch thick gypsum wall board, or constructed from a preformed polymeric vapor barrier, or other air tight assembly manufactured for this purpose(~~(, while maintaining required clearances of not less than one-half inch from combustible material and not less than three inches from insulation material)~~).

3. Type IC rated, certified under ASTM E283 to have no more than 2.0 cfm air movement from the conditioned space to the ceiling cavity. The lighting fixture shall be tested at seventy-five Pascals or 1.57 lbs/ft² pressure difference and have a label attached, showing compliance.

1991 EDITION

EQUATION 1 -- GROUP R OCCUPANCY

TARGET UA

$$UA_T = U_W A_W + U_{BGW} A_{BGW} + U_G A_G + U_F A_F + U_{RC} A_{RC} + U_{CC} A_{CC} + U_D A_D + F_S P_S$$

Where:

- UA_T = the target combined thermal transmittance of the gross exterior wall, floor, and roof/ceiling assembly area.
- U_W = the thermal transmittance value of the opaque above grade wall area found in Table 5-1.
- A_W = opaque above grade wall area.
- U_{BGW} = the thermal transmittance value of the below grade opaque wall area found in Table 5-1.
- A_{BGW} = opaque below grade wall area.
- U_G = the thermal transmittance value of the glazing area found in Table 5-1.
- A_G = .15 (total floor area of the conditioned space).
- U_F = the thermal transmittance value of the floor area found in Table 5-1.
- A_F = floor area over unconditioned space.
- U_{RC} = the thermal transmittance value of the roof/ceiling area found in Table 5-1.
- A_{RC} = roof/ceiling area.
- U_{CC} = the thermal transmittance value of the cathedral ceiling area found in Table 5-1.
- A_{CC} = cathedral ceiling area.
- U_D = the thermal transmittance value of the opaque door area found in table 5-1.
- A_D = opaque door area.
- F_S = concrete slab component F-value found in Table 5-1.
- P_S = Lineal ft. of concrete slab perimeter.

WASHINGTON STATE ENERGY CODE

EQUATION 2 -- ALL OCCUPANCIES

$$U = \frac{1}{r_o + R_1 + R_2 \dots r_i}$$

Where:

U = the thermal transmittance of the assembly.

r_o = outside air film resistance.

r_o = .17 for all exterior surfaces.

r_i = inside air film resistance.

r_i = 0.61 for interior horizontal surfaces, heat flow up.

r_i = 0.92 for interior horizontal surfaces, heat flow down.

r_i = 0.68 for interior vertical surfaces.

$R = \frac{1}{C} = \frac{X}{K}$ = measure of the resistance to the passage of heat for each element.

C = conductance, the heat flow through a specific material of specific thickness.

K = insulation value of a material per inch.

X = the thickness of the material in inches.

1991 EDITION

EQUATION 3 -- GROUP R OCCUPANCY

PROPOSED UA

$$UA = U_W A_W + U_{BGW} A_{BGW} + U_G A_G + U_F A_F + U_{RC} A_{RC} + U_{CC} A_{CC} + U_D A_D + F_S P_S$$

Where:

- UA = the combined thermal transmittance of the gross exterior wall, floor, and roof/ceiling assembly area.
- U_W = the thermal transmittance of the opaque wall area.
- U_{BGW} = the thermal transmittance value of the below grade opaque wall area.
- A_{BGW} = opaque below grade wall area.
- A_W = opaque wall area.
- U_G = the thermal transmittance of the glazing (window or skylight) area.
- A_G = glazing area, including windows in exterior doors.
- U_F = the thermal transmittance of the floor area.
- A_F = floor area over unconditioned space.
- U_{RC} = the thermal transmittance of the roof/ceiling area.
- A_{RC} = roof/ceiling area.
- U_{CC} = the thermal transmittance of the cathedral ceiling area.
- A_{CC} = cathedral ceiling area.
- U_D = the thermal transmittance value of the opaque door area.
- A_D = opaque door area.
- F_S = concrete slab component f-factor.
- P_S = lineal ft. of concrete slab perimeter.

NOTE: Where more than one type of wall, window, roof/ceiling, door, and skylight is used, the U and A terms for those items shall be expanded into sub-elements as:

$$U_{W1} A_{W1} + U_{W2} A_{W2} + U_{W3} A_{W3} + \dots \text{etc.}$$

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EQUATION 4 -- OTHER THAN GROUP R OCCUPANCY

TARGET U_o

$$U_o = \frac{U_w A_w + U_f A_f + U_c A_c + F_s P_s}{A_w + A_f + A_c + P_s}$$

Where:

- U_o = the target combined thermal transmittance of the gross exterior wall, floor, and roof/ceiling assembly area.
- U_w = the thermal transmittance value of the opaque above grade wall area found in Table 5-2.
- A_w = opaque above grade wall area.
- U_f = the thermal transmittance value of the floor area found in Table 5-2.
- A_f = floor area over unconditioned space.
- U_c = the thermal transmittance value of the ceiling area found in Table 5-2.
- A_c = ceiling area.
- F_s = concrete slab component F-value found in Table 5-2.
- P_s = lineal ft. of concrete slab perimeter

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EQUATION 5 -- OTHER THAN GROUP R OCCUPANCY

PROPOSED U_o

$$U_o = \frac{U_w A_w + U_{BGW} A_{BGW} + U_G A_G + U_F A_F + U_{RC} A_{RC} + U_{CC} A_{CC} + U_D A_D + F_s P_s}{A_w + A_{BGW} + A_G + A_F + A_{RC} + A_{CC} + A_D + P_s}$$

Where:

- U_o = the combined thermal transmittance of the gross exterior wall, floor, and roof/ceiling assembly area.
- U_w = the thermal transmittance of the opaque wall area.
- U_{BGW} = the thermal transmittance value of the below grade opaque wall area.
- A_{BGW} = opaque below grade wall area.
- A_w = opaque wall area.
- U_G = the thermal transmittance of the glazing (window or skylight) area.
- A_G = glazing area, including windows in exterior doors.
- U_F = the thermal transmittance of the floor area.
- A_F = floor area over unconditioned space.
- U_{RC} = the thermal transmittance of the roof/ceiling area.
- A_{RC} = roof/ceiling area.
- U_{CC} = the thermal transmittance of the cathedral ceiling area.
- A_{CC} = cathedral ceiling area.
- U_D = thermal transmittance value of opaque door area.
- A_D = opaque door area.
- F_s = concrete slab component F-factor.
- P_s = lineal ft. of concrete slab perimeter.

NOTE: Where more than one type of wall, window, roof/ceiling, door, and skylight is used, the U and A terms for those items shall be expanded into sub-elements as:

$$U_{w1} A_{w1} + U_{w2} A_{w2} + U_{w3} A_{w3} + \dots \text{etc.}$$

AMENDATORY SECTION (Amending WSR 91-01-112, filed 12/19/90, effective 7/1/91)**WAC 51-11-0503 BUILDING MECHANICAL SYSTEMS.**

503.1 General: This section covers the determination of design requirements, system and component performance, control requirements, insulating systems and duct construction.

EXCEPTION: Special applications, including but not limited to hospitals, laboratories, thermally sensitive equipment, and computer rooms may be exempted from the requirements of this section when approved by the building official.

503.2 Calculations of Heating and Cooling Loads, and System Sizing Limits: The design parameters specified in Chapter 3 shall apply for all computations.

503.2.1 Calculation Procedures: Heating and cooling design loads for the purpose of sizing HVAC systems are required and shall be calculated in accordance with accepted engineering practice, including infiltration and ventilation.

503.2.2 Space Heating and Space Cooling System Sizing Limits: Building mechanical systems for all buildings which provide space heating and/or space cooling shall be sized no greater than one hundred fifty percent of the heating and cooling design loads as calculated above.

EXCEPTIONS: The following limited exemptions from the sizing limit shall be allowed, however, in all cases heating and/or cooling design load calculations shall be submitted.

1. For equipment which provides both heating and cooling in one package unit, including heat pumps with electric heating and cooling and gas-pack units with gas heating and electric cooling, compliance need only be demonstrated for either the space heating or space cooling system size.

2. Natural gas- or oil-fired space heating equipment whose total rated space heating output in any one dwelling unit is fifty-six thousand Btu/h or less may exceed the one hundred fifty percent sizing limit provided that the installed equipment has an annual fuel utilization efficiency (AFUE) of not less than the sum of seventy-eight percent plus one percent for every five thousand Btu/h that the space heating equipment output exceeds the design heating load of the dwelling unit.

3. Stand-by equipment may be installed if controls and other devices are provided which allow redundant equipment to operate only when the primary equipment is not operating.

503.3 Simultaneous Heating and Cooling: Each temperature control zone shall include thermostatic controls installed and operated to sequence the use of heating and cooling energy to satisfy the thermal and/or humidity requirement of the zone. Controls shall prevent reheating (heating air that is cooler than system mixed air), recooling (cooling air that is warmer than the system mixed air), mixing or simultaneous supply of warm air (warmer than system return air mixed air) and cold air (cooler than system mixed air), or other simultaneous operation of heating and cooling systems to one zone. For the purposes of this section, system mixed air is defined as system return air mixed with the minimum ventilation air requirement by section 303.

EXCEPTIONS:

1. Variable air volume systems designed to reduce the air supply to each zone during periods of occupancy to the larger of the following:

a. Thirty percent or less of the peak supply volume.

b. The minimum allowed to meet ventilation requirements of section 303.

c. 0.5 cfm/ft² of zone conditioned area before reheating, recooling or mixing takes place. Consideration shall be given to supply air temperature reset control.

2. The energy for reheating, or providing warm air in mixing systems, is provided entirely from recovered energy that would otherwise be wasted, or from renewable energy sources. In addition, the system shall comply with section 503.7 without exception.

3. Areas where specific humidity levels are required to satisfy process needs.

4. Where special pressurization relationships or cross-contamination requirements are such that variable air volume systems are impractical, supply air temperatures shall be reset by representative building load or outside air temperature.

503.4 HVAC Equipment Performance Requirements:**503.4.1 Equipment Components:**

503.4.1.1: The requirements of this section apply to equipment and mechanical component performance for heating, ventilating and air-conditioning systems. Equipment efficiency levels are specified. Data furnished by the equipment supplier or certified under a nationally recognized certification program or rating procedure shall be used to satisfy these requirements. Equipment efficiencies shall be based on the standard rating conditions in Tables 5-4, 5-5 or 5-6 as appropriate.

503.4.1.2: Where components from more than one manufacturer are assembled into systems regulated under this section, compliance for each component shall be as specified in sections 503.4.2 through 503.4.6 of this Code.

503.4.2: HVAC System Heating Equipment Heat Pump-heating Mode. Heat pumps whose energy input is entirely electric shall have a coefficient of performance (COP) heating, not less than the values in Table 5-7. Heat Pumps with supplementary backup heat other than electricity shall meet the requirements of Table 5-7.

503.4.2.1: These requirements apply to, but are not limited to, unitary (central) heat pumps (air source and water source) in the heating mode, water source (hydronic) heat pumps as used in multiple-unit hydronic HVAC systems, and heat pumps in the packaged terminal air-conditioner in the heating mode.

503.4.2.3 Supplementary Heater: The heat pump shall be installed with a control to prevent supplementary backup heater operation when the operating load can be met by the heat pump compression cycle alone.

503.4.2.4 Heat Pump Controls: Requirements for heat pump controls are listed in section 503.8.3.5 of this Code.

503.4.3 HVAC System Combustion Equipment: For Group R Occupancy, all gas, oil, and propane central heating systems shall have a minimum AFUE of 0.78. All other Group R Occupancy heating equipment fueled by gas, oil, or propane shall be equipped with an intermittent ignition device. For all Other Occupancies, all gas and oil-fired central heating plants shall have a minimum combustion efficiency of not less than that shown in Table 5-3.

* HVAC Heating system efficiency trade-offs shall be made using Chapters 4 or 6 of this Code.

503.4.4 Packaged and Unitary HVAC System Equipment, Electrically Operated, Cooling Mode: HVAC system equipment as listed below, whose energy input in the cooling mode is entirely electric, shall have an energy efficiency ratio (EER) or a seasonal energy efficiency ratio (SEER) cooling not less than values in Table 5-8.

503.4.4.1: These requirements apply to, but are not limited to, unitary (central) and packaged terminal heat pumps (air source and water source); packaged terminal air conditioners.

EXCEPTION: These requirements do not apply to equipment used for refrigerated food or florists' and nurseries' coolers.

503.4.5 Applied HVAC System Components, Electrically Operated, Cooling Mode: HVAC System components, as listed in Table 5-9, whose energy input is entirely electric, shall have an energy efficiency ratio (EER) or a Coefficient of Performance (COP) cooling not less than the values in Table 5-9.

503.4.6 HVAC System Equipment - Heat Operated, Cooling Mode, Efficiency Limitation, Equipment: Heat-operated cooling equipment shall have a COP cooling not less than the values in Table 5-10.

503.5 Transport Energy:

503.5.1 All-air Systems: The air transport factor for each all-air system shall be not less than 5.5. The factor shall be based on design system air flow for constant volume systems. The factor for variable air

volume systems may be based on average conditions of operation. Energy for transfer of air through heat recovery devices shall not be included in determining the factor; however, such energy shall be included in the evaluation of the effectiveness of the heat recovery system.

$$\text{Air Transport Factor} = \frac{\text{Space Sensible Heat Removal}^*}{\text{Supply} + \text{Return Fan(s) Power Input}^*}$$

*Expressed in Btu/h or watts

503.5.2 Other Systems: Air and water, all-water and unitary systems employing chilled, hot, dual-temperature or condenser water transport systems to space terminals shall not require greater transport energy (including central and terminal fan power and pump power) than an equivalent all-air system providing the same space sensible heat removal and having an air transport factor not less than 5.5.

503.6 Balancing: The HVAC system design shall provide a means for balancing air and water systems. Balancing the system shall include, but not be limited to, dampers, temperature and pressure test connections and balancing valves.

503.7 Cooling with Outdoor Air (Economizer Cycle): Each fan system shall be designed to use up to and including one hundred percent of the fan system capacity for cooling with outdoor air automatically whenever its use will result in lower usage of new energy. Activation of economizer cycle shall be controlled by sensing outdoor air enthalpy or outdoor air dry-bulb temperature alone or alternate means approved by the building official.

EXCEPTIONS: Cooling with outdoor air is not required under any one or more of the following conditions:

1. The fan system capacity is less than three thousand five hundred cfm or total cooling capacity is less than ninety thousand Btu/h.
2. The quality of the outdoor air is so poor as to require extensive treatment of the air and approval by the building official.
3. The need for humidification or dehumidification requires the use of more energy than is conserved by the outdoor air cooling on an annual basis.
4. The use of outdoor air cooling may affect the operation of other systems so as to increase the overall energy consumption of the building.
5. When energy recovered from an internal/external zone heat recovery system exceeds the energy conserved by outdoor air cooling on an annual basis.
6. When all space cooling is accomplished by a circulating liquid which transfers space heat directly or indirectly to a heat rejection device such as a cooling tower without use of a refrigeration system.
7. When the use of one hundred percent outside air will cause coil frosting, controls may be added to reduce the quantity of outside air. However, the intent of this exception is to use one hundred percent air in lieu of mechanical cooling when less energy usage will result and this exception applies only to direct expansion systems when the compressor is running.

503.8 Controls:

503.8.1 Temperature Control: Each system shall be provided with at least one adjustable thermostat for the regulation of temperature. Each thermostat shall be capable of being set by adjustment or selection of sensors as follows:

503.8.1.1: When used to control heating only: Fifty-five degrees to seventy-five degrees F.

503.8.1.2: When used to control cooling only: Seventy degrees to eighty-five degrees F.

503.8.1.3: When used to control both heating and cooling, it shall be capable of being set from fifty-five degrees to eighty-five degrees F and shall be capable of operating the system heating and cooling in sequence. The thermostat and/or control system shall have an adjustable deadband of not less than ten degrees F.

503.8.2 Humidity Control: If a system is equipped with a means for adding moisture to maintain specific selected relative humidities in space or zones, a humidistat shall be provided. Humidistats shall be

capable of being set to prevent new energy from being used to produce space-relative humidity above thirty percent.

EXCEPTION: Special occupancies requiring different relative humidities may be permitted when approved by the building official.

503.8.3 Zoning for Temperature Control:

503.8.3.1 One- and Two-Family Dwellings: At least one thermostat for regulation of space temperature shall be provided for each separate system. In addition, a readily accessible manual or automatic means shall be provided to partially restrict or shut off the heating and/or cooling input to each zone or floor.

503.8.3.2 Multifamily Dwellings: For multifamily dwellings, each individual dwelling unit shall have at least one thermostat for regulation of space temperature. A readily accessible manual or automatic means shall be provided to partially restrict or shut off the heating and/or cooling input to each room. Spaces other than living units shall meet the requirements of 503.8.3.3.

503.8.3.3 Other Types of Buildings or Occupancies: At least one thermostat for regulation of space temperature shall be provided for:

1. Each separate system.
2. Each separate zone as defined in Chapter 2. As a minimum, each floor of a building shall be considered as a separate zone. In a multi-story building where the perimeter system offsets only the transmission losses of the exterior wall, an entire side of uniform exposure may be zoned separately. A readily accessible manual or automatic means shall be provided to partially restrict or shut off the heating and/or cooling input to each floor.

503.8.3.4 Control Setback and Shut-off:

1. Residential Occupancy Groups. One- and Two-Family and Multifamily dwellings—The thermostat required in section 503.8.3.1 or section 503.8.3.2, or an alternate means such as a switch or clock, shall provide a readily accessible, manual or automatic means for reducing the energy required for heating and cooling during the periods of non-use or reduced need, such as, but not limited to unoccupied periods and sleeping hours. Lowering thermostat set points to reduce energy consumption of heating systems shall not cause energy to be expended to reach the reduced setting.

2. Other Buildings and Occupancies. Each HVAC system shall be equipped with a readily accessible, automatic means of shutting off or reducing the energy used for HVAC during periods of non-use or alternate uses of the building spaces or zones served by the system. The following are examples that meet this requirement:

- a. Manually adjustable automatic timing devices.
- b. Automatic control systems.

503.8.3.5 Heat Pump Controls: Programmable thermostats are required for all heat pump systems. The cut-on temperature for the compression heating shall be higher than the cut-on temperature for the supplementary heat, and the cut-off temperature for the compression heating shall be higher than the cut-off temperature for the supplementary heat. Heat pump thermostats will be capable of providing at least two programmable setback periods per day. The automatic setback thermostat shall have the capability of limiting the use of supplemental heat during the warm-up period.

503.9 Air Handling Duct System Insulation: Ducts, plenums and enclosures installed in or on buildings shall be thermally insulated per Table 5-11.

EXCEPTIONS: Duct insulation (except where required to prevent condensation) is not required in any of the following cases:

1. When the heat gain or loss of the ducts, without insulation, will not increase the energy requirements of the building.
2. Within the HVAC equipment.
3. Exhaust air ducts.
4. Supply or return air ducts installed in unvented crawl spaces with insulated walls, basements, or cellars in one- and two-family dwellings.

503.10 Duct Construction: All duct work shall be constructed in accordance with Standards RS-15, RS-16, RS-17, RS-18, RS-19 or RS-20, as applicable, and the Uniform Mechanical Code.

503.10.1: High-pressure and medium-pressure ducts shall be leak tested in accordance with the applicable standards in Chapter 7 of this Code with the rate of air leakage not to exceed the maximum rate specified in that standard.

503.10.2: When low-pressure supply air ducts are located outside of the conditioned space, all HVAC ductwork seams and joints, both longitudinal and transverse, shall be taped and sealed with products approved by the building official only. Ductwork joints shall be mechanically fastened with a minimum of three fasteners per joint for a cylindrical duct. Use Table 5-11 for duct insulation requirements.

503.10.3: Requirements for Automatic or manual dampers are found in the Washington State Ventilation and Indoor Air Quality Code.

503.11 Piping Insulation: All piping installed to serve buildings (and within) shall be thermally insulated in accordance with Table 5-12. For service hot water systems see section 504.7. If water pipes are outside of conditioned space then the pipe insulation requirement shall be R-3 minimum for non-recirculating hot and cold water pipes. For recirculating service hot and cold water pipes use Table 5-12 for pipe sizes and temperatures.

EXCEPTIONS: Piping insulation is not required in any of the following cases:

1. Piping installed within unitary HVAC equipment.

~~(2. When the heat loss and/or heat gain of the piping, without insulation, does not increase the energy requirements of the building or is used as a component of a designed heating system.)~~

503.11.1 Other Insulation Thickness: Insulation thickness in Table 5-12 is based on insulation having thermal resistance in the range of 4.0 to 4.6 per inch of thickness on a flat surface at a mean temperature of seventy-five degrees F. Minimum insulation thickness shall be increased for materials having R-values less than 4.0 per inch, or may be reduced for materials having R-values greater than 4.6 per inch.

a. For materials with thermal resistance greater than $R = 4.6$ per inch, the minimum insulation thickness may be reduced as follows:

$$4.6 \times \frac{\text{(Table 5-12 Thickness)}}{\text{Actual Resistance}} = \text{New Minimum Thickness}$$

b. For materials with thermal resistance less than $R = 4.0$ per inch, the minimum insulation thickness shall be increased as follows:

$$4.0 \times \frac{\text{(Table 5-10 Thickness)}}{\text{Actual Resistance}} = \text{New Minimum Thickness}$$

c. Additional insulation with vapor barriers shall be provided to prevent condensation where required by the building official.

AMENDATORY SECTION (Amending WSR 91-01-112, filed 12/19/90, effective 7/1/91)

WAC 51-11-0504 SERVICE WATER HEATING.

504.1 Scope: The purpose of this section is to provide criteria for design and equipment selection that will produce energy savings when applied to service water heating.

504.2 Water Heaters, Storage Tanks and Boilers:

504.2.1 Performance Efficiency: All Storage water heaters shall meet the requirements of the 1987 National Appliance Energy Conservation Act and be so labeled. All electric water heaters in unheated spaces or on concrete floors shall be placed on an incompressible, insulated surface with a minimum thermal resistance of R-10.

504.2.2 Insulation: Heat loss from unfired hot-water storage tanks shall be limited to a maximum of 9.6 Btu/hr/ft² of external tank surface area. The design ambient temperature shall be no higher than sixty-five degrees F.

504.2.3 Combination Service Water Heating/Space Heating Boilers: Service water heating equipment shall not be dependent on year round operation of space heating boilers.

EXCEPTIONS:

1. Systems with service/space heating boilers having a standby loss Btu/h less than:

$$(13.3 \text{ pmd} + 400)/n$$

determined by the fixture count method where:

pmd = probably maximum demand in gallons/hour as determined in accordance with Chapter 37 of Standard RS-11.

n = fraction of year when outdoor daily mean temperature exceeds 64.9° F.

The standby loss is to be determined for a test period of twenty-four-hour duration while maintaining a boiler water temperature of ninety degrees F above an ambient of sixty degrees F and a five foot stack on appliance.

2. For systems where the use of a single heating unit will lead to energy savings, such unit shall be utilized.

504.3 Automatic Controls: Service water heating systems shall be equipped with automatic temperature controls capable of adjustment from the lowest to the highest acceptable temperature settings for the intended use. Temperature setting range shall be set, to one hundred twenty degrees F or forty-nine degrees C.

504.4 Shutdown: A separate switch shall be provided to permit turning off the energy supplied to electric service water heating systems. A separate valve shall be provided to permit turning off the energy supplied to the main burner(s) of all other types of service water heater systems.

504.5 Swimming Pools:

504.5.1: All pool heaters shall be equipped with readily accessible ON/OFF switch to allow shutting off the operation of the heater without adjusting the thermostat setting. Controls shall be provided to allow the water temperature to be regulated from the maximum design temperature down to sixty-five degrees F.

504.5.2 Pool Covers: Heated swimming pools shall be equipped with a pool cover, approved by the building official.

504.6 Pump Operation: Circulating hot water systems shall be controlled so that the circulation pump(s) can be conveniently turned off, automatically or manually, when the hot water system is not in operation.

504.7 Pipe Insulation: For recirculating and non-recirculating systems, piping shall be thermally insulated in accordance with section 503.11 and Table 5-12.

504.8 Conservation of Hot Water:

504.8.1 Showers and Lavatories: Showers and lavatories used for other than safety reasons shall be equipped with flow control devices or specially manufactured showerheads or aerators to limit the total water flow rate ~~((to a maximum of three gallons per minute per showerhead or faucet))~~ as set forth in chapter 51.26 WAC, as measured with both hot and cold faucets turned on to their maximum flow.

504.8.2 Lavatories in Restrooms of Public Facilities:

504.8.2.1: Lavatories in restrooms of public facilities shall be equipped with a metering valve designed to close by spring or water pressure when left unattended (self-closing) and limit the flow ~~((of water to a maximum of 2.5 gallons per minute))~~ rate as set forth in chapter 51-26 WAC.

EXCEPTION: Separate lavatories for physically handicapped persons shall not be equipped with self-closing valves.

504.8.2.2: Lavatories in restrooms of public facilities shall be equipped with devices which limit the outlet temperature to a maximum of one hundred ten degrees F.

AMENDATORY SECTION (Amending WSR 91-01-112, filed 12/19/90, effective 7/1/91)

WAC 51-11-0505 ELECTRICAL POWER AND LIGHTING.

505.1 General: Electrical distribution and lighting systems shall be designed for efficient distribution and use of electrical energy from the service entrance to and at the points of use as provided herein.

505.2 Lighting Switching: Switching for building lighting systems shall be designed and installed to permit efficient use of energy and to permit maximum flexibility in the use of the installed lighting. The following mandatory requirements represent the minimum lighting controls to be installed in any building. Additional controls should be provided where deemed appropriate and where the installation of such controls can significantly reduce energy consumption.

a. All lighting controls, except automatic controls or those for special purpose applications which require trained operators or those which would pose a safety problem or a security hazard, shall be installed so as to be readily accessible to personnel occupying or using the lighting space.

b. The maximum lighting power that may be controlled from a single switch or automatic control shall not exceed that provided by a twenty ampere circuit loaded to no more than eighty percent. A master control may be installed provided the individual switches retain their capability to function independently.

c. All lighted spaces enclosed by walls or ceiling height partitions and with floor area less than four hundred square feet shall be provided an individual lighting control or an occupant-sensing automatic control.

d. All lighted spaces with floor area greater than four hundred square feet shall be provided with controls to permit reducing the lighting by not more than one half or occupant-sensing automatic controls.

e. All building areas greater than two hundred square feet where natural lighting is available shall be provided with individual controls or daylight- or occupant-sensing automatic controls which permit control of lights independent of general area lighting. Either individual controls shall be provided for each row of luminaires parallel to a window wall or controls shall be provided to reduce the lighting in at least two steps to not more than one-half and to completely off in the natural lighting area. For office and school occupancies, at a minimum, lighting serving a zone within twelve feet of a window wall or the zone between an interior wall and the window wall of less than twelve feet shall comply with this provision. For retail occupancies, at least the row of luminaires nearest the window shall comply with this provision.

f. All display, exhibition, or specialty lighting shall be controlled independently of general area lighting.

g. All exterior building lighting including facade lighting, parking lots, driveways, walkways shall be furnished with automatic controls to reduce or turn off all lights during periods of non-use or daylight hours, except those required for safety and security. Sign lights shall be exempt from this provision.

505.3 Lighting Power Budget: A lighting power budget is the upper limit of the power to be available to provide the lighting needs in accordance with the criteria and calculation procedure specified herein.

The lighting power budget for a building shall be the sum of the power limits computed for all lighted interior and exterior spaces and shall be determined in accordance with the procedures specified in this section.

EXCEPTION: One- and two-family detached dwellings and the dwelling portion of multifamily buildings are exempt from the requirements of section 505.3.

505.3.1 Budget Development: The installed lighting wattage for the building project shall not exceed the budget level calculated in this section. The budget wattage level shall be the sum of the interior budget calculated and the exterior budget. Lighting wattage includes lamp and ballast wattage.

505.3.2 Building Interiors: The interior lighting budget shall be calculated by multiplying the gross conditioned floor area, in square feet, by the appropriate unit power budget, in watts per square foot, specified in Table 5-13.

For special conditions when approved by the building official, calculation based on Illuminating Engineering Society Unit Power Density or similar nationally recognized standards may be used.

The lighting power budget shall be based on the primary occupancy for which the space within the building is intended. If multiple occupancies are intended, the lighting power budget for each type of occupancy shall be separately calculated and summed to obtain the lighting

budget for the interior spaces of the building. If a common circulation area serves multiple occupancies or multiple retail spaces, the lighting power budget for the common circulation area shall be the weighted average of the lighting power budgets for all other areas on that floor. In cases where a lighting plan for only a portion of a building is submitted, the interior lighting budget shall be based on the gross floor area covered by the plan.

EXCEPTIONS:

1. Where the following automatic lighting controls are installed, for calculations used to determine code compliance, the installed lighting wattage may be reduced by the following percentages:

a. For occupant-sensing devices, energy savings of thirty percent shall be allowed for any single space up to four hundred ft² and enclosed by ceiling height partitions; classrooms, conference rooms, computer rooms, storage areas, corridors, or waiting rooms.

b. For daylighting controls, energy savings of thirty percent for continuous dimming and twenty percent for stepped controls shall be allowed for any daylight space.

c. For lumen maintenance controls, energy savings of ten percent shall be allowed for any space.

d. For daylighting controls with occupant-sensing devices, energy savings of forty-four percent shall be allowed for any single space up to four hundred ft² within daylight spaces, and enclosed by ceiling height partitions.

e. For occupant-sensing devices with lumen maintenance controls, energy savings of thirty-seven percent shall be allowed for any single space up to four hundred ft² and enclosed by ceiling height partitions.

505.3.2.1: Lighting for the following applications shall be exempted from inclusion in the calculation of lighting power budgets:

A. Stage lighting, entertainment, or audiovisual presentations where the lighting is an essential technical element for the function performed.

B. Lighting for medical and dental tasks.

C. Lighting in areas specifically designed for visually handicapped people.

D. For restaurant occupancies, lighting for kitchens and food preparation areas.

505.3.4 Building Exteriors: The exterior lighting budget shall be calculated by multiplying the building perimeter in feet by 7.5 watts per foot. Lighting for parking structures shall be calculated at 0.3 watts per gross square foot of parking area. An allowance for outdoor surface parking and circulation lighting may be added at 0.05 watts per ft² of area. Lighting for signs that are not an integral part of the building shall be exempted from inclusion in these calculations.

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TABLE 5-1 TARGET COMPONENT VALUES FOR GROUP R OCCUPANCY

Climate Zone⇒	Electric Resistance		Other Fuels	
	1	2	1	2
<u>Component</u>				
Glazing & Floor Area	15%	15%	15%	15%
Glazing U-Factor	U = 0.400	U = 0.400	U = 0.650	U = 0.600
Doors	U = 0.200 (R = 5)	U = 0.200 (R = 5)	U = 0.400 (R = 2.5)	U = 0.400 (R = 2.5)
Ceilings:				
Attic	U = 0.031 (R = 38)	U = 0.031 (R = 38)	U = 0.036 (R = 30)	U = 0.031 (R = 38)
Single Rafter/ Joist Vaulted	U = 0.034 (R = 30)	U = 0.034 (R = 30)	U = 0.034 (R = 30)	U = 0.034 (R = 30)
Walls	U = 0.058 (R = 19A)	U = 0.044 (R = 19+5A)	U = 0.062 (R = 19)	U = 0.062 (R = 19+5)
Floors	U = 0.029 (R = 30)	U = 0.029 (R = 30)	U = 0.041 (R = 19)	U = 0.029 (R = 30)
Slab on Grade				
Slab R-Value	F = 0.54 (R = 10)	F = 0.54 (R = 10)	F = 0.54 (R = 10)	F = 0.54 (R = 10)
<u>Below Grade Interior</u>				
Wall R-Value	(R = 19)	(R = 19)	(R = 19)	(R = 19)
2' Depth: Walls Slab	U = 0.043 F = .69	U = 0.043 F = .69	U = 0.043 F = .69	U = 0.043 F = .69
3.5' Depth: Walls Slab	U = 0.041 F = 0.64	U = 0.041 F = 0.64	U = 0.041 F = 0.64	U = 0.041 F = 0.64
7' Depth: Walls Slab	U = 0.037 F = 0.57	U = 0.037 F = 0.57	U = 0.037 F = 0.57	U = 0.037 F = 0.57
<u>Below Grade Exterior</u>				
Wall R-Value	(R = 10)	(R = 12)	(R = 10)	(R = 12)
2' Depth: Walls Slab	U = 0.070 F = 0.60	U = 0.061 F = 0.60	U = 0.070 F = 0.60	U = 0.061 F = 0.60
3.5' Depth: Walls Slab	U = 0.064 F = 0.57	U = 0.057 F = 0.57	U = 0.064 F = 0.57	U = 0.057 F = 0.57
7' Depth: Walls Slab	U = 0.056 F = 0.42	U = 0.050 F = 0.42	U = 0.056 F = 0.42	U = 0.050 F = 0.42

WASHINGTON STATE ENERGY CODE

TABLE 5-2 COMPONENT REQUIREMENTS FOR OTHER THAN GROUP R OCCUPANCIES

BUILDINGS OF THREE CONDITIONED STORIES OR LESS					
Zone	Ceilings	Walls (Includes Glazing)	Floors	Slab on Grade ¹	
	U _o	U _o	U _o	Installed R-Value	Installed F-Value
I.	0.035	0.25	0.05	7	0.56
II.	0.035	0.20	0.05	10	0.54

¹ Insulation shall be water-resistant material manufactured for this use.

BUILDINGS OVER THREE CONDITIONED STORIES					
Zone	Ceilings	Walls (Includes Glazing)	Floors	Slab on Grade ¹	
	U _o	U _o	U _o	Installed R-Value	Installed F-Value
I.	0.08	0.30	0.08	7	0.56
II.	0.06	0.25	0.08	10	0.54

¹ Insulation shall be water-resistant material manufactured for this use.

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**TABLE 5-3 OTHER THAN GROUP R OCCUPANCY HVAC SYSTEM
HEATING EQUIPMENT - GAS- AND OIL-FIRED
MINIMUM STEADY STATE COMBUSTION EFFICIENCY**

	Furnaces of Capacity of 225,000 Btu/h and less Boilers of Capacities of 300,000 Btu/h and less	All Other Commercial/ Industrial Furnace and Boilers
Types of Equipment	Percent ¹	Percent ²
Forced-air furnaces and low-pressure steam or hot-water boilers	74	75
Gravity central furnaces	69	-
All other vented heating equipment	69	-

¹ Combustion efficiency for furnaces of capacities of 225,000 Btu/h and less and boilers of capacities of 300,000 Btu/h and less shall be tested in accordance with the applicable U.S. Department of Energy furnace test procedures.

² Combustion efficiency of commercial/industrial furnaces and boilers is defined as 100 percent minus stack losses in percent of heat input.

Stack losses are:

- Loss due to sensible heat in dry flue gas.
- Loss due to incomplete combustion.
- Loss due to sensible and latent heat in moisture formed by combustion of hydrogen in the fuel.

WASHINGTON STATE ENERGY CODE

TABLE 5-4 HVAC SYSTEM HEATING EQUIPMENT (HEAT PUMPS)
ELECTRICALLY OPERATED STANDARD RATING CONDITIONS

CONDITIONS	TYPE		
	AIR SOURCE	WATER SOURCE	
Air entering equipment °F	70°F(dry bulb)	70°F(dry bulb)	70°F(dry bulb)
Outdoor unit ambient °F	47°F(dry bulb) /43°F(wet bulb)	17°F(dry bulb) /15°F(wet bulb)	-----
Entering water temp. °F	-----	-----	60°F
Water flow rate	-----	-----	As used in cooling

Standard ratings are at sea level.

TABLE 5-5 HVAC SYSTEM EQUIPMENT, ELECTRICALLY DRIVEN
STANDARD RATING CONDITIONS--COOLING

		TEMPERATURES			
		DRY BULB	WET BULB	INLET	OUTLET
Air entering equipment	°F	80°	67°	-----	-----
Condenser ambient (air cooled)	°F	95°	75°	-----	-----
Condenser water (water cooled)	°F	---	---	85°	95°

Standard ratings are at sea level.

1991 EDITION

TABLE 5-6 APPLIED HVAC SYSTEM COMPONENTS ELECTRICALLY DRIVEN
STANDARD RATING CONDITIONS -- COOLING

ITEM	CENTRIFUGAL OR SELF-CONTAINED RECIPROCATING WATER CHILLER	CONDENSERLESS RECIPROCATING WATER-CHILLER
Water Temperature, °F		
Leaving chilled	44°	44°
Entering chilled	54°	54°
Leaving condenser	95°	--
Entering	85°	--
Fouling Factor, Water		
Nonferrous tubes	0.0005*	0.0005
Steel tubes	0.0010*	0.0010
Refrigerant	0.0000*	0.0000
Condenser Ambient (air/evap. cooled) °F	95°F (dry bulb) /75°F (wet bulb)	--
Compressor saturated discharge temperature		
Water cooled (evap. cooled) °F	--	105°
Air cooled °F	--	120°

Standard ratings at sea level.

* hr·ft²·°F/Btu

WASHINGTON STATE ENERGY CODE

TABLE 5-7 MINIMUM HEAT PUMP EFFICIENCIES, HEATING MODE¹

SOURCE	MINIMUM COP	MINIMUM HSPF
Air Source:		
Split System	3.0 ²	6.8
Single Package System	3.0 ²	6.6
Water Source	3.8 ³	---
Ground Water Source	3.0 ⁴	---

¹ When tested at the standard rating specified in Table 5-4.

² When tested @ 47°F(dry bulb)/43°F(wet bulb)

³ @ 70°F entering

⁴ @ 50°F entering

TABLE 5-8 MINIMUM EFFICIENCY FOR ELECTRIC HVAC EQUIPMENT, COOLING

STANDARD RATING CAPACITY	AIR COOLED		EVAP/WATER COOLED
	SEER	EER	EER
Under 65,000 Btu/hr. (19,050 watts)			
A. Split System	10.0	---	---
B. Single Package	9.7	---	9.3 ¹
65,000 Btu/hr. and over	----	8.9 ²	10.5 ¹

¹ @ 80°F dry bulb / 67°F wet bulb

² @ 95°F dry bulb

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TABLE 5-9 MINIMUM EFFICIENCY FOR ELECTRIC HVAC COMPONENTS^{1,2}

		WATER CHILLING PACKAGES					
		CONDENSING MEANS					
TYPE OF COMPONENT	COMPRESSOR TYPE	AIR		WATER		EVAPORATIVE	
		EER	COP	EER	COP	EER	COP
Condenser Included	Centrifugal or rotary	8.00	2.34	13.80	4.04	--	--
	Reciprocating	8.40	2.36	12.00	3.51	--	--
	Condenserless Reciproc.	9.90	2.90	12.00	3.51	--	--
Compressor and condenser units 65,000 Btu/hr (19,000 watts) Positive and over ² displacement		9.50	2.78	12.50	3.66	12.50	3.66
		HYDRONIC HEAT PUMPS					
Water source under 65,000 Btu/hr (19,000 watts)	Centrifugal or rotary			9.00	2.64		
Water source 65,000 Btu/hr (19,000 watts) and over	Centrifugal or rotary			9.40	2.75		

¹ When tested at the standard rating conditions specified in Table 5-6.

² Ratings in accordance with Standard RS-14 as applicable.

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TABLE 5-10 HVAC-SYSTEM HEAT OPERATED COOLING EQUIPMENT

HEAT SOURCE	MINIMUM COP
Direct Fired (gas, oil)	0.48
Indirect Fired (steam, hot water)	0.68
Minimum COP =	Net Cooling Output
	Total heat input ¹

¹ electrical auxiliary inputs excluded

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TABLE 5-11

INSULATION OF DUCTS

DUCT LOCATION	CLIMATE ZONE	INSULATION TYPES MECHANICALLY COOLED	INSULATION TYPES HEATING ONLY	GROUP R OCCUPANCY HEATING OR COOLING DUCTS
On roof or on exterior of building	I	C, V ² and W	C and W	E and W
	II	D, V ² and W	D and W	D and W
Attic, garage, crawl space, in walls ¹ , in floor/ceiling ¹	I	B and V ²	B	E
	II	C and V ²	C	E
Within the conditioned space or in heated basements		None Required	None Required	None Required
In cement slab or in ground		A	B	B

Note: Where ducts are used for both heating and cooling, the minimum insulation shall be as required for the most restrictive condition.

¹ Insulation may be omitted on that portion of a duct which is located within a wall or floor-ceiling space where both sides of this space are exposed to conditioned air and where this space is not ventilated or otherwise exposed to unconditioned air.

² Vapor barriers shall be installed on conditioned air supply ducts in geographic areas where the average of the July, August, and September mean dewpoint temperature exceeds 60°F.

INSULATION TYPES: Minimum densities and out-of-package thickness.

- A. 0.5-inch 1.5 to 2 lb/cu. ft. duct liner, mineral or glass fiber blanket or equivalent to provide an installed total thermal resistance of at least R-2.
- B. 2-inch 0.60 lb/cu. ft. mineral or glass fiber blanket 1.5-inch 1.5 to 2 lb/cu. ft. duct liner, mineral or glass fiber blanket. 1.5-inch 3 to 7 lb/cu. ft. mineral or glass fiber board or equivalent to provide an installed total thermal resistance of at least R-5.
- C. 3-inch 0.60 lb/cu. ft. mineral or glass fiber blanket 2-inch 1.5 to 2 lb/cu. ft. duct liner, mineral or glass fiber blanket. 2-inch 3 to 7 lb/cu. ft. mineral or glass fiber board or equivalent to provide an installed total thermal resistance of at least R-7.
- D. 4-inch 0.60 lb/cu. ft. mineral or glass fiber blanket 3-inch 1.5 to 2 lb/cu. ft. duct liner, mineral or glass fiber blanket. 3-inch 3 to 7 lb/cu. ft. mineral or glass fiber board or equivalent to provide an installed total thermal resistance of at least R-10.
- E. 3.5 inch 0.60 lb/cu.ft. mineral or glass fiber blanket, 2.5 inch 1.5 to 2 lb/cu. ft. duct liner, mineral or glass fiber board or equivalent to provide an installed total thermal resistance of at least R-8.
- V. Vapor barrier, with perm rating not greater than 0.5 perm, all joints sealed.
- W. Approved weatherproof barrier.

TABLE 5-12

MINIMUM PIPE INSULATION REQUIREMENTS*

PIPING SYSTEM	FLUID TEMP RANGE (°F)	INSULATION THICKNESS FOR GIVEN PIPE DIAMETERS ¹					
		LESS THAN 12 FOOT PIPE RUN ² UP TO 2"	1" AND LESS	GREATER THAN 1" TO 2"	GREATER THAN 2" TO 4"	GREATER THAN 4" TO 6"	GREATER THAN 6" AND LARGER
<u>HEATING & HOT WATER SYSTEMS</u>							
Steam & Hot Water Pressure/temperature							
High	306°F * 450°F	1.5"	2.5"	2.5"	3.0"	3.5"	3.5"
Medium	251°F * 305°F	1.5"	2.0"	2.5"	2.5"	3.0"	3.0"
Low	201°F * 250°F	1.0"	1.5"	1.5"	2.0"	2.0"	2.0"
All Other	100°F * 200°F	0.5"	1.0"	1.0"	1.5"	1.5"	1.5"
Steam Condensate (for feed water)	Any	1.0"	1.0"	1.5"	2.0"	2.0"	2.0"
<u>COOLING SYSTEMS</u>							
Chilled Water	40°F * 55°F	0.5"	0.5"	0.75"	1.0"	1.0"	1.0"
Refrigerant/brine	Below 40°F	1.0"	1.0"	1.5"	1.5"	1.5"	1.5"

¹ For piping exposed to ambient air, increase thickness by 0.5".

² Pipe runouts not exceeding 12 feet in length to individual units, with a pipe diameter of less than 2 inches.

* Column headings for pipe diameters amended 5/30/90.

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TABLE 5-13 LIGHTING POWER BUDGET¹

GROUP OCCUPANCY	DESCRIPTION	LIGHTING POWER BUDGET ³ (Watts/ft ²)
A	Assembly w/stage	
	Stage lighting	1.1
E	Assembly w/o stage; other than B and E	Exempt
		1.1
B	Gasoline service station	1.7
	Storage garages	0.3
	Office buildings	1.7
	Wholesale stores	2.0
	Police and fire stations	1.7
	Retail stores:	
	less than 6000 ft ²	4.0
	6000 to 20,000 ft ²	3.0
	over 20,000 ft ²	2.0
	Drinking and dining establishments	1.85
	Food preparation task light	Exempt
	Aircraft hangars - storage	0.7
	Process plants ⁴	1.0
Factories and work shops ⁴	1.7	
Storage structures	0.7	
E	Schools and daycare centers	1.7
	Audio-visual presentation lighting	Exempt
H	Storage structures	0.7
	Handling areas	1.7
	Paint shops	2.5
	Auto repair shops	1.7
	Aircraft repair hangars	1.7
I	Institutions	1.7
	Administrative support areas	1.7
	Diagnostic, treatment, food service task lighting	Exempt
R	Dwelling units	Exempt
	Food preparation task lighting	Exempt

¹ Watts/ft² of room may be increased by two percent per foot of height above 20 feet.

² Emergency exit lighting is exempt from interior lighting budget.

³ Lighting that is part of machines or equipment is exempt from this budget.

NEW SECTION

WAC 51-11-0525 EQUATION 1—GROUP R OCCUPANCY.

EQUATION 1 -- GROUP R OCCUPANCY**TARGET UA**

$$UA_T = U_W A_W + U_{BGW} A_{BGW} + U_G A_G + U_F A_F + U_{RC} A_{RC} + U_{CC} A_{CC} + U_D A_D + F_S P_S$$

Where:

- UA_T = the target combined thermal transmittance of the gross exterior wall, floor, and roof/ceiling assembly area.
- U_W = the thermal transmittance value of the opaque above grade wall area found in Table 5-1.
- A_W = opaque above grade wall area.
- U_{BGW} = the thermal transmittance value of the below grade opaque wall area found in Table 5-1.
- A_{BGW} = opaque below grade wall area.
- U_G = the thermal transmittance value of the glazing area found in Table 5-1.
- A_G = .15 (total floor area of the conditioned space).
- U_F = the thermal transmittance value of the floor area found in Table 5-1.
- A_F = floor area over unconditioned space.
- U_{RC} = the thermal transmittance value of the roof/ceiling area found in Table 5-1.
- A_{RC} = roof/ceiling area.
- U_{CC} = the thermal transmittance value of the cathedral ceiling area found in Table 5-1.
- A_{CC} = cathedral ceiling area.
- U_D = the thermal transmittance value of the opaque door area found in table 5-1.
- A_D = opaque door area.
- F_S = concrete slab component F-value found in Table 5-1.
- P_S = Lineal ft. of concrete slab perimeter.

NEW SECTION

WAC 51-11-0526 EQUATION 2—ALL OCCUPANCIES.

EQUATION 2 -- ALL OCCUPANCIES

$$U = \frac{1}{r_o + R_1 + R_2 \dots r_i}$$

Where:

U = the thermal transmittance of the assembly.

r_o = outside air film resistance.

r_o = .17 for all exterior surfaces.

r_i = inside air film resistance.

r_i = 0.61 for interior horizontal surfaces, heat flow up.

r_i = 0.92 for interior horizontal surfaces, heat flow down.

r_i = 0.68 for interior vertical surfaces.

$R = \frac{1}{C} = \frac{X}{K}$ = measure of the resistance to the passage of heat for each element.

C = conductance, the heat flow through a specific material of specific thickness.

K = insulation value of a material per inch.

X = the thickness of the material in inches.

NEW SECTION

WAC 51-11-0527 EQUATION 3—GROUP R OCCUPANCY.

EQUATION 3 -- GROUP R OCCUPANCY

PROPOSED UA

$$UA = U_W A_W + U_{BGW} A_{BGW} + U_G A_G + U_F A_F + U_{RC} A_{RC} + U_{CC} A_{CC} + U_D A_D + F_S P_S$$

Where:

- UA = the combined thermal transmittance of the gross exterior wall, floor, and roof/ceiling assembly area.
- U_W = the thermal transmittance of the opaque wall area.
- U_{BGW} = the thermal transmittance value of the below grade opaque wall area.
- A_{BGW} = opaque below grade wall area.
- A_W = opaque wall area.
- U_G = the thermal transmittance of the glazing (window or skylight) area.
- A_G = glazing area, including windows in exterior doors.
- U_F = the thermal transmittance of the floor area.
- A_F = floor area over unconditioned space.
- U_{RC} = the thermal transmittance of the roof/ceiling area.
- A_{RC} = roof/ceiling area.
- U_{CC} = the thermal transmittance of the cathedral ceiling area.
- A_{CC} = cathedral ceiling area.
- U_D = the thermal transmittance value of the opaque door area.
- A_D = opaque door area.
- F_S = concrete slab component f-factor.
- P_S = lineal ft. of concrete slab perimeter.

NOTE: Where more than one type of wall, window, roof/ceiling, door, and skylight is used, the U and A terms for those items shall be expanded into sub-elements as:

$$U_{W1} A_{W1} + U_{W2} A_{W2} + U_{W3} A_{W3} + \dots \text{etc.}$$

NEW SECTION

WAC 51-11-0528 EQUATION 4—OTHER THAN GROUP R OCCUPANCY.

EQUATION 4 -- OTHER THAN GROUP R OCCUPANCY

TARGET U_o

$$U_o = \frac{U_w A_w + U_f A_f + U_c A_c + F_s P_s}{A_w + A_f + A_c + P_s}$$

Where:

- U_o = the target combined thermal transmittance of the gross exterior wall, floor, and roof/ceiling assembly area.
- U_w = the thermal transmittance value of the opaque above grade wall area found in Table 5-2.
- A_w = opaque above grade wall area.
- U_f = the thermal transmittance value of the floor area found in Table 5-2.
- A_f = floor area over unconditioned space.
- U_c = the thermal transmittance value of the ceiling area found in Table 5-2.
- A_c = ceiling area.
- F_s = concrete slab component F-value found in Table 5-2.
- P_s = lineal ft. of concrete slab perimeter

NEW SECTION

WAC 51-11-0529 EQUATION 5—OTHER THAN GROUP R OCCUPANCY.

EQUATION 5 -- OTHER THAN GROUP R OCCUPANCY

PROPOSED U_o

$$U_o = \frac{U_w A_w + U_{BGW} A_{BGW} + U_G A_G + U_F A_F + U_{RC} A_{RC} + U_{CC} A_{CC} + U_D A_D + F_S P_S}{A_w + A_{BGW} + A_G + A_F + A_{RC} + A_{CC} + A_D + P_S}$$

Where: $A_w + A_{BGW} + A_G + A_F + A_{RC} + A_{CC} + A_D + P_S$

- U_o = the combined thermal transmittance of the gross exterior wall, floor, and roof/ceiling assembly area.
- U_w = the thermal transmittance of the opaque wall area.
- U_{BGW} = the thermal transmittance value of the below grade opaque wall area.
- A_{BGW} = opaque below grade wall area.
- A_w = opaque wall area.
- U_G = the thermal transmittance of the glazing (window or skylight) area.
- A_G = glazing area, including windows in exterior doors.
- U_F = the thermal transmittance of the floor area.
- A_F = floor area over unconditioned space.
- U_{RC} = the thermal transmittance of the roof/ceiling area.
- A_{RC} = roof/ceiling area.
- U_{CC} = the thermal transmittance of the cathedral ceiling area.
- A_{CC} = cathedral ceiling area.
- U_D = thermal transmittance value of opaque door area.
- A_D = opaque door area.
- F_S = concrete slab component F-factor.
- P_S = lineal ft. of concrete slab perimeter.

NOTE: Where more than one type of wall, window, roof/ceiling, door, and skylight is used, the U and A terms for those items shall be expanded into sub-elements as:

$$U_{w1} A_{w1} + U_{w2} A_{w2} + U_{w3} A_{w3} + \dots \text{etc.}$$

NEW SECTION

WAC 51-11-0530 TABLE 5-1.

SECTION 530 TABLE 5-1
 TARGET COMPONENT VALUES FOR GROUP R OCCUPANCY

Climate Zone→	Electric Resistance		Other Fuels	
	1	2	1	2
<u>Component</u>				
Glazing % Floor Area	15%	15%	15%	15%
Glazing U-Factor	U = 0.400	U = 0.400	U = 0.650	U = 0.600
Doors	U = 0.200 (R = 5)	U = 0.200 (R = 5)	U = 0.400 (R = 2.5)	U = 0.400 (R = 2.5)
Ceilings:				
Attic	U = 0.031 (R = 38)	U = 0.031 (R = 38)	U = 0.036 (R = 30)	U = 0.031 (R = 38)
Single Rafter/ Joist Vaulted	U = 0.034 (R = 30)	U = 0.034 (R = 30)	U = 0.034 (R = 30)	U = 0.034 (R = 30)
Walls	U = 0.058 (R = 19A)	U = 0.044 (R = 19+5A)	U = 0.062 (R = 19)	U = 0.062 (R = 19)
Floors	U = 0.029 (R = 30)	U = 0.029 (R = 30)	U = 0.041 (R = 19)	U = 0.029 (R = 30)
Slab on Grade Slab R-Value	F = 0.54 (R = 10)	F = 0.54 (R = 10)	F = 0.54 (R = 10)	F = 0.54 (R = 10)
<u>Below Grade Interior</u>				
Wall R-Value	(R = 19)	(R = 19)	(R = 19)	(R = 19)
2' Depth: Walls Slab	U = 0.043 F = .69	U = 0.043 F = .69	U = 0.043 F = .69	U = 0.043 F = .69
3.5' Depth: Walls Slab	U = 0.041 F = 0.64	U = 0.041 F = 0.64	U = 0.041 F = 0.64	U = 0.041 F = 0.64
7' Depth: Walls Slab	U = 0.037 F = 0.57	U = 0.037 F = 0.57	U = 0.037 F = 0.57	U = 0.037 F = 0.57
<u>Below Grade Exterior</u>				
Wall R-Value	(R = 10)	(R = 12)	(R = 10)	(R = 12)
2' Depth: Walls Slab	U = 0.070 F = 0.60	U = 0.061 F = 0.60	U = 0.070 F = 0.60	U = 0.061 F = 0.60
3.5' Depth: Walls Slab	U = 0.064 F = 0.57	U = 0.057 F = 0.57	U = 0.064 F = 0.57	U = 0.057 F = 0.57
7' Depth: Walls Slab	U = 0.056 F = 0.42	U = 0.050 F = 0.42	U = 0.056 F = 0.42	U = 0.050 F = 0.42

NEW SECTION

WAC 51-11-0531 TABLE 5-2.

SECTION 531

TABLE 5-2
COMPONENT REQUIREMENTS FOR OTHER
THAN GROUP R OCCUPANCIES

BUILDINGS OF THREE CONDITIONED STORIES OR LESS

Zone	Ceilings	Walls (Includes Glazing)	Floors	Slab on Grade ¹	
	U_o	U_o	U_o	Installed R-Value	Installed F-Value
I.	0.035	0.25	0.05	7	0.56
II.	0.035	0.20	0.05	10	0.54

¹ Insulation shall be water-resistant material manufactured for this use.

BUILDINGS OVER THREE CONDITIONED STORIES

Zone	Ceilings	Walls (Includes Glazing)	Floors	Slab on Grade ¹	
	U_o	U_o	U_o	Installed R-Value	Installed F-Value
I.	0.08	0.30	0.08	7	0.56
II.	0.06	0.25	0.08	10	0.54

¹ Insulation shall be water-resistant material manufactured for this use.

NEW SECTION

WAC 51-11-0532 TABLE 5-3.

SECTION 532

TABLE 5-3
 OTHER THAN GROUP R OCCUPANCY HVAC SYSTEM
 HEATING EQUIPMENT - GAS- AND OIL-FIRED
 MINIMUM STEADY STATE COMBUSTION EFFICIENCY

Types of Equipment	Furnaces of Capacity of 225,000 Btu/h and less Boilers of Capacities of 300,000 Btu/h and less	All Other Commercial/ Industrial Furnace and Boilers
	Percent ¹	Percent ²
Forced-air furnaces and low-pressure steam or hot-water boilers	74	75
Gravity central furnaces	69	-
All other vented heating equipment	69	-

¹ Combustion efficiency for furnaces of capacities of 225,000 Btu/h and less and boilers of capacities of 300,000 Btu/h and less shall be tested in accordance with the applicable U.S. Department of Energy furnace test procedures.

² Combustion efficiency of commercial/industrial furnaces and boilers is defined as 100 percent minus stack losses in percent of heat input.

Stack losses are:

- Loss due to sensible heat in dry flue gas.
- Loss due to incomplete combustion.
- Loss due to sensible and latent heat in moisture formed by combustion of hydrogen in the fuel.

NEW SECTION

WAC 51-11-0533 TABLE 5-4.

SECTION 533

TABLE 5-4
 HVAC SYSTEM HEATING EQUIPMENT (HEAT PUMPS)
 ELECTRICALLY OPERATED STANDARD RATING CONDITIONS

CONDITIONS	TYPE	
	AIR SOURCE	WATER SOURCE
Air entering equipment °F	70°F(dry bulb)	70°F(dry bulb)
Outdoor unit ambient °F	47°F(dry bulb) /43°F(wet bulb)	17°F(dry bulb) /15°F(wet bulb)
Entering water temp. °F	-----	60°F
Water flow rate	-----	As used in cooling

Standard ratings are at sea level.

NEW SECTION

WAC 51-11-0534 TABLE 5-5.

SECTION 534

TABLE 5-5
HVAC SYSTEM EQUIPMENT, ELECTRICALLY DRIVEN
STANDARD RATING CONDITIONS--COOLING

	TEMPERATURES			
	DRY BULB	WET BULB	INLET	OUTLET
Air entering equipment	°F 80°	67°	-----	-----
Condenser ambient (air cooled)	°F 95°	75°	-----	-----
Condenser water (water cooled)	°F ---	---	85°	95°

Standard ratings are at sea level.

NEW SECTION

WAC 51-11-0535 TABLE 5-6.

SECTION 535

TABLE 5-6

APPLIED HVAC SYSTEM COMPONENTS ELECTRICALLY DRIVEN
STANDARD RATING CONDITIONS -- COOLING

ITEM	CENTRIFUGAL OR SELF-CONTAINED RECIPROCATING WATER CHILLER	CONDENSERLESS RECIPROCATING WATER-CHILLER
Water Temperature, °F		
Leaving chilled	44°	44°
Entering chilled	54°	54°
Leaving condenser	95°	--
Entering	85°	--
Fouling Factor, Water		
Nonferrous tubes	0.0005*	0.0005
Steel tubes	0.0010*	0.0010
Refrigerant	0.0000*	0.0000
Condenser Ambient (air/evap. cooled) °F	95°F (dry bulb) /75°F (wet bulb)	--
Compressor saturated discharge temperature		
Water cooled (evap. cooled) °F	--	105°
Air cooled °F	--	120°

Standard ratings at sea level.

* hr·ft²·°F/Btu

NEW SECTION

WAC 51-11-0536 TABLE 5-7.

SECTION 536 TABLE 5-7
 MINIMUM HEAT PUMP EFFICIENCIES, HEATING MODE¹

SOURCE	MINIMUM COP	MINIMUM HSPF
Air Source:		
Split System	3.0 ²	6.8
Single Package System	3.0 ²	6.6
Water Source	3.8 ³	---
Ground Water Source	3.0 ⁴	---

¹ When tested at the standard rating specified in Table 5-4.

² When tested @ 47°F(dry bulb)/43°F(wet bulb)

³ @ 70°F entering

⁴ @ 50°F entering

NEW SECTION

WAC 51-11-0537 TABLE 5-8.

SECTION 537 TABLE 5-8
 MINIMUM EFFICIENCY FOR ELECTRIC HVAC EQUIPMENT, COOLING

STANDARD RATING CAPACITY	<u>AIR COOLED</u>		<u>EVAP/WATER COOLED</u>
	SEER	EER	EER
Under 65,000 Btu/hr. (19,050 watts)			
A. Split System	10.0	---	---
B. Single Package	9.7	---	9.3 ¹
65,000 Btu/hr. and over	----	8.9 ²	10.5 ¹

¹ @ 80°F dry bulb / 67°F wet bulb

² @ 95°F dry bulb

NEW SECTION

WAC 51-11-0538 TABLE 5-9.

SECTION 538 TABLE 5-9
 MINIMUM EFFICIENCY FOR ELECTRIC HVAC COMPONENTS^{1,2}

WATER CHILLING PACKAGES							
CONDENSING MEANS							
TYPE OF COMPONENT	COMPRESSOR TYPE	AIR		WATER		EVAPORATIVE	
		EER	COP	EER	COP	EER	COP
Condenser Included	Centrifugal or rotary	8.00	2.34	13.80	4.04	--	--
	Reciprocating	8.40	2.36	12.00	3.51	--	--
Condenserless	Reciproc.	9.90	2.90	12.00	3.51	--	--
Compressor and condenser units 65,000 Btu/hr (19,000 watts) and over ²	Positive displacement	9.50	2.78	12.50	3.66	12.50	3.66
HYDRONIC HEAT PUMPS							
Water source under 65,000 Btu/hr (19,000 watts)	Centrifugal or rotary			9.00	2.64		
Water source 65,000 Btu/hr (19,000 watts) and over	Centrifugal or rotary			9.40	2.75		

¹ When tested at the standard rating conditions specified in Table 5-6.

² Ratings in accordance with Standard RS-14 as applicable.

NEW SECTION

WAC 51-11-0539 TABLE 5-10.

SECTION 539

TABLE 5-10
HVAC-SYSTEM HEAT OPERATED COOLING EQUIPMENT

HEAT SOURCE	MINIMUM COP
Direct Fired (gas, oil)	0.48
Indirect Fired (steam, hot water)	0.68

Minimum COP = $\frac{\text{Net Cooling Output}}{\text{Total heat input}^1}$

¹ electrical auxiliary inputs excluded

NEW SECTION

WAC 51-11-0540 TABLE 5-11.

SECTION 540

TABLE 5-11
INSULATION OF DUCTS

DUCT LOCATION	CLIMATE ZONE	INSULATION TYPES MECHANICALLY COOLED	INSULATION TYPES HEATING ONLY	GROUP R OCCUPANCY HEATING OR COOLING DUCTS
On roof or on exterior of building	I	C, V ² and W	C and W	E and W
	II	D, V ² and W	D and W	D and W
Attic, garage, crawl space, in walls ¹ , in floor/ceiling ¹	I	B and V ²	B	E
	II	C and V ²	C	E
Within the conditioned space or in heated basements		None Required	None Required	None Required
In cement slab or in ground		A	B	B

Note: Where ducts are used for both heating and cooling, the minimum insulation shall be as required for the most restrictive condition.

¹ Insulation may be omitted on that portion of a duct which is located within a wall or floor-ceiling space where both sides of this space are exposed to conditioned air and where this space is not ventilated or otherwise exposed to unconditioned air.

² Vapor barriers shall be installed on conditioned air supply ducts in geographic areas where the average of the July, August, and September mean dewpoint temperature exceeds 60°F.

INSULATION TYPES: Minimum densities and out-of-package thickness.

- A. 0.5-inch 1.5 to 2 lb/cu. ft. duct liner, mineral or glass fiber blanket or equivalent to provide an installed total thermal resistance of at least R-2.
- B. 2-inch 0.60 lb/cu. ft. mineral or glass fiber blanket 1.5-inch 1.5 to 2 lb/cu. ft. duct liner, mineral or glass fiber blanket. 1.5-inch 3 to 7 lb/cu. ft. mineral or glass fiber board or equivalent to provide an installed total thermal resistance of at least R-5.
- C. 3-inch 0.60 lb/cu. ft. mineral or glass fiber blanket 2-inch 1.5 to 2 lb/cu. ft. duct liner, mineral or glass fiber blanket. 2-inch 3 to 7 lb/cu. ft. mineral or glass fiber board or equivalent to provide an installed total thermal resistance of at least R-7.
- D. 4-inch 0.60 lb/cu. ft. mineral or glass fiber blanket 3-inch 1.5 to 2 lb/cu. ft. duct liner, mineral or glass fiber blanket. 3-inch 3 to 7 lb/cu. ft. mineral or glass fiber board or equivalent to provide an installed total thermal resistance of at least R-10.
- E. 3.5 inch 0.60 lb/cu.ft. mineral or glass fiber blanket, 2.5 inch 1.5 to 2 lb/cu. ft. duct liner, mineral or glass fiber board or equivalent to provide an installed total thermal resistance of at least R-8.
- V. Vapor barrier, with perm rating not greater than 0.5 perm, all joints sealed.
- W. Approved weatherproof barrier.

SECTION 541

TABLE 5-12
MINIMUM PIPE INSULATION REQUIREMENTS*

PIPING SYSTEM	FLUID TEMP RANGE (°F)	INSULATION THICKNESS FOR GIVEN PIPE DIAMETERS ¹					
		LESS THAN 12 FOOT PIPE RUN ² UP TO 2"	1" AND LESS	GREATER THAN 1" TO 2"	GREATER THAN 2" TO 4"	GREATER THAN 4" TO 6"	GREATER THAN 6" AND LARGER
<u>HEATING & HOT WATER SYSTEMS</u>							
Steam & Hot Water Pressure/temperature							
High	306°F * 450°F	1.5"	2.5"	2.5"	3.0"	3.5"	3.5"
Medium	251°F * 305°F	1.5"	2.0"	2.5"	2.5"	3.0"	3.0"
Low	201°F * 250°F	1.0"	1.5"	1.5"	2.0"	2.0"	2.0"
All Other	100°F * 200°F	0.5"	1.0"	1.0"	1.5"	1.5"	1.5"
Steam Condensate (for feed water)	Any	1.0"	1.0"	1.5"	2.0"	2.0"	2.0"
<u>COOLING SYSTEMS</u>							
Chilled Water	40°F * 55°F	0.5"	0.5"	0.75"	1.0"	1.0"	1.0"
Refrigerant/brine	Below 40°F	1.0"	1.0"	1.5"	1.5"	1.5"	1.5"

¹ For piping exposed to ambient air, increase thickness by 0.5".

² Pipe runouts not exceeding 12 feet in length to individual units, with a pipe diameter of less than 2 inches.

* Column headings for pipe diameters amended 5/30/90.

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NEW SECTION

WAC 51-11-0542 TABLE 5-13.

SECTION 542

TABLE 5-13
LIGHTING POWER BUDGET¹

<u>GROUP OCCUPANCY</u>	<u>DESCRIPTION</u>	<u>LIGHTING POWER BUDGET² (W/sq. ft.)</u>
A	Assembly w/stage	1.1
	Stage lighting	Exempt
	Assembly w/o stage; other than B & E	1.1
B	Gasoline service station	1.7
	Storage garages	0.3
	Office buildings	1.7
	Wholesale stores	2.0
	Police and fire stations	1.7
	Retail stores:	
	less than 6000 sq. ft.	4.0
	6000 to 20,000 sq. ft.	3.0
	over 20,000 sq. ft.	2.0
	Drinking and dining establishments	1.85
	Food preparation task light	Exempt
	Aircraft hangars - storage	0.7
	Process plants ³	1.0
Factories and work shops ³	1.7	
Storage structures	0.7	
E	Schools and daycare centers	1.7
	Audio-visual presentation lighting	Exempt
H	Storage structures	0.7
	Handling areas	1.7
	Paint shops	2.5
	Auto repair shops	1.7
	Aircraft repair hangars	1.7
I	Institutions	1.7
	Administrative support areas	1.7
	Diagnostic, treatment, food service task lighting	Exempt
R	Dwelling units	Exempt
	Food preparation task lighting	Exempt

¹ Watts/ft² of room may be increased by two percent per foot of height above 20 feet.

² Emergency exit lighting is exempt from interior lighting budget.

³ Lighting that is part of machines or equipment is exempt from this budget.

AMENDATORY SECTION (Amending WSR 91-01-112, filed 12/19/90, effective 7/1/91)

WAC 51-11-0608 ELECTRICAL POWER AND LIGHTING REQUIREMENTS FOR OTHER THAN GROUP R OCCUPANCIES. All electrical power and lighting systems shall comply with the requirements of section 505.

TABLE 6-1 • PRESCRIPTIVE REQUIREMENTS¹ FOR GROUP R OCCUPANCY
CLIMATE ZONE 1 • HEATING BY ELECTRIC RESISTANCE

OPTION	GLAZING % FLOOR AREA	GLAZING U-VALUE	DOORS U-VALUE	CEILING ²	VAULTED CEILING ³	WALL ABOVE GRADE	WALL-int ⁴ BELOW GRADE	WALL-ext ⁴ BELOW GRADE	FLOOR ⁵	SLAB ⁶ ON GRADE
I.	10%	0.46	0.40	R-38	R-30	R-21	R-21	R-10	R-30	R-10
II.	12%	0.43	0.20	R-38	R-30	R-19	R-19	R-10	R-30	R-10
III.	12%	0.40	0.40	R-38	R-30	R-21	R-21	R-10	R-30	R-10
IV.*	15%	0.40	0.20	R-38	R-30	R-19	R-19	R-10	R-30	R-10
V.	18%	0.39	0.20	R-38	R-30	R-21	R-21	R-10	R-30	R-10
VI.	21%	0.36	0.20	R-38	R-30	R-21	R-21	R-10	R-30	R-10
VII. ⁷	25%	0.35	0.20	R-38	R-30	R-19+R-5 ⁸	R-21	R-10	R-30	R-10
VIII. ⁷	30%	0.32	0.20	R-38	R-30	R-19+R-5 ⁸	R-21	R-10	R-30	R-10

* Reference Case • (highlighted in redline)

¹ Minimum requirements for each option listed. For example, if a proposed design has a glazing ratio to the conditioned floor area of 19%, it shall comply with all of the requirements of the 21% glazing option (or higher). Proposed designs which cannot meet the specific requirements of a listed option above, may calculate compliance by Chapters 4 or 5 of this Code.

² Requirement applies to all ceilings except single rafter or joist vaulted ceilings. 'Adv' denotes Advanced Framed Ceiling.

³ Requirement applicable only to single rafter or joist vaulted ceilings.

⁴ Below grade walls shall be insulated either on the exterior to a minimum level of R-10, or on the interior to the same level as walls above grade. Exterior insulation installed on below grade walls shall be a water resistant material, manufactured for its intended use, and installed according to the manufacturer's specifications. See section 602.2.

⁵ Floors over crawl spaces or exposed to ambient air conditions.

⁶ Required slab perimeter insulation shall be a water resistant material, manufactured for its intended use, and installed according to manufacturer's specifications. See section 602.4.

⁷ These options shall be applicable to buildings less than three stories.

⁸ This wall insulation requirement denotes R-19 wall cavity insulation plus R-5 foam sheathing.

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TABLE 6-2 • PRESCRIPTIVE REQUIREMENTS¹ FOR GROUP R OCCUPANCY
CLIMATE ZONE 1 • HEATING BY OTHER FUELS

OPTION	HVAC ⁹ EQUIP. EFFIC.	GLAZING % FLOOR AREA	GLAZING U-VALUE	DOORS U-VALUE	CEILING ²	VAULTED CEILING ³	WALL ABOVE GRADE	WALL•int ⁴ BELOW GRADE	WALL•ext ⁴ BELOW GRADE	FLOOR ⁵	SLAB ⁶ ON GRADE
I.	Med.	10%	0.70	0.40	R-30	R-30	R-15	R-15	R-10	R-19	R-10
II.	Med.	12%	0.65	0.40	R-30	R-30	R-15	R-15	R-10	R-19	R-10
III.	High	21%	0.75	0.40	R-30	R-30	R-19	R-19	R-10	R-19	R-10
IV.*	Med.	21%	0.65	0.40	R-30	R-30	R-19	R-19	R-10	R-19	R-10
V.	Low	21%	0.60	0.40	R-30	R-30	R-19	R-19	R-10	R-19	R-10
VI. ⁷	Med.	25%	0.50	0.40	R-38	R-30	R-19	R-19	R-10	R-25	R-10
VII. ⁷	Med.	30%	0.45	0.40	R-30	R-30	R-19	R-19	R-10	R-25	R-10

* Reference Case • (highlighted in redline)

¹ Minimum requirements for each option listed. For example, if a proposed design has a glazing ratio to the conditioned floor area of 19%, it shall comply with all of the requirements of the 21% glazing option (or higher). Proposed designs which cannot meet the specific requirements of a listed option above, may calculate compliance by Chapters 4 or 5 of this Code.

² Requirement applies to all ceilings except single rafter or joist vaulted ceilings. 'Adv' denotes Advanced Framed Ceiling.

³ Requirement applicable only to single rafter or joist vaulted ceilings.

⁴ Below grade walls shall be insulated either on the exterior to a minimum level of R-10, or on the interior to the same level as walls above grade. Exterior insulation installed on below grade walls shall be a water resistant material, manufactured for its intended use, and installed according to the manufacturer's specifications. See section 602.2.

⁵ Floors over crawl spaces or exposed to ambient air conditions.

⁶ Required slab perimeter insulation shall be a water resistant material, manufactured for its intended use, and installed according to manufacturer's specifications. See section 602.4.

⁷ These options shall be applicable to buildings less than three stories.

⁸ This wall insulation requirement denotes R-19 wall cavity insulation plus R-5 foam sheathing.

⁹ Minimum HVAC Equipment efficiency requirement. 'Low' denotes an AFUE of 0.74. 'Med.' denotes an AFUE of 0.78. 'High' denotes an AFUE of 0.88.

TABLE 6-3 • PRESCRIPTIVE REQUIREMENTS¹ FOR GROUP R OCCUPANCY
CLIMATE ZONE 2 • HEATING BY ELECTRIC RESISTANCE

OPTION	GLAZING % FLOOR AREA	GLAZING U-VALUE	DOORS U-VALUE	CEILING ²	VAULTED CEILING ³	WALL ABOVE GRADE	WALL•int ⁴ BELOW GRADE	WALL•ext ⁴ BELOW GRADE	FLOOR ⁵	SLAB ⁶ ON GRADE
I.	10%	0.38	0.20	R-38	R-30	R-21	R-21	R-12	R-30	R-10
II.	12%	0.40	0.20	R-38	R-30	R-19+R-5 ⁸	R-21	R-12	R-25	R-10
III.*	15%	0.40	0.20	R-38	R-30	R-19+R-5 ⁸	R-21	R-12	R-30	R-10
IV.	18%	0.38	0.20	R-38	R-30	R-19+R-5 ⁸	R-21	R-12	R-30	R-10
V. ⁷	21%	0.35	0.20	R-38Adv	R-38	R-19+R-5 ⁸	R-21	R-12	R-30	R-10
VI. ⁷	25%	0.33	0.20	R-49Adv	R-38	R-19+R-5 ⁸	R-21	R-12	R-30	R-10
VII. ⁷	30%	0.31	0.20	R-60Adv	R-38	R21+R7.5 ⁹	R-21	R-12	R-30	R-10

* Reference Case • (highlighted in redline)

¹ Minimum requirements for each option listed. For example, if a proposed design has a glazing ratio to the conditioned floor area of 19%, it shall comply with all of the requirements of the 21% glazing option (or higher). Proposed designs which cannot meet the specific requirements of a listed option above, may calculate compliance by Chapters 4 or 5 of this Code.

² Requirement applies to all ceilings except single rafter or joist vaulted ceilings. 'Adv' denotes Advanced Framed Ceiling.

³ Requirement applicable only to single rafter or joist vaulted ceilings.

⁴ Below grade walls shall be insulated either on the exterior to a minimum level of R-10, or on the interior to the same level as walls above grade. Exterior insulation installed on below grade walls shall be a water resistant material, manufactured for its intended use, and installed according to the manufacturer's specifications. See section 602.2.

⁵ Floors over crawl spaces or exposed to ambient air conditions.

⁶ Required slab perimeter insulation shall be a water resistant material, manufactured for its intended use, and installed according to manufacturer's specifications. See section 602.4.

⁷ These options shall be applicable to buildings less than three stories.

⁸ This wall insulation requirement denotes R-19 wall cavity insulation plus R-5 foam sheathing.

⁹ This wall insulation requirement denotes R-21 wall cavity insulation plus R-7.5 foam sheathing.

TABLE 6-4 • PRESCRIPTIVE REQUIREMENTS¹ FOR GROUP R OCCUPANCY
CLIMATE ZONE 2 • HEATING BY OTHER FUELS

OPTION	HVAC EQUIP. EFFIC.	GLAZING % FLOOR AREA	GLAZING U-VALUE	DOORS U-VALUE	CEILING ²	VAULTED CEILING ³	WALL ABOVE GRADE	WALL•int ⁴ BELOW GRADE	WALL•ext ⁴ BELOW GRADE	FLOOR ⁵	SLAB ⁶ ON GRADE
I.	Med.	10%	0.70	0.40	R-38	R-30	R-19	R-19	R-12	R-25	R-10
II.	Med.	12%	0.65	0.40	R-38	R-30	R-19	R-19	R-12	R-25	R-10
III.	High	17%	0.65	0.40	R-38	R-30	R-19	R-19	R-12	R-25	R-10
IV.*	Med.	17%	0.60	0.40	R-38	R-30	R-19	R-19	R-12	R-30	R-10
V.	Low	17%	0.50	0.40	R-38	R-30	R-19	R-19	R-12	R-30	R-10
VI.	Med.	21%	0.50	0.40	R-38	R-30	R-19	R-19	R-12	R-30	R-10
VII. ⁷	Med.	25%	0.45	0.40	R-38	R-30	R-19	R-19	R-12	R-30	R-10
VIII. ⁷	Med.	30%	0.40	0.40	R-38	R-30	R-19	R-19	R-12	R-30	R-10

* Reference Case • (highlighted in redline)

¹ Minimum requirements for each option listed. For example, if a proposed design has a glazing ratio to the conditioned floor area of 19%, it shall comply with all of the requirements of the 21% glazing option (or higher). Proposed designs which cannot meet the specific requirements of a listed option above, may calculate compliance by Chapters 4 or 5 of this Code.

² Requirement applies to all ceilings except single rafter or joist vaulted ceilings. 'Adv' denotes Advanced Framed Ceiling.

³ Requirement applicable only to single rafter or joist vaulted ceilings.

⁴ Below grade walls shall be insulated either on the exterior to a minimum level of R-10, or on the interior to the same level as walls above grade. Exterior insulation installed on below grade walls shall be a water resistant material, manufactured for its intended use, and installed according to the manufacturer's specifications. See section 602.2.

⁵ Floors over crawl spaces or exposed to ambient air conditions.

⁶ Required slab perimeter insulation shall be a water resistant material, manufactured for its intended use, and installed according to manufacturer's specifications. See section 602.4.

⁷ These options shall be applicable to buildings less than three stories.

⁸ This wall insulation requirement denotes R-19 wall cavity insulation plus R-5 foam sheathing.

⁹ Minimum HVAC Equipment efficiency requirement. 'Low' denotes an AFUE of 0.74. 'Med.' denotes an AFUE of 0.78. 'High' denotes an AFUE of 0.88.

1991 EDITION

TABLE 6-5 LOG HOMES PRESCRIPTIVE REQUIREMENTS¹
HEATING BY ELECTRIC RESISTANCE

OPTION	AVERAGE ² LOG THICKNESS	GLAZING % FLOOR AREA	GLAZING U-VALUE	DOORS U-VALUE	CEILING ³	VAULTED ⁴ CEILING	FLOOR ⁵	SLAB ⁶ ON GRADE
<u>CLIMATE ZONE 1</u>								
I. ⁷	5.5"	15%	0.31	0.14	R-60 Adv	R-38	R-38	R-10
II. ⁷	7.5"	15%	0.40	0.20	R-60 Adv	R-38	R-30	R-10
III.*	9.6"	15%	0.40	0.20	R-38	R-30	R-30	R-10
<u>CLIMATE ZONE 2</u>								
IV. ⁷	6.7"	15%	0.31	0.14	R-60 Adv	R-38	R-38	R-10
V. ⁷	8.7"	15%	0.40	0.14	R-60 Adv	R-38	R-38	R-10
VI. ⁷	9.8"	15%	0.40	0.20	R-60 Adv	R-38	R-30	R-10
VII. ⁷	10.5"	15%	0.40	0.20	R-49 Adv	R-38	R-30	R-10
VIII.*	13.5"	15%	0.40	0.20	R-38	R-30	R-30	R-10

* Reference Case • (highlighted in redline)

¹ For Group R Occupancy use Table 6-5 for only the portion of floor area using log/solid timber walls. Use Tables 6-1 to 6-4 for all other portions of the floor area. Minimum requirements are for each option listed. Interpolations between options is not permitted. Proposed designs which cannot meet the specific requirements of a listed option above, may calculate compliance by Chapters 4 or 5 of this Code.

² Required minimum average log thickness.

³ 'Adv' denotes Advanced Framing. Requirement applies to all ceilings except single rafter joist vaulted ceilings.

⁴ Requirement applicable only to single rafter joist vaulted ceilings.

⁵ Floors over crawl spaces or exposed to ambient air conditions.

⁶ Required slab perimeter insulation shall be water-resistant material, manufactured for its intended use, and installed according to manufacturer's specifications.

⁷ These options shall be applicable to buildings less than three stories.

TABLE 6-6 LOG HOMES PRESCRIPTIVE REQUIREMENTS¹
HEATING BY OTHER FUELS

OPTION	AVERAGE ² LOG THICKNESS	GLAZING % FLOOR AREA	GLAZING U-VALUE	DOORS U-VALUE	CEILING ³	VAULTED ⁴ CEILING	FLOOR ⁵	SLAB ⁶ ON GRADE
<u>CLIMATE ZONE 1</u>								
I. ⁷	3.5"	21%	0.40	0.39	R-49 Adv	R-38	R-30	R-10
II.	4.4"	21%	0.40	0.40	R-38	R-30	R-19	R-10
III.	5.2"	21%	0.50	0.40	R-38	R-30	R-19	R-10
IV.	6.5"	21%	0.60	0.40	R-38	R-30	R-19	R-10
V.	7.0"	21%	0.60	0.40	R-38	R-30	R-19	R-10
VI.*	8.2"	21%	0.65	0.40	R-38	R-30	R-19	R-10
<u>CLIMATE ZONE 2</u>								
VII. ⁷	3.5"	17%	0.31	0.14	R-60 Adv	R-38	R-38	R-10
VIII ^{7,8}	3.5"	17%	0.40	0.40	R-60 Adv	R-38	R-30	R-10
IX. ⁷	4.6"	17%	0.40	0.40	R-60 Adv	R-38	R-30	R-10
X.	5.4"	17%	0.40	0.40	R-38	R-30	R-30	R-10
XI.	6.8"	17%	0.50	0.40	R-38	R-30	R-30	R-10
XII.*	9.0"	17%	0.60	0.40	R-38	R-30	R-30	R-10

* Reference Case • (highlighted in redline)

¹ For Group R Occupancy use Table 6-6 for only the portion of floor area using log/solid timber walls. Use Tables 6-1 to 6-4 for all other portions of the floor area. Minimum requirements are for each option listed. Interpolations between options is not permitted. Proposed designs which cannot meet the specific requirements of a listed option above, may calculate compliance by Chapters 4 or 5 of this Code.

² Required minimum average log thickness.

³ 'Adv' denotes Advanced Framing. Requirement applies to all ceilings except single rafter joist vaulted ceilings.

⁴ Requirement applicable only to single rafter joist vaulted ceilings.

⁵ Floors over crawl spaces or exposed to ambient air conditions.

⁶ Required slab perimeter insulation shall be water-resistant material, manufactured for its intended use, and installed according to manufacturer's specifications.

⁷ These options shall be applicable to buildings less than three stories.

⁸ For this option, minimum HVAC system efficiency is an AFUE of 0.88.

1991 EDITION

TABLE 6-7 OTHER THAN GROUP R OCCUPANCIES PRESCRIPTIVE REQUIREMENTS

COMPONENT	ZONE I	ZONE II
SPACE CONDITIONING SYSTEM TYPE	ANY	ANY
ROOF/CEILING	R-30	R-30
EXTERIOR WALLS	R-11	R-11
FLOORS OVER UNCONDITIONED SPACE	R-11	R-11
BELOW GRADE WALLS	R-4	R-5
SLAB ON GRADE FLOORS ¹	R-7	R-10
GLAZING TYPE	Double ²	Double ²
MAXIMUM TOTAL GLAZING AREA (% of Gross Exterior Wall Area)	32%	22%

¹ Insulation shall be a water-resistant material, manufactured for its intended use, and installed to manufacturer's specifications.

² 'Double' denotes a minimum air space between glazings of 1/2 inch.

NEW SECTION

WAC 51-11-0625 TABLE 6-1.

TABLE 6-1
 PRESCRIPTIVE REQUIREMENTS¹ FOR GROUP R OCCUPANCY
 CLIMATE ZONE 1
 HEATING BY ELECTRIC RESISTANCE

SECTION 625

OPTION	GLAZING % FLOOR AREA	GLAZING U-VALUE	DOORS U-VALUE	CEILING ²	VAULTED CEILING ³	WALL ABOVE GRADE	WALL•int ⁴ BELOW GRADE	WALL•ext ⁴ BELOW GRADE	FLOOR ⁵	SLAB ⁶ ON GRADE
I.	10%	0.46	0.40	R-38	R-30	R-21	R-21	R-10	R-30	R-10
II.	12%	0.43	0.20	R-38	R-30	R-19	R-19	R-10	R-30	R-10
III.	12%	0.40	0.40	R-38	R-30	R-21	R-21	R-10	R-30	R-10
IV.*	15%	0.40	0.20	R-38	R-30	R-19	R-19	R-10	R-30	R-10
V.	18%	0.39	0.20	R-38	R-30	R-21	R-21	R-10	R-30	R-10
VI.	21%	0.36	0.20	R-38	R-30	R-21	R-21	R-10	R-30	R-10
VII. ⁷	25%	0.32 ⁷	0.20	R-38	R-30	R-19+R-5 ⁸	R-21	R-10	R-30	R-10
VIII. ⁷	30%	0.29 ⁷	0.20	R-38	R-30	R-19+R-5 ⁸	R-21	R-10	R-30	R-10

* Reference Case

¹ Minimum requirements for each option listed. For example, if a proposed design has a glazing ratio to the conditioned floor area of 19%, it shall comply with all of the requirements of the 21% glazing option (or higher). Proposed designs which cannot meet the specific requirements of a listed option above, may calculate compliance by Chapters 4 or 5 of this Code.

² Requirement applies to all ceilings except single rafter or joist vaulted ceilings. 'Adv' denotes Advanced Framed Ceiling.

³ Requirement applicable only to single rafter or joist vaulted ceilings.

⁴ Below grade walls shall be insulated either on the exterior or on the interior. Exterior insulation installed on below grade walls shall be a water resistant material, manufactured for its intended use, and installed according to the manufacturer's specifications. See section 602.2.

⁵ Floors over crawl spaces or exposed to ambient air conditions.

⁶ Required slab perimeter insulation shall be a water resistant material, manufactured for its intended use, and installed according to manufacturer's specifications. See section 602.4.

⁷ The following options shall be applicable to buildings less than three stories: 0.35 maximum for glazing areas of 25% or less; 0.32 maximum for glazing areas of 30% or less.

⁸ This wall insulation requirement denotes R-19 wall cavity insulation plus R-5 foam sheathing.

SECTION 626

TABLE 6-2
PRESCRIPTIVE REQUIREMENTS¹ FOR GROUP R OCCUPANCY
CLIMATE ZONE 1
HEATING BY OTHER FUELS

OPTION	HVAC ⁹ EQUIP. EFFIC.	GLAZING % FLOOR AREA	GLAZING U-VALUE	DOORS U-VALUE	CEILING ²	VAULTED CEILING ³	WALL ABOVE GRADE	WALL•int ⁴ BELOW GRADE	WALL•ext ⁴ BELOW GRADE	FLOOR ⁵	SLAB ⁶ ON GRADE
I.	Med.	10%	0.70	0.40	R-30	R-30	R-15	R-15	R-10	R-19	R-10
II.	Med.	12%	0.65	0.40	R-30	R-30	R-15	R-15	R-10	R-19	R-10
III.	High	21%	0.75	0.40	R-30	R-30	R-19	R-19	R-10	R-19	R-10
IV.*	Med.	21%	0.65	0.40	R-30	R-30	R-19	R-19	R-10	R-19	R-10
V.	Low	21%	0.60	0.40	R-30	R-30	R-19	R-19	R-10	R-19	R-10
VI. ⁷	Med.	25%	0.45 ⁷	0.40	R-38	R-30	R-19	R-19	R-10	R-25	R-10
VII. ⁷	Med.	30%	0.40 ⁷	0.40	R-30	R-30	R-19	R-19	R-10	R-25	R-10

* Reference Case

¹ Minimum requirements for each option listed. For example, if a proposed design has a glazing ratio to the conditioned floor area of 19%, it shall comply with all of the requirements of the 21% glazing option (or higher). Proposed designs which cannot meet the specific requirements of a listed option above, may calculate compliance by Chapters 4 or 5 of this Code.

² Requirement applies to all ceilings except single rafter or joist vaulted ceilings. 'Adv' denotes Advanced Framed Ceiling.

³ Requirement applicable only to single rafter or joist vaulted ceilings.

⁴ Below grade walls shall be insulated either on the exterior or on the interior. Exterior insulation installed on below grade walls shall be a water resistant material, manufactured for its intended use, and installed according to the manufacturer's specifications. See section 602.2.

⁵ Floors over crawl spaces or exposed to ambient air conditions.

⁶ Required slab perimeter insulation shall be a water resistant material, manufactured for its intended use, and installed according to manufacturer's specifications. See section 602.4.

⁷ The following options shall be applicable to buildings less than three stories: 0.50 maximum for glazing areas of 25% or less; 0.45 maximum for glazing areas of 30% or less.

⁸ This wall insulation requirement denotes R-19 wall cavity insulation plus R-5 foam sheathing.

⁹ Minimum HVAC Equipment efficiency requirement for combustion appliances. 'Low' denotes an AFUE of 0.74. 'Med.' denotes an AFUE of 0.78. 'High' denotes an AFUE of 0.88 or greater. Minimum HVAC Equipment efficiency requirement for heat pumps. 'Low' denotes an HSPF of 6.35. 'Med' denotes and HSPF of 6.8. 'High' denotes and HSPF of 7.7. Water and ground source heat pumps shall be considered as medium efficiency and have a minimum COP as required in Table 5-7.

NEW SECTION

WAC 51-11-0627 TABLE 6-3.

SECTION 627

TABLE 6-3
 PRESCRIPTIVE REQUIREMENTS¹ FOR GROUP R OCCUPANCY
 CLIMATE ZONE 2
 HEATING BY ELECTRIC RESISTANCE

OPTION	GLAZING % FLOOR AREA	GLAZING U-VALUE	DOORS U-VALUE	CEILING ²	VAULTED CEILING ³	WALL ABOVE GRADE	WALL•int ⁴ BELOW GRADE	WALL•ext ⁴ BELOW GRADE	FLOOR ⁵	SLAB ⁶ ON GRADE
I.	10%	0.38	0.20	R-38	R-30	R-21	R-21	R-12	R-30	R-10
II.	12%	0.40	0.20	R-38	R-30	R-19+R-5 ⁸	R-21	R-12	R-25	R-10
III. ^o	15%	0.40	0.20	R-38	R-30	R-19+R-5 ⁸	R-21	R-12	R-30	R-10
IV.	18%	0.38	0.20	R-38	R-30	R-19+R-5 ⁸	R-21	R-12	R-30	R-10
V. ⁷	21%	0.35	0.20	R-38Adv	R-38	R-19+R-5 ⁸	R-21	R-12	R-30	R-10
VI. ⁷	25%	0.30 ⁷	0.20	R-49Adv	R-38	R-19+R-5 ⁸	R-21	R-12	R-30	R-10
VII. ⁷	30%	0.28 ⁷	0.20	R-60Adv	R-38	R21+R7.5 ⁹	R-21	R-12	R-30	R-10

^o Reference Case

¹ Minimum requirements for each option listed. For example, if a proposed design has a glazing ratio to the conditioned floor area of 19%, it shall comply with all of the requirements of the 21% glazing option (or higher). Proposed designs which cannot meet the specific requirements of a listed option above, may calculate compliance by Chapters 4 or 5 of this Code.

² Requirement applies to all ceilings except single rafter or joist vaulted ceilings. 'Adv' denotes Advanced Framed Ceiling.

³ Requirement applicable only to single rafter or joist vaulted ceilings.

⁴ Below grade walls shall be insulated either on the exterior or on the interior. Exterior insulation installed on below grade walls shall be a water resistant material, manufactured for its intended use, and installed according to the manufacturer's specifications. See section 602.2.

⁵ Floors over crawl spaces or exposed to ambient air conditions.

⁶ Required slab perimeter insulation shall be a water resistant material,

manufactured for its intended use, and installed according to manufacturer's specifications. See section 602.4.

⁷ The following options shall be applicable to buildings less than three stories: 0.33 maximum for glazing areas of 25% or less; 0.31 maximum for glazing areas of 30% or less.

⁸ This wall insulation requirement denotes R-19 wall cavity insulation plus R-5 foam sheathing.

⁹ This wall insulation requirement denotes R-21 wall cavity insulation plus R-7.5 foam sheathing.

SECTION 628

TABLE 6-4
PRESCRIPTIVE REQUIREMENTS¹ FOR GROUP R OCCUPANCY
CLIMATE ZONE 2
HEATING BY OTHER FUELS

OPTION	HVAC ⁹ EQUIP. EFFIC.	GLAZING % FLOOR AREA	GLAZING U-VALUE	DOORS U-VALUE	CEILING ²	VAULTED CEILING ³	WALL ABOVE GRADE	WALL•int ⁴ BELOW GRADE	WALL•ext ⁴ BELOW GRADE	FLOOR ⁵	SLAB ⁶ ON GRADE
I.	Med.	10%	0.70	0.40	R-38	R-30	R-19	R-19	R-12	R-25	R-10
II.	Med.	12%	0.65	0.40	R-38	R-30	R-19	R-19	R-12	R-25	R-10
III.	High	17%	0.65	0.40	R-38	R-30	R-19	R-19	R-12	R-25	R-10
IV. [*]	Med.	17%	0.60	0.40	R-38	R-30	R-19	R-19	R-12	R-30	R-10
V.	Low	17%	0.50	0.40	R-38	R-30	R-19	R-19	R-12	R-30	R-10
VI.	Med.	21%	0.50	0.40	R-38	R-30	R-19	R-19	R-12	R-30	R-10
VII.	Med. ¹	25%	0.40 ₇	0.40	R-38	R-30	R-19	R-19	R-12	R-30 ₁	R-10
VIII.	Med.	30%	0.35 ₇	0.40	R-38	R-30	R-19	R-19	R-12	R-30	R-10

* Reference Case

¹ Minimum requirements for each option listed. For example, if a proposed design has a glazing ratio to the conditioned floor area of 19%, it shall comply with all of the requirements of the 21% glazing option (or higher). Proposed designs which cannot meet the specific requirements of a listed option above, may calculate compliance by Chapters 4 or 5 of this Code.

² Requirement applies to all ceilings except single rafter or joist vaulted ceilings. 'Adv' denotes Advanced Framed Ceiling.

³ Requirement applicable only to single rafter or joist vaulted ceilings.

⁴ Below grade walls shall be insulated either on the exterior or on the interior. Exterior insulation installed on below grade walls shall be a water resistant material, manufactured for its intended use, and installed according to the manufacturer's specifications. See section 602.2.

⁵ Floors over crawl spaces or exposed to ambient air conditions.

⁶ Required slab perimeter insulation shall be a water resistant material, manufactured for its intended use, and installed according to manufacturer's specifications. See section 602.4.

⁷ The following options shall be applicable to buildings less than three stories: 0.45 maximum for glazing areas of 25% or less; 0.40 maximum for glazing areas of 30% or less.

⁸ This wall insulation requirement denotes R-19 wall cavity insulation plus R-5 foam sheathing.

⁹ Minimum HVAC Equipment efficiency requirement for combustion appliances. 'Low' denotes an AFUE of 0.74. 'Med.' denotes an AFUE of 0.78. 'High' denotes an AFUE of 0.88 or greater. Minimum HVAC Equipment efficiency requirement for heat pumps. 'Low' denotes an HSPF of 6.35. 'Med' denotes and HSPF of 6.8. 'High' denotes and HSPF of 7.7. Water and ground source heat pumps shall be considered as medium efficiency and have a minimum COP as required in Table 5-7.

NEW SECTION

WAC 51-11-0629 TABLE 6-5.

SECTION 629

TABLE 6-5
LOG HOMES PRESCRIPTIVE REQUIREMENTS¹
HEATING BY ELECTRIC RESISTANCE

OPTION	AVERAGE ² LOG THICKNESS	GLAZING % FLOOR AREA	GLAZING U-VALUE	DOORS U-VALUE	CEILING ³	VAULTED ⁴ CEILING	FLOOR ⁵	SLAB ⁶ ON GRADE
<u>CLIMATE ZONE 1</u>								
I. ⁷	5.5"	15%	0.31	0.14	R-60 Adv	R-38	R-38	R-10
II. ⁷	7.5"	15%	0.40	0.20	R-60 Adv	R-38	R-30	R-10
III.*	9.6"	15%	0.40	0.20	R-38	R-30	R-30	R-10
<u>CLIMATE ZONE 2</u>								
IV. ⁷	6.7"	15%	0.31	0.14	R-60 Adv	R-38	R-38	R-10
V. ⁷	8.7"	15%	0.40	0.14	R-60 Adv	R-38	R-38	R-10
VI. ⁷	9.8"	15%	0.40	0.20	R-60 Adv	R-38	R-30	R-10
VII. ⁷	10.5"	15%	0.40	0.20	R-49 Adv	R-38	R-30	R-10
VIII.*	13.5"	15%	0.40	0.20	R-38	R-30	R-30	R-10

* Reference Case

¹ For Group R Occupancy use Table 6-5 for only the portion of floor area using log/solid timber walls. Use Tables 6-1 to 6-4 for all other portions of the floor area. Minimum requirements are for each option listed. Interpolations between options is not permitted. Proposed designs which cannot meet the specific requirements of a listed option above, may calculate compliance by Chapters 4 or 5 of this Code.

² Required minimum average log thickness.

³ 'Adv' denotes Advanced Framing. Requirement applies to all ceilings except single rafter joist vaulted ceilings.

⁴ Requirement applicable only to single rafter joist vaulted ceilings.

⁵ Floors over crawl spaces or exposed to ambient air conditions.

⁶ Required slab perimeter insulation shall be water-resistant material, manufactured for its intended use, and installed according to manufacturer's specifications.

⁷ These options shall be applicable to buildings less than three stories.

NEW SECTION

WAC 51-11-0630 TABLE 6-6.

SECTION 630

TABLE 6-6
LOG HOMES PRESCRIPTIVE REQUIREMENTS¹
HEATING BY OTHER FUELS

OPTION	AVERAGE ² LOG THICKNESS	GLAZING % FLOOR AREA	GLAZING U-VALUE	DOORS U-VALUE	CEILING ³	VAULTED ⁴ CEILING	FLOOR ⁵	SLAB ⁶ ON GRADE
<u>CLIMATE ZONE 1</u>								
I. ⁷	3.5"	21%	0.40	0.39	R-49 Adv	R-38	R-30	R-10
II.	4.4"	21%	0.40	0.40	R-38	R-30	R-19	R-10
III.	5.2"	21%	0.50	0.40	R-38	R-30	R-19	R-10
IV.	6.5"	21%	0.60	0.40	R-38	R-30	R-19	R-10
V.	7.0"	21%	0.60	0.40	R-38	R-30	R-19	R-10
VI.*	8.2"	21%	0.65	0.40	R-38	R-30	R-19	R-10
<u>CLIMATE ZONE 2</u>								
VII. ⁷	3.5"	17%	0.31	0.14	R-60 Adv	R-38	R-38	R-10
VIII ^{7,8}	3.5"	17%	0.40	0.40	R-60 Adv	R-38	R-30	R-10
IX. ⁷	4.6"	17%	0.40	0.40	R-60 Adv	R-38	R-30	R-10
X.	5.4"	17%	0.40	0.40	R-38	R-30	R-30	R-10
XI.	6.8"	17%	0.50	0.40	R-38	R-30	R-30	R-10
XII.*	9.0"	17%	0.60	0.40	R-38	R-30	R-30	R-10

* Reference Case

¹ For Group R Occupancy use Table 6-6 for only the portion of floor area using log/solid timber walls. Use Tables 6-1 to 6-4 for all other portions of the floor area. Minimum requirements are for each option listed. Interpolations between options is not permitted. Proposed designs which cannot meet the specific requirements of a listed option above, may calculate compliance by Chapters 4 or 5 of this Code.

² Required minimum average log thickness.

³ 'Adv' denotes Advanced Framing. Requirement applies to all ceilings except single rafter joist vaulted ceilings.

⁴ Requirement applicable only to single rafter joist vaulted ceilings.

⁵ Floors over crawl spaces or exposed to ambient air conditions.

⁶ Required slab perimeter insulation shall be water-resistant material, manufactured for its intended use, and installed according to manufacturer's specifications.

⁷ These options shall be applicable to buildings less than three stories.

⁸ For this option, minimum HVAC system efficiency is an AFUE of 0.88.

NEW SECTION

WAC 51-11-0631 TABLE 6-7.

SECTION 631 TABLE 6-7
OTHER THAN GROUP R OCCUPANCIES PRESCRIPTIVE REQUIREMENTS

COMPONENT	ZONE I	ZONE II
SPACE CONDITIONING SYSTEM TYPE	ANY	ANY
ROOF/CEILING	R-30	R-30
EXTERIOR WALLS	R-11	R-11
FLOORS OVER UNCONDITIONED SPACE	R-11	R-11
BELOW GRADE WALLS	R-4	R-5
SLAB ON GRADE FLOORS ¹	R-7	R-10
GLAZING TYPE	Double ²	Double ²
MAXIMUM TOTAL GLAZING AREA (% of Gross Exterior Wall Area)	32%	22%

¹ Insulation shall be a water-resistant material, manufactured for its intended use, and installed to manufacturer's specifications.

² 'Double' denotes a minimum air space between glazings of 1/2 inch.

AMENDATORY SECTION (Amending WSR 91-01-112, filed 12/19/90, effective 7/1/91)

WAC 51-11-1000 CHAPTER 10.

Section 1000 Default heat-loss coefficients ((for site-built single and multifamily homes)).

WSR 91-16-112
PROPOSED RULES
BUILDING CODE COUNCIL
[Filed August 7, 1991, 4:14 p.m.]

Original Notice.

Title of Rule: Chapter 51-16 WAC, Washington State Building Code.

Purpose: Repeal chapter 51-16 WAC, Washington State Building Code.

Statutory Authority for Adoption: RCW 19.27.074.

Statute Being Implemented: Chapter 19.27 RCW.

Summary: The Washington State Building Code, chapter 51-16 WAC, is to be repealed. The adoption of the Uniform Building Code, Uniform Mechanical Code, Uniform Fire Code, and the Uniform Plumbing Code will be through separate WAC chapters.

Reasons Supporting Proposal: The four uniform codes with amendments will be adopted into separate chapters of the Washington Administrative Code, i.e., chapters 51-20, 51-22, 51-24, and 51-26 WAC.

Name of Agency Personnel Responsible for Drafting and Implementation: Donna Voss, Ninth and Columbia Building, GH-51, Olympia, Washington 98504-4151, (206) 586-8999; and Enforcement: Local governments.

Name of Proponent: State Building Code Council, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Repeal of chapter 51-16 WAC for the purpose of adopting separately each of the uniform codes and standards. Each of the uniform codes and standards, with their respective amendments will be adopted as follows: Chapter 51-20 WAC, Uniform Building Code; chapter 51-21 WAC, Uniform Building Code Standards; chapter 51-22 WAC, Uniform Mechanical Code; chapter 51-24 WAC, Uniform Fire Code; chapter 51-25 WAC, Uniform Fire Code Standards; chapter 51-26 WAC, Uniform Plumbing Code; and chapter 51-27 WAC, Uniform Plumbing code Standards. The effective date of the repeal of chapter 51-16 WAC will be simultaneous with the effective date for each of the new WAC chapters. No effect should occur with the repeal of this chapter.

Proposal does not change existing rules.

Proposal relocates existing rules into RCW chapters of the WAC.

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

The council has reconsidered whether this rule is subject to the Regulatory Fairness Act and has determined that it is not, since the repeal of chapter 51-16 WAC will have no economic impact. The Uniform Building

Code and Standards, Uniform Mechanical Code, Uniform Fire Code and Standards, and the Uniform Plumbing Code and Standards will be adopted under chapters 51-20, 51-22, 51-24, and 51-26 WAC respectively, with their associated amendments. The effective date of the repeal will be simultaneous with the effective date for each of the new chapters.

Hearing Location: City Council Chambers, Spokane City Hall, West 808 Spokane Falls Boulevard, Spokane, WA 99201, on Friday, September 13, 1991, at 9:00 a.m.; and at the Alpine Ballroom, Seattle Airport Hilton, 17620 Pacific Highway South, SeaTac, WA 98188, on Friday, September 20, 1991, at 9:00 a.m.

Submit Written Comments to: Gene Colin, Chair, State Building Code Council, Ninth and Columbia Building, GH-51, Olympia, Washington 98504-4151, by September 25, 1991.

Date of Intended Adoption: November 8, 1991.

July 12, 1991
Gene J. Colin
Chair

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 51-16-010 AUTHORITY.
WAC 51-16-020 PURPOSE.
WAC 51-16-030 UNIFORM BUILDING CODE AND UNIFORM BUILDING CODE STANDARDS.
WAC 51-16-040 UNIFORM MECHANICAL CODE.
WAC 51-16-050 UNIFORM FIRE CODE AND UNIFORM FIRE CODE STANDARDS.
WAC 51-16-060 UNIFORM PLUMBING CODE AND UNIFORM PLUMBING CODE STANDARDS.
WAC 51-16-070 EXCEPTIONS.
WAC 51-16-080 PERMIT EXEMPTIONS GUIDELINE.
WAC 51-16-100 REVIEW OF CITY AND COUNTY AMENDMENTS PREVIOUSLY APPROVED BY THE COUNCIL.

WSR 91-16-113
PROPOSED RULES
BUILDING CODE COUNCIL
[Filed August 7, 1991, 4:17 p.m.]

Original Notice.

Title of Rule: Chapter 51-20 WAC, adoption and amendment of the 1991 edition of the Uniform Building Code, and chapter 51-21 WAC, adoption and amendment of the 1991 edition of the Uniform Building Code Standards.

Purpose: To consider whether to adopt, or amend and adopt the 1991 Uniform Building Code and Uniform Building Code Standards, which includes incorporation of the State Regulations for Barrier-Free Facilities, chapter 51-10 WAC, into chapter 31 of the code. Also under consideration will be adoption of code requirements mandated by legislation that was passed and enacted during the 1991 legislative session. Amendments include use of solid fuel burning appliances as a primary heat source in new buildings, emission standards for solid fuel burning appliances, fire suppression systems in

new school buildings, and space allocation standards for recyclable materials storage in new multi-family and commercial buildings.

Other Identifying Information: Copies of the 1991 Uniform Building Code and Uniform Building Code Standards are available from: The International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California 90601.

Statutory Authority for Adoption: RCW 19.27.074 and 70.92.140.

Statute Being Implemented: Chapters 19.27 and 70.92 RCW, and chapters 170, 199 and 298, Laws of 1991.

Summary: The proposed rule includes adoption of the 1991 Uniform Building Code and Uniform Building Code Standards, with amendments. The rule incorporates the state regulations for barrier-free facilities with substantial amendments, into chapter 31. The substantial amendments include adopting the requirements of the Federal Fair Housing Act Amendments of 1988, 24 CFR, Chapter I, Subchapter A, Appendix III, and the Americans with Disabilities Act of 1990, 28 CFR, Part 35. Additional amendments address construction requirements for long term residential care, retaining 1988 UBC ramp slope requirements for aisles, fire suppression equipment for new schools, space allocation requirements for storage of recyclable materials, and exclusion of woodstoves as a primary source of heat in new residential buildings in certain counties.

Reasons Supporting Proposal: Chapters 19.27 and 70.92 RCW; Federal Fair Housing Act Amendments of 1988; Americans with Disabilities Act of 1990; chapters 170, 199 and 298, Laws of 1991.

Name of Agency Personnel Responsible for Drafting and Implementation: Donna Voss and Willy O'Neil, 9th and Columbia Building, Mailstop GH-51, Olympia, Washington, (206) 586-8999, (206) 586-0486; and **Enforcement:** Local governments.

Name of Proponent: State Building Code Council, governmental.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: The council especially seeks comments on the following issues and options that are proposed in the rule: WAC 51-20-0104(b), Option: Add an exception to the section on additions, alterations or repairs which allows structural alterations to not meet the full code requirements, dependent on certain conditions; WAC 51-20-0307, Option: Addresses when structural observations will be required to be made by an engineer or architect and to whom deficiencies will be reported to; WAC 51-20-0417, adds a definition for portable school classroom; WAC 51-20-0419, adds a definition for recycled materials; WAC 51-20-0420, Option: Revise the definition for structural observation; WAC 51-20-0420, Option: Revise the definition for surgical area; WAC 51-20-0503(a), Option: Add an exception for occupancy separation requirements for certain Group B, Division 2 Occupancies; WAC 51-20-0504(b), Option: Retains wording from 1988 UBC for projections beyond the exterior walls; WAC 51-20-0514, limits woodstove installations as primary heat sources in areas with poor outdoor air quality; WAC 51-20-0515, provides solid fuel

burning device standards for air emissions; WAC 51-20-0516, provides space allocation standards for all occupancies, except Group R and Group M Occupancies; WAC 51-20-0551, Option: Table No. 5-B. Delete footnote 2 from table as well as the footnote reference 2 to B-3. This would allow open parking garages next to area separation walls; WAC 51-20-0554, Option: Table No. 5-E. Minimum Plumbing Facilities. This table is proposed to be placed either in the Uniform Building Code or in the Uniform Plumbing Code; WAC 51-20-0555, Table No. 5-F. Minimum Size Requirements for Exterior Solid Waste and Recycling Storage Areas; WAC 51-20-0605, Option: Clarification that the point of discharge for an exhaust system is required to be 3 feet from operable openings; WAC 51-20-0610, Option: Delete reference to "confusing" sounds to be stopped in amusement buildings with the activation of a smoke-detection system; WAC 51-20-0702(c), Option: Include suites of laboratories as one space for the purpose of occupancy separation walls. Also revise the occupant load requirements for exiting purposes; WAC 51-20-1011, add a section on the construction requirements for hospital suites; WAC 51-20-1216, add space allocation standards for recycled materials in Group R, Division 1 buildings; WAC 51-20-1223 through 51-20-1234, should construction standards for long-term residential care facilities be adopted as a statewide minimum code requirement, or as an optional appendix chapter (see WAC 51-20-91223 through 51-20-91234); WAC 51-20-1223, shall long-term residential care facilities be required to meet the State Regulations for Barrier-Free Facilities; WAC 51-20-1224, shall an approved sprinkler system meeting UBC Standard No. 38-1 or 38-3 be required for increases in square footage in Group R, Division 4 Occupancies; WAC 51-20-1226(c), shall the required corridor width for Group R, Division 4 and 5 Occupancies be 36 inches or 44 inches; WAC 51-20-1226(d), shall the required stairway width for Group R, Division 5 Occupancies be 36 inches or 44 inches; WAC 51-20-1251, Table No. 12-A. Minimum Size Requirements for Exterior Solid Waste and Recycling Storage Areas; WAC 51-20-1807(f), Option: Dimensional requirements in central control station rooms in B-2 and R-1 Occupancies; WAC 51-20-2312, Option: Revise the basic wind speed for Exposure D to more than 80 miles per hour; WAC 51-20-2710, Option: Delete exception for columns in single story buildings of special moment-resisting [motion-resisting] frame construction; WAC 51-20-3007, Option: Adds an additional exception to the area and separation requirements for veneers of approved plastic materials; and WAC 51-20-3100, chapter 31, Accessibility.

Note: The State Regulations for Barrier-Free Facilities, chapter 51-10 WAC, are proposed for incorporation with substantive amendments, into WAC 51-20-3100. Key Issues: Final U.S. Department of Justice Americans with Disabilities Act guidelines. The proposed rule may be substantively modified to incorporate changes adopted in the final Americans with Disabilities Act (ADA) guidelines, which are scheduled for publication July 26, 1991. The council seeks comment on which

ADA requirements are appropriate as building code requirements: Wheelchair space dimensions. The standard dimension for single wheelchair spaces is 30 inches by 48 inches. The council seeks comment on whether this dimension should be increased to 30 inches by 51 inches in order to accommodate motorized wheelchairs. The following sections include requirements for wheelchair space dimensions: WAC 51-20-3104 (b) 2., 51-20-3106 (b) 3., 51-20-3106 (k) 4. and 5., 51-20-3106 (m) 1., 51-20-3106 (n) 1., 51-20-3106 (r) 1., 51-20-3106 (s) 1., and 51-20-3106 (u) 1. B.

Options: WAC 51-20-3103 (a) 1. Exception 2. Should the elevator exemption for floors above or below fully accessible levels be based on occupant load, or square footage? WAC 51-20-3103 (a) 1. Exception 3. Should construction site offices be specifically exempted from compliance with the access requirements? WAC 51-20-3103 (a) 6. E. Should accessible jail and prison rooms or cells be required for 1 in every 100 or 1 in every 50 rooms? WAC 51-20-3103 (a) 8. B., Exception 4. Should a site terrain exemption be adopted for Group R, Division 1 apartment buildings (Note: This also includes adoption of revised Appendix Chapter 31, Division 1.)? WAC 51-20-3104 (b) 1. C. Shall a portion of a one-hour fire-resistive corridor complying with 51-20-3305 (g) and (h) located immediately next to an exit enclosure be considered an area of rescue assistance? WAC 51-20-3104 (b) 3. What should be the minimum clear width of stairways adjacent to areas of rescue assistance (3 options are provided)? WAC 51-20-3104(d). Shall areas adjacent to an elevator where no lobby is provided be allowed as areas of rescue assistance? WAC 51-20-3105 (d) 5. Shall accessible fixed tables be provided at a rate of 5% or 10% of the total number of fixed tables? WAC 51-20-3106 (d) 1. Shall the minimum width for exterior accessible routes of travel be increased to 44 inches? WAC 51-20-3106 (p) 3. B. Shall all interior signs with the International Symbol of Access be required to be white with a blue background? WAC 51-20-3152, Table 31-B. Shall accessible Type A units be required at a rate of 3% or 5% in Group R, Division 1 apartment buildings? WAC 51-20-3207(c), Option: Add an exception to allow storm drain overflow leaders to be connected to the vertical riser to the roof drain. WAC 51-20-3305 (h) 2. Option: Retain language from 1988 UBC for openings other than doors in corridors. WAC 51-20-3315(e), Option: Add exception for ramp slope of aisles in theaters. Ramp slope exception from 1988 UBC. WAC 51-20-3315(f), Option: Reference added for exception as noted in WAC 51-20-3315(e). WAC 51-20-3350, Option: Table No. 33-A. Adds minimum egress requirements for laboratories. WAC 51-20-3802(e), requires automatic fire-extinguishing systems in Group E, Division 1 Occupancies. WAC 51-20-3901(b), Option: Clarify the definition of legitimate stage. WAC 51-20-3903(c), Option: Revise the degree of the travel arc from 115 to 90 for a vent when the appropriate counterforce is applied. WAC 51-20-3903(e), Option: Clarification that gridirons are not considered flooring. WAC 51-20-5401 (a) 1. Option: Revise exception for Group R and M Occupancies exterior glass and glazing. Revision changes minimum basic wind speed to

more than 80 miles per hour. WAC 51-20-91223 through 51-20-91234, Option: Provide construction standards for long-term residential care facilities for semi- and nonambulatory occupants as an appendix. Alternatively, these statements may be adopted in Chapter 12 as minimum construction standards in WAC 51-20-1223 through 51-20-1234.

Rule is necessary because of federal law: Citation: Federal Fair Housing Act Amendments of 1988 (24 CFR Chapter 1, Subchapter A, Appendix III) and the Americans with Disabilities Act of 1990 (28 CFR, Part 35).

Explanation of Rule, its Purpose, and Anticipated Effects: The purpose is to amend and adopt the 1991 Uniform Building Code and the 1991 Uniform Building Code Standards, which incorporate the State Regulations for Barrier-Free Facilities (currently chapter 51-10 WAC) into chapter 31 of the code. As proposed, the barrier-free regulations in chapter 31 have been greatly expanded to conform to the Federal Fair Housing Act Guidelines as adopted by the U.S. Department of Housing and Urban Development, and the Americans with Disabilities Act guidelines as adopted by the U.S. Department of Justice. The rule proposes changes that would allow residential buildings to be used for the long-term care of up to 16 ambulatory, semi- and non-ambulatory occupants without meeting the strict code requirements for Group I, Division 1.1 Occupancies. The rule also proposes the adoption of requirements that were passed and enacted by the 1991 legislature that include: Adoption of space requirements for the storage of recyclable materials in multi-family residential and commercial buildings; and adoption of requirements for fire suppression equipment in all new school buildings classed as Group E, Division 1 Occupancies, except portable classrooms; and, exclusion of solid fuel burning appliances as the primary source of heat in new and substantially remodeled buildings in areas with existing air quality problems; and adoption of emission standards for solid fuel burning appliances in new buildings.

Proposal Changes the Following Existing Rules: The proposal updates the state's Uniform Building Code from the 1988 to the 1991 version. The proposal also expands the scope of the State Regulations for Barrier-Free Facilities which are proposed for incorporation into chapter 31 of the UBC. In addition, the proposal adopts new requirements mandated by legislation passed and enacted during the 1991 legislature including requirements for use of solid fuel burning appliances as a primary heat source in new buildings, emission standards for solid fuel burning appliances in new buildings, fire suppression systems in new school buildings, and space allocation standards for recyclable materials storage in new multi-family buildings.

Small Business Economic Impact Statement: The small business economic impacts have been analyzed for the proposed statewide amendments to the 1991 Uniform Building Code that have not been previously adopted by the council. The following is a section by section analysis of the changes and possible small business economic impacts. WAC 51-20-0001 - 51-20-02999, administrative chapters amended, no economic

impacts on small business anticipated; WAC 51-20-0307, the proposed changes to the 1991 UBC would reduce requirements that structural engineers or architects be required to make structural observations in Seismic Zones 3 and 4. Costs associated with bonding and insurance for structural engineers or architects may also be reduced; WAC 51-20-0404 - 51-20-0499, definitions adopted and amended, no economic impacts on small business anticipated; WAC 51-20-0503(a), additional exception from occupancy separation requirements for some Group B, Division 2 Occupancies, would reduce construction costs for those occupancies and therefore economic impacts on small businesses in those occupancy classifications; WAC 51-20-0514, may have a small impact on small businesses that plan to utilize woodstoves as a primary source of heat in a new building although many local governments currently do not allow the use of woodstoves for a primary source of heat; WAC 51-20-0515, adopts EPA emission standards for woodstoves, which could add from \$20 to \$50 to the manufacturing price of a new woodstove. This would be an impact on small woodstove manufacturers in the state; WAC 51-20-0516, would require additional space outside multi-family and commercial buildings for the storage of recyclable materials. The costs for the additional space are difficult to quantify but may include minimal costs of labor and materials for construction of the exterior space; WAC 51-20-0551, Table No. 5-B. No economic impacts on small business are anticipated; WAC 51-20-0554, Table No. 5-E proposes adoption of Appendix Chapter C of the Uniform Plumbing Code into the Uniform Building Code. The table requires that in some cases additional plumbing fixtures, including water closets and urinals be installed in assembly areas, institutional buildings, office buildings and other occupancies. Small businesses constructing new buildings may be impacted by the costs of additional water closets. The cost of an additional water closet or urinal is estimated at \$500 to \$1500 for labor and materials depending on the type of fixture and the occupancy in which it is installed. The costs of the additional space required are difficult to quantify; WAC 51-20-0555, see WAC 51-20-0516 above; WAC 51-20-0605, editorial amendment, no economic impacts on small business are anticipated; WAC 51-20-0610, editorial amendment, no economic impact on small business are anticipated; WAC 51-20-0702(c), occupancy separation requirements for suites of laboratories that are not in schools are reduced which would reduce the costs to small businesses building new suites of laboratories; WAC 51-20-1011, occupancy separation requirements for certain hospital suites are reduced which would reduce the costs of constructing those suites. This would provide a positive economic impact for small hospitals utilizing the suite concept; WAC 51-20-1216, see WAC 51-20-0516 above; WAC 51-20-1223 - 51-20-1234, provides alternative construction standards for conversion of residential buildings into long-term residential care facilities. The proposal would reduce the costs of conversion for long-term residential care facilities with over 5 occupants and increase costs for long-term residential care facilities with

5 or less occupants. The increase in cost would be dependent on the type of residence being converted; WAC 51-20-1251, see WAC 51-20-0516 above; WAC 51-20-1807(f), no economic impacts on small business are anticipated; WAC 51-20-2312, would reduce building structural requirements for basic wind speeds and therefore reduce costs for small businesses constructing new buildings; WAC 51-20-2710, would delete the exception for columns in special moment-resisting [motion-resisting] frame construction for single story buildings. Small businesses constructing single story buildings may incur additional costs meeting the requirement in wood frame buildings; WAC 51-20-3007, would add an exception from area and separation requirements for veneers of approved plastic materials. No economic impacts on small business are anticipated; WAC 51-20-3100, amendments related to chapter 31 of the Uniform Building Code, either maintain existing rule found in chapter 51-10 WAC or are adopted solely for the purpose of conformity with federal law and regulations and are therefore exempt from compliance with the requirements of the Regulatory Fairness Act; WAC 51-20-3207, allows storm drains to be connected to the vertical riser to the roof drain. May slightly decrease construction costs since an independent drain line would not be required; WAC 51-20-3350, clarifies minimum egress requirements for laboratories, no economic impacts on small business are anticipated; WAC 51-20-3802(e), requires installation of fire-extinguishing system in all new Group E, Division 1 Occupancies. Small private schools constructing new facilities for more than 50 students, may incur costs of \$1.50 to \$2.50 per square foot for installation of a fire extinguishing system. These costs could be offset by savings from reduced insurance rates due to improved protection of property; WAC 51-20-3901(b), clarifies definition of legitimate stage. No economic impacts on small business are anticipated; WAC 51-20-3903(c), editorial amendment, no economic impacts on small business are anticipated; WAC 51-20-3903(e), editorial amendment, no economic impacts on small business are anticipated; and WAC 51-20-5401 (a) 1, would reduce structural requirements for glazing for basic wind speeds in residential and agricultural buildings, and therefore reduce costs for constructing those buildings.

Hearing Location: City Council Chambers, Spokane City Hall, West 808 Spokane Falls Boulevard, Spokane, WA 99201, on September 13, 1991, at 9:00 a.m.; and at the Alpine Ballroom, Seattle Airport Hilton, 17620 Pacific Highway South, SeaTac, WA 98188, on September 20, 1991, at 9:00 a.m.

Submit Written Comments to: Gene Colin, State Building Code Council, Ninth and Columbia Building, Mailstop GH-51, Olympia, WA 98504-4151, by September 20, 1991.

Date of Intended Adoption: November 8, 1991.

July 12, 1991

Gene Colin
Chair

Chapter 51-20 WAC
STATE BUILDING CODE ADOPTION AND AMENDMENT
OF THE 1991 EDITION OF THE UNIFORM BUILDING CODE

NEW SECTION

WAC 51-20-001 **AUTHORITY.** These rules are adopted under the authority of chapter 19.27 RCW.

NEW SECTION

WAC 51-20-002 **PURPOSE.** The purpose of these rules is to implement the provisions of chapter 19.27 RCW, which provides that the state building code council shall maintain the State Building Code in a status which is consistent with the purpose as set forth in RCW 19.27.020. In maintaining the codes the council shall regularly review updated versions of the codes adopted under the act, and other pertinent information, and shall amend the codes as deemed appropriate by the council.

NEW SECTION

WAC 51-20-003 **UNIFORM BUILDING CODE.** The 1991 edition of the Uniform Building Code as published by the International Conference of Building Officials is hereby adopted by reference with the following additions, deletions, and exceptions.

NEW SECTION

WAC 51-20-004 **CONFLICTS WITH WASHINGTON STATE VENTILATION AND INDOOR AIR QUALITY CODE.** In the case of conflict between the ventilation requirements of section 605, section 705, section 905, and section 1205 of this code and the ventilation requirements of chapter 51-13 WAC, the Washington State Ventilation and Indoor Air Quality Code, the provisions of the ventilation and indoor air quality code shall govern.

NEW SECTION

WAC 51-20-005 **UNIFORM BUILDING CODE REQUIREMENTS FOR BARRIER-FREE ACCESSIBILITY.** Chapter 31 and other Uniform Building Code requirements for barrier-free access are adopted pursuant to chapters 70.92 and 19.27 RCW.

Pursuant to RCW 19.27.040, Chapter 31 and other UBC related requirements affecting barrier-free access shall not be amended by local governments.

NEW SECTION

WAC 51-20-007 **EXCEPTIONS.** The exceptions and amendments to the Uniform Building Code contained in the provisions of chapter 19.27 RCW shall apply in case of conflict with any of the provisions of these rules.

NEW SECTION

WAC 51-20-008 **IMPLEMENTATION.** The Uniform Building Code adopted under chapter 51-20 WAC shall become effective in all counties and cities of this state on July 1, 1989, unless local amendments have been approved by the state building code council.

NEW SECTION

WAC 51-20-009 **PERMIT EXEMPTIONS GUIDELINE.** Cities and counties are permitted the option of adopting a one thousand five hundred dollar building permit exemption for certain construction and alteration activities for Group R, Division 3 and Group M, Division 1 Occupancies. To adopt the permit exemption guideline, the following section of the 1991 Uniform Building Code shall be amended as follows:

(1) Section 301 (b) of the Uniform Building Code shall be amended to read as follows:

(b) Work Exempted from Permit. A building permit shall not be required for the following:

1. One-story detached accessory buildings used as tool and storage sheds, playhouses and similar uses, provided the projected roof area does not exceed 120 square feet.
2. Fences not over 6 feet high.
3. Oil derricks.
4. Movable cases, counters and partitions not over 5 feet 9 inches high.
5. Retaining walls which are not over 4 feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or III-A liquids.

6. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed two to one.

7. Platforms, walks and driveways not more than 30 inches above grade and not over any basement or story below.

8. Painting, papering and similar finish work.

9. Temporary motion picture, television and theater stage sets and scenery.

10. Window awnings supported by an exterior wall of Group R, Division 3, and Group M Occupancies when projecting not more than 54 inches.

11. Prefabricated swimming pools accessory to a Group R, Division 3 Occupancy in which the pool walls are entirely above the adjacent grade and if the capacity does not exceed 5,000 gallons.

12. Minor construction and alteration activities to Group R, Division 3 and Group M, Division 1 Occupancies, as determined by the building official, which the total valuation, as determined in Section 304 (b) or as documented by the applicant to the satisfaction of the building official, does not exceed one thousand five hundred dollars in any twelve-month period: PROVIDED, That the construction and/or alteration activity does not affect any structural components, or reduce existing egress, light, air, and ventilation conditions. This exemption does not include electrical, plumbing, or mechanical activities. The permit exemption shall not otherwise exempt the construction or alteration from the substantive standards of the codes enumerated in RCW 19.27.031, as amended and maintained by the State Building Code Council under RCW 19.27.070.

Unless otherwise exempted, separate plumbing, electrical, and mechanical permits will be required for the above-exempted items.

Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

(2) The adoption of an ordinance or resolution by cities and counties for the purpose to provide for a permit exemption as outlined in this section, shall not be considered a local government residential amendment requiring approval by the State Building Code Council.

NEW SECTION

WAC 51-20-0100 **CHAPTER 1.** Title, scope and general.

NEW SECTION

WAC 51-20-0104 **APPLICATION TO EXISTING BUILDINGS AND STRUCTURES.** Section 104. (a) General. Buildings and structures to which additions, alterations or repairs are made shall comply with all the requirements of this code for new facilities except as specifically provided in this section. See Section 1210 for provisions requiring installation of smoke detectors in existing Group R, Division 3 Occupancies.

(b) Additions, Alterations or Repairs. Additions, alterations or repairs may be made to any building or structure without requiring the existing building or structure to comply with all the requirements of this code, provided the addition, alteration or repair conforms to that required for a new building or structure. Additions or alterations shall not be made to an existing building or structure which will cause the existing building or structure to be in violation of any of the provisions of this code nor shall such additions or alterations cause the existing building or structure to become unsafe. An unsafe condition shall be deemed to have been created if an addition or alteration will cause the existing building or structure to become structurally unsafe or overloaded; will not provide adequate egress in compliance with the provisions of this code or will obstruct existing exits; will create a fire hazard; will reduce required fire resistance or will otherwise create conditions dangerous to human life. Any building so altered, which involves a change in use or occupancy, shall not exceed the height, number of stories and area permitted for new buildings. Any building plus new additions shall not exceed the height, number of stories and area specified for new buildings. Additions or alterations shall not be made to an existing building or structure when such existing building or structure is not in full compliance with the provisions of this code except when such addition or alteration will result in the existing building or structure being no more hazardous based on life-safety, fire-safety and sanitation, than before such additions or alterations are undertaken. [See also Section 911 (c) for Group H, Division 6 Occupancies.]

Alterations or repairs to an existing building or structure which are nonstructural and do not adversely affect any structural member or

any part of the building or structure having required fire resistance may be made with the same materials of which the building or structure is constructed. The installation or replacement of glass shall be as required for new installations.

OPTIONAL

EXCEPTION: Alterations of existing structural elements or additions of new structural elements which are initiated for the purpose of increasing the vertical or lateral load-carrying strength or stiffness of an existing structure need not be designed for forces conforming to these regulations provided that:

- A. The capacity of existing structural elements to resist forces is not reduced, and;
- B. The loading to existing structural elements is not increased, and;
- C. All new structural elements are detailed and connected to the existing structural elements as required by these regulations, and;
- D. All new or relocated nonstructural elements are detailed and connected to existing or new structural elements as required by these regulations, and;
- E. An unsafe condition is not created.

(c) Existing Installations. Buildings in existence at the time of the adoption of this code may have their existing use or occupancy continued, if such use or occupancy was legal at the time of the adoption of this code, provided such continued use is not dangerous to life.

Any change in the use or occupancy of any existing building or structure shall comply with the provisions of Sections 308 and 502 of this code.

For existing buildings, see Appendix Chapter 1.

(d) Maintenance. All buildings and structures, both existing and new, and all parts thereof, shall be maintained in a safe and sanitary condition. All devices or safeguards which are required by this code shall be maintained in conformance with the code edition under which installed. The owner or the owner's designated agent shall be responsible for the maintenance of buildings and structures. To determine compliance with this subsection, the building official may cause a structure to be reinspected.

(e) Moved Buildings and Temporary Buildings. Buildings or structures moved into or within the jurisdiction shall comply with the provisions of this code for new buildings or structures.

Temporary structures such as reviewing stands and other miscellaneous structures, sheds, canopies or fences used for the protection of the public around and in conjunction with construction work may be erected by special permit from the building official for a limited period of time. Such buildings or structures need not comply with the type of construction or fire-resistive time periods required by this code. Temporary buildings or structures shall be completely removed upon the expiration of the time limit stated in the permit.

(f) Historic Buildings. Repairs, alterations and additions necessary for the preservation, restoration, rehabilitation or continued use of a building or structure may be made without conformance to all the requirements of this code when authorized by the building official, provided:

1. The building or structure has been designated by official action of the legally constituted authority of this jurisdiction as having special historical or architectural significance.
2. Any unsafe conditions as described in this code are corrected.
3. The restored building or structure will be no more hazardous based on life safety, fire safety and sanitation than the existing building.

NEW SECTION

WAC 51-20-0300 CHAPTER 3. Permits and Inspections.

NEW SECTION

WAC 51-20-0307 STRUCTURAL OBSERVATION.

OPTION 1

Section 307. Structural observation shall be provided in Seismic Zone No. 3 or 4 when one of the following conditions exists:

1. The structure is defined in Table No. 23-K as Occupancy Category I, II or III, or
2. The structure is required to comply with Section 1807, or
3. Construction inspection as defined in Section 302(c), Item 2, is required, or

4. When such observation is specifically required by the building official.

The owner shall employ the engineer or architect responsible for the structural design, or another engineer or architect designated by the engineer or architect responsible for the structural design to perform structural observation as defined in Section 420. The engineer or architect shall submit a statement in writing to the building official stating that the site visits have been made and whether or not any observed deficiencies have been corrected to conform to the approved plans and specifications, or to revised details approved by the building official.

OPTION 2

Section 307. Structural observation shall be provided in Seismic Zone No. 3 or 4 when one of the following conditions exists:

1. The structure is defined in Table No. 23-K as Occupancy Category I, II or III, or
2. The structure is required to comply with Section 1807, or
3. Construction inspection as defined in Section 302(c), Item 2, is required, or
4. When such observation is specifically required by the building official for unusual lateral force-resisting structures or irregular structures as defined in Section 2333.

The owner shall employ the engineer or architect responsible for the structural design, or another engineer or architect designated by the engineer or architect responsible for the structural design to perform structural observation as defined in Section 420. Any observed deficiencies, that do not generally conform to the approved plans and specifications or to revised details approved by the building official, shall be submitted in writing to the owner's representative, who in turn shall notify the contractor and the building official. The engineer or architect shall submit a statement in writing to the building official stating that the site visits have been made.

NEW SECTION

WAC 51-20-0400 CHAPTER 4. Definitions and Abbreviations.

NEW SECTION

WAC 51-20-0404 SECTION 404. CAST STONE is a precast building stone manufactured from portland cement concrete and used as a trim, veneer or facing on or in buildings or structures.

CENTRAL HEATING PLANT is environmental heating equipment which directly utilizes fuel to generate heat in a medium for distribution by means of ducts or pipes to areas other than the room or space in which the equipment is located.

C.F.R. is the Code of Federal Regulations, a regulation of the United States of America available from the Superintendent of Documents, United States Government Printing Office, Washington, D.C. 20402.

CHIEF OF THE FIRE DEPARTMENT is the head of the fire department or a regularly authorized deputy.

CHILD DAY CARE, shall, for the purposes of these regulations, mean the care of children during any period of a 24 hour day.

CHILD DAY CARE HOME, FAMILY 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.

COMBUSTIBLE LIQUID. See the Fire Code.

CONGREGATE RESIDENCE is any building or portion thereof which contains facilities for living, sleeping and sanitation, as required by this code, and may include facilities for eating and cooking, for occupancy by other than a family. A congregate residence may be a shelter, convent, monastery, dormitory, fraternity or sorority house but does not include jails, hospitals, nursing homes, hotels or lodging houses.

CONDOMINIUM, RESIDENTIAL. See "apartment house."

CONTROL AREA is a space bounded by not less than a one-hour fire-resistive occupancy separation within which the exempted amounts of hazardous materials may be stored, dispensed, handled or used.

CORROSIVE is a chemical that causes visible destruction of, or irreversible alterations in, living tissue by chemical action at the site of contact. A chemical is considered to be corrosive if, when tested on the intact skin of albino rabbits by the method described in the United States Department of Transportation in Appendix A to C.F.R. 49 Part

173, it destroys or changes irreversibly the structure of the tissue at the site of contact following an exposure period of four hours. This term shall not refer to action on inanimate surfaces.

COURT is a space, open and unobstructed to the sky, located at or above grade level on a lot and bounded on three or more sides by walls of a building.

NEW SECTION

WAC 51-20-0407 SECTION 407. FABRICATION AREA (fab area) is an area within a Group H, Division 6 Occupancy in which there are processes involving hazardous production materials and may include ancillary rooms or areas such as dressing rooms and offices that are directly related to the fab area processes.

FAMILY is an individual or two or more persons related by blood or marriage or a group of not more than five persons (excluding servants) who need not be related by blood or marriage living together in a dwelling unit.

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.

FIRE ASSEMBLY. See Section 4306 (b).

FIRE CODE is the Uniform Fire Code promulgated jointly by the Western Fire Chiefs Association and the International Conference of Building Officials, as adopted by this jurisdiction.

FIRE RESISTANCE or FIRE-RESISTIVE CONSTRUCTION is construction to resist the spread of fire, details of which are specified in this code.

FIRE-RETARDANT-TREATED WOOD is any wood product impregnated with chemicals by a pressure process or other means during manufacture, and which, when tested in accordance with U.B.C. Standard No. 42-1 for a period of 30 minutes, shall have a flame spread of not over 25 and show no evidence of progressive combustion. In addition, the flame front shall not progress more than 10 1/2 feet beyond the center line of the burner at any time during the test. Materials which may be exposed to the weather shall pass the accelerated weathering test and be identified as Exterior type, in accordance with U.B.C. Standard No. 25-28. Where material is not directly exposed to rainfall but exposed to high humidity conditions, it shall be subjected to the hygroscopic test and identified as Interior Type A in accordance with U.B.C. Standard No. 25-28.

All materials shall bear identification showing the fire performance rating thereof. Such identifications shall be issued by an approved agency having a service for inspection of materials at the factory.

FLAMMABLE LIQUID. See Fire Code.

FLOOR AREA is the area included within the surrounding exterior walls of a building or portion thereof, exclusive of vent shafts and courts. The floor area of a building, or portion thereof, not provided with surrounding exterior walls shall be the usable area under the horizontal projection of the roof or floor above.

FM is Factory Mutual Engineering and Research, 1151 Boston-Providence Turnpike, Norwood, Massachusetts 02062.

FOAM PLASTIC INSULATION is a plastic which is intentionally expanded by the use of a foaming agent to produce a reduced density plastic containing voids consisting of hollow spheres or interconnected cells distributed throughout the plastic for thermal insulating or acoustical purposes and which has a density less than 20 pounds per cubic foot.

FOOTING is that portion of the foundation of a structure which spreads and transmits loads directly to the soil or the piles.

FRONT OF LOT is the front boundary line of a lot bordering on the street and, in the case of a corner lot, may be either frontage.

NEW SECTION

WAC 51-20-0409 SECTION 409. HABITABLE SPACE (ROOM) is space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet compartments, closets, halls, storage or utility space, and similar areas, are not considered habitable space.

HANDLING is the deliberate transport of materials by any means to a point of storage or use.

HANDRAIL is a railing provided for grasping with the hand for support. See also Section 408, definition of "guardrail."

HAZARDOUS PRODUCTION MATERIAL (HPM) is a solid, liquid or gas that has a degree of hazard rating in health, flammability or reactivity of 3 or 4 and which is used directly in research, laboratory or production processes which have, as their end product, materials which are not hazardous.

HEALTH HAZARD is a classification of a chemical for which there is statistically significant evidence based on at least one reproducible study conducted in accordance with established scientific principles that acute health effects may occur in exposed persons. The term "health hazard" includes chemicals which are toxic or highly toxic agents, irritants, corrosives, hepatotoxins, nephrotoxins, neurotoxins, agents which can have an acute effect on the hematopoietic system, and agents that have acute effects on the lungs, skin, eyes or mucous membrane.

HEIGHT OF BUILDING is the vertical distance above a reference datum measured to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitched or hipped roof. The reference datum shall be selected by either of the following, whichever yields a greater height of building:

1. The elevation of the highest adjoining sidewalk or ground surface within a 5-foot horizontal distance of the exterior wall of the building when such sidewalk or ground surface is not more than 10 feet above lowest grade.

2. An elevation 10 feet higher than the lowest grade when the sidewalk or ground surface described in Item 1 above is more than 10 feet above lowest grade.

The height of a stepped or terraced building is the maximum height of any segment of the building.

HELIPORT is an area of land or water or a structural surface which is used, or intended for use, for the landing and take-off of helicopters, and any appurtenant areas which are used, or intended for use, for heliport buildings and other heliport facilities.

HELISTOP is the same as a heliport, except that no refueling, maintenance, repairs or storage of helicopters is permitted.

HIGHLY TOXIC MATERIAL is a material which produces a lethal dose or a lethal concentration which falls within any of the following categories:

1. A chemical that has a median lethal dose (LD₅₀) of 50 milligrams or less per kilogram of body weight when administered orally to albino rats weighing between 200 and 300 grams each.

2. A chemical that has a median lethal dose (LD₅₀) of 200 milligrams or less per kilogram of body weight when administered by continuous contact for 24 hours (or less if death occurs within 24 hours) with the bare skin of albino rabbits weighing between 2 and 3 kilograms each.

3. A chemical that has a median lethal concentration (LC₅₀) in air of 200 parts per million by volume or less of gas or vapor, or 2 milligrams per liter or less of mist, fume or dust, when administered by continuous inhalation for one hour (or less if death occurs within one hour) to albino rats weighing between 200 and 300 grams each.

Mixtures of these materials with ordinary materials, such as water, may not warrant a classification of highly toxic. While this system is basically simple in application, any hazard evaluation which is required for the precise categorization of this type of material shall be performed by experienced, technically competent persons.

HORIZONTAL EXIT. See Section 3301 (b).

HOTEL is any building containing six or more guest rooms intended or designed to be used, or which are used, rented or hired out to be occupied, or which are occupied for sleeping purposes by guests.

HOT-WATER HEATING BOILER is a boiler having a volume exceeding 120 gallons, or a heat input exceeding 200,000 Btu/h, or an operating temperature exceeding 210°F. that provides hot water to be used externally to itself.

HPM STORAGE ROOM is a room used for the storage or dispensing of hazardous production material (HPM) and which is classified as a Group H, Division 2, 3 or 7 Occupancy.

NEW SECTION

WAC 51-20-0414 SECTION 414. MARQUEE is a permanent roofed structure attached to and supported by the building and projecting over public property. Marquees are regulated in Chapter 45.

MASONRY is that form of construction composed of stone, brick, concrete, gypsum, hollow-clay tile, concrete block or tile, glass block or other similar building units or materials or combination of these materials laid up unit by unit and set in mortar.

MASONRY, SOLID, is masonry of solid units built without hollow spaces.

MECHANICAL CODE is the Uniform Mechanical Code promulgated jointly by the International Conference of Building Officials and the International Association of Plumbing and Mechanical Officials, as adopted by this jurisdiction.

MEMBRANE PENETRATION FIRE STOP is a material, device or construction installed to resist, for a prescribed time period, the passage of flame, heat and hot gases through openings in a protective membrane in order to accommodate cables, cable trays, conduit, tubing, pipes or similar items.

MEZZANINE or **MEZZANINE FLOOR** is an intermediate floor placed within a room.

MOTEL shall mean hotel as defined in this code.

MOTOR VEHICLE FUEL-DISPENSING STATION is that portion of a building where flammable or combustible liquids or gases used as motor fuels are stored and dispensed from fixed equipment into the fuel tanks of motor vehicles.

MULTIFAMILY RESIDENTIAL BUILDING is a common wall dwelling or apartment house that consists of four or fewer dwelling units that do not exceed two stories in height and that are less than five thousand square feet in total area.

NEW SECTION

WAC 51-20-0417 SECTION 417. PANIC HARDWARE. See Section 3301 (b).

PEDESTRIAN WALKWAY is a walkway used exclusively as a pedestrian trafficway.

PENETRATION FIRE STOP is a through-penetration fire stop or a membrane-penetration fire stop.

PERMIT is an official document or certificate issued by the building official authorizing performance of a specified activity.

PERSON is a natural person, heirs, executors, administrators or assigns, and also includes a firm, partnership or corporation, its or their successors or assigns, or the agent of any of the aforesaid.

PLASTIC MATERIALS, APPROVED, other than foam plastics regulated under Sections 1705(e) and 1713, are those having a self-ignition temperature of 650°F. or greater and a smoke-density rating not greater than 450 when tested in accordance with U.B.C. Standard No. 42-1, in the way intended for use, or a smoke-density rating no greater than 75 when tested in the thickness intended for use by U.B.C. Standard No. 52-2. Approved plastics shall be classified and shall meet the requirements for either CC1 or CC2 plastic.

PLATFORM. See Chapter 39.

PLUMBING CODE is the Uniform Plumbing Code promulgated by the International Association of Plumbing and Mechanical Officials as adopted by this jurisdiction.

PORTABLE SCHOOL CLASSROOM is a structure, transportable in one or more sections, which requires a chassis to be transported, and is designed to be used as an educational space with or without a permanent foundation. The structure shall be trailerable and capable of being demounted and relocated to other locations as needs arise.

PROTECTIVE MEMBRANE is a surface material which forms the required outer layer or layers of a fire-resistive assembly containing concealed spaces.

PUBLIC WAY. See Section 3301(b).

NEW SECTION

WAC 51-20-0419 SECTION 419. RECYCLED MATERIALS means those solid wastes that are separated for recycling or reuse, such as papers, metals, and glass.

REPAIR is the reconstruction or renewal of any part of an existing building for the purpose of its maintenance.

NEW SECTION

WAC 51-20-0420 SECTION 420. SENSITIZER is a chemical that causes a substantial proportion of exposed people or animals to develop an allergic reaction in normal tissue after repeated exposure to the chemical.

SERVICE CORRIDOR is a fully enclosed passage used for transporting hazardous production materials and for purposes other than required exiting.

SHAFT is an interior space, enclosed by walls or construction, extending through one or more stories or basements which connects openings in successive floors, or floors and roof, to accommodate elevators, dumbwaiters, mechanical equipment or similar devices or to transmit light or ventilation air.

SHAFT ENCLOSURE is the walls or construction forming the boundaries of a shaft.

SHALL, as used in this code, is mandatory.

SINGLE FAMILY RESIDENTIAL BUILDING is a dwelling containing only one dwelling unit.

SMOKE DETECTOR is an approved device that senses visible or invisible particles of combustion.

STAGE. See Chapter 39.

STORY is that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a usable or unused under-floor space is more than 6 feet above grade as defined herein for more than 50 percent of the total perimeter or is more than 12 feet above grade as defined herein at any point, such usable or unused under-floor space shall be considered as a story.

STORY, FIRST, is the lowest story in a building which qualifies as a story, as defined herein, except that a floor level in a building having only one floor level shall be classified as a first story, provided such floor level is not more than 4 feet below grade, as defined herein, for more than 50 percent of the total perimeter, or not more than 8 feet below grade, as defined herein, at any point.

STREET is any thoroughfare or public way not less than 16 feet in width which has been dedicated or deeded to the public for public use.

STRUCTURAL OBSERVATION

OPTION 1

means the visual observation of the structural system, including but not limited to, the elements and connections at significant construction stages, and the completed structure for general conformance to the approved plans and specifications. Structural observation does not include or waive the responsibility for the inspections required by Sections 305 and 306.

OPTION 2

means the visual observation of the structural system for general conformance to the approved plans and specifications. Structural observation does not include or waive the responsibility for the inspections required by Section 305 and 306.

STRUCTURE is that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

SURGICAL AREA

OPTION 1

is the preoperating, operating, recovery and similar rooms within an outpatient health-care center.

OPTION 2

is the preoperating, operating, recovery and similar rooms within an out-patient health-care center where the patients are incapable of unassisted self-preservation.

NEW SECTION

WAC 51-20-0500 CHAPTER 5. Classification of all Buildings by Use or Occupancy and General Requirements for all Occupancies.

NEW SECTION

WAC 51-20-0503 MIXED OCCUPANCY. Section 503. (a) General. When a building is used for more than one occupancy purpose, each part of the building comprising a distinct "occupancy," as described in Chapters 5 through 12, shall be separated from any other occupancy as specified in Section 503(d).

EXCEPTIONS:

1. Where an approved spray booth constructed in accordance with the Fire Code is installed, such booth need not be separated from other Group H Occupancies or from Group B Occupancies.
2. The following occupancies need not be separated from the uses to which they are accessory:
 - A. Assembly rooms having a floor area of not over 750 square feet.
 - B. Administrative and clerical offices and similar rooms which do not exceed 25 percent of the floor area of the major use when not related to Group H, Division 2 and Group H, Division 3 Occupancies.
 - C. Gift shops, administrative offices and similar rooms in Group R, Division 1 Occupancies not exceeding 10 percent of

- the floor area of the major use.
D. The kitchen serving the dining area of which it is part.

OPTIONAL

E. Offices, retail, food preparation establishments for off-site consumption, personal care salons or similar Group B, Division 2 Occupancies conducted primarily by the occupants of the dwelling, which are secondary to the use of the unit for dwelling purposes, and which do not exceed 500 square feet.

3. An occupancy separation need not be provided between a Group R, Division 3 Occupancy and a carport having no enclosed uses above, provided the carport is entirely open on two or more sides.

4. A Group B, Division 1 Occupancy used exclusively for the parking or storage of private or pleasure-type motor vehicles need not be separated from a Group B, Division 3 Occupancy open parking garage as defined in Section 709.

5. A one-hour occupancy separation need not be provided between fuel-dispensing pumps covered with a canopy that is open on three or more sides, and a Group B, Division 2 Occupancy retail store having an area of less than 2,500 square feet when the following conditions exist:

A. The Group B, Division 2 Occupancy is provided with two exits separated as required by Section 3303(c) and not located in the same exterior wall.

B. Pump islands are not located within 20 feet of the Group B, Division 2 Occupancy retail store.

When a building houses more than one occupancy, each portion of the building shall conform to the requirements for the occupancy housed therein.

An occupancy shall not be located above the story or height set forth in Table No. 5-D, except as provided in Section 507. When a mixed occupancy building contains a Group H, Division 6 Occupancy, the portion containing the Group H, Division 6 Occupancy shall not exceed three stories or 55 feet in height.

(b) Forms of Occupancy Separations. Occupancy separations shall be vertical or horizontal or both or, when necessary, of such other form as may be required to afford a complete separation between the various occupancy divisions in the building.

Where the occupancy separation is horizontal, structural members supporting the separation shall be protected by equivalent fire-resistive construction.

(c) Types of Occupancy Separations. Occupancy separations shall be classed as "four-hour fire-resistive," "three-hour fire-resistive," "two-hour fire-resistive," and "one-hour fire-resistive."

1. A four-hour fire-resistive occupancy separation shall have no openings therein and shall not be of less than four-hour fire-resistive construction.

2. A three-hour fire-resistive occupancy separation shall not be of less than three-hour fire-resistive construction. All openings in walls forming such separation shall be protected by a fire assembly having a three-hour fire-protection rating. The total width of all openings in any three-hour fire-resistive occupancy separation wall in any one story shall not exceed 25 percent of the length of the wall in that story and no single opening shall have an area greater than 120 square feet.

All openings in floors forming a three-hour fire-resistive occupancy separation shall be protected by vertical enclosures extending above and below such openings. The walls of such vertical enclosures shall not be of less than two-hour fire-resistive construction and all openings therein shall be protected by a fire assembly having a one- and one-half-hour fire-protection rating.

3. A two-hour fire-resistive occupancy separation shall not be of less than two-hour fire-resistive construction. All openings in such separation shall be protected by a fire assembly having a one- and one-half-hour fire-protection rating.

4. A one-hour fire-resistive occupancy separation shall not be of less than one-hour fire-resistive construction. All openings in such separation shall be protected by a fire assembly having a one-hour fire-protection rating.

(d) Fire Ratings for Occupancy Separations. Occupancy separations shall be provided between the various groups and divisions of occupancies as set forth in Table No. 5-B.

EXCEPTIONS: 1. A three-hour occupancy separation may be used between a Group A, Division 1 and a Group B, Division 1 Occupancy used exclusively for the parking or storage of private or pleasure-type motor vehicles and provided no repair or fueling is done. A two-hour occupancy separation may be used between a Group A, Division 2, 2.1, 3 or 4 or E or I Occupancy and a Group B, Division 1 Occupancy that is used exclusively for

the parking or storage of private or pleasure-type motor vehicles and provided no repair or fueling is done.

2. Unless required by Section 702(b)1, the three-hour occupancy separation between a Group R, Division 1 Occupancy and a Group B, Division 1 Occupancy used only for the parking or storage of private or pleasure-type motor vehicles with no repair or fueling may be reduced to two hours. Such occupancy separation may be further reduced to one hour where the area of such Group B, Division 1 Occupancy does not exceed 3,000 square feet.

3. In the one-hour occupancy separation between Group R, Division 3 and Group M Occupancies, the separation may be limited to the installation of materials approved for one-hour fire-resistive construction on the garage side and a self-closing, tight-fitting solid wood door 1 3/8 inches in thickness, or a self-closing tight-fitting door having a fire-protection rating of not less than 20 minutes when tested in accordance with Part II of U.B.C. Standard No. 43-2, which is a part of this code, is permitted in lieu of a one-hour fire assembly. Fire dampers need not be installed in air ducts passing through the wall, floor or ceiling separating a Group R, Division 3 Occupancy from a Group M Occupancy, provided such ducts within the Group M Occupancy are constructed of steel having a thickness not less than 0.019 inch (No. 26 galvanized sheet gage) and have no openings into the Group M Occupancy.

4. Group H, Division 2 and Group H, Division 3 Occupancies need not be separated from Group H, Division 7 Occupancies when such occupancies also comply with the requirements for a Group H, Division 7 Occupancy.

NEW SECTION

WAC 51-20-0504 LOCATION ON PROPERTY. Section 504. (a) General. Buildings shall adjoin or have access to a public way or yard on not less than one side. Required yards shall be permanently maintained.

For the purpose of this section, the center line of an adjoining public way shall be considered an adjacent property line.

Eaves over required windows shall not be less than 30 inches from the side and rear property lines. For eaves, see Section 1711.

OPTION 1

(b) Fire Resistance of Walls. Exterior walls shall have fire resistance and opening protection as set forth in Table No. 5-A, Part III, and in accordance with such additional provisions as are set forth in Part IV and Part VII. Distance shall be measured at right angles from the property line. The above provisions shall not apply to walls at right angles to the property line.

Projections beyond the exterior wall shall not extend beyond:

1. A point one third the distance to the property line from an assumed vertical plane located where fire-resistive protection of openings is first required due to location on property; or

2. More than 12 inches into areas where openings are prohibited.

When openings in exterior walls are required to be protected due to distance from property line, the sum of the area of such openings shall not exceed 50 percent of the total area of the wall in each story.

OPTION 2

(b) Fire Resistance of Walls. Exterior walls shall have fire resistance and opening protection as set forth in Table No. 5-A, Part III, and in accordance with such additional provisions as are set forth in Part IV and Part VII. Distance shall be measured at right angles from the property line. The above provisions shall not apply to walls at right angles to the property line.

Projections beyond the exterior wall shall not extend beyond:

1. A point one third the distance to the property line from an assumed vertical plane located where fire-resistive protection of openings is first required due to location on property; or

2. More than 12 inches into areas where openings are prohibited, whichever is the least restrictive.

When openings in exterior walls are required to be protected due to distance from property line, the sum of the area of such openings shall not exceed 50 percent of the total area of the wall in each story.

(c) Buildings on Same Property and Buildings Containing Courts. For the purposes of determining the required wall and opening protection and roof-covering requirements, buildings on the same property and court walls of buildings over one story in height shall be assumed to have a property line between them.

EXCEPTION: In court walls where opening protection is required such protection may be omitted, provided (1) not more than two levels

open into the court, (2) the aggregate area of the building including the court is within the allowable area and (3) the building is not classified as a Group I Occupancy.

When a new building is to be erected on the same property as an existing building, the location of the assumed property line with relation to the existing building shall be such that the exterior wall and opening protection of the existing building meet the criteria as set forth in Table No. 5-A and Part IV.

EXCEPTION: Two or more buildings on the same property may be considered as portions of one building if the aggregate area of such buildings is within the limits specified in Section 505 for a single building.

When the buildings so considered have different occupancies or are of different types of construction, the area shall be that allowed for the most restricted occupancy or construction.

NEW SECTION

WAC 51-20-0514 HEATING. Section 514. (a) For the purposes of this section only, the following definitions apply.

DESIGNATED AREAS are those areas designated by a county to be an urban growth area in Chapter 36.70A RCW and those areas designated by the United States Environmental Protection Agency as being in nonattainment for particulate matter.

SUBSTANTIALLY REMODELLED means any alteration or restoration of a building exceeding sixty percent of the appraised value of such building within a twelve-month period.

(b) Primary heating sources in all new and substantially remodelled buildings in designated areas, shall not be dependent upon woodstoves.

NEW SECTION

WAC 51-20-0515 SOLID FUEL BURNING DEVICES. Section 515. After January 1, 1992, no used solid fuel burning device shall be installed in new or existing buildings unless such device is either Oregon Department of Environmental Quality Phase II or United States Environmental Protection Agency certified or a pellet stove either certified or exempt from certification by the United States Environmental Protection Agency.

NEW SECTION

WAC 51-20-0516 RECYCLABLE MATERIALS AND SOLID WASTE STORAGE. Section 516. (a) General. All occupancies, except Group R and Group M Occupancies, shall be provided with external space for the storage of recycled materials and solid waste.

(b) Storage Space. 1. Exterior solid waste and recycling storage areas shall have a minimum size as indicated in Table No. 5-F. The dimensions of the storage area shall accommodate containers consistent with current methods of collection.

2. The storage area shall be accessible to all occupants and haulers in order to assure efficient and safe collection. The exterior solid waste and recycling storage areas may be located on the outside, the exterior of a structure or building, or in a designated interior area with access.

3. If the exterior storage area is located outside or on the exterior of any structure, it shall be contained on a concrete or equivalent pad and shall be enclosed with a six (6) foot high solid fence.

4. One sign identifying each exterior solid waste and recycling storage area is required. Each sign shall not exceed one-square-foot and shall be posted on the exterior of the storage area adjacent to the access point.

See Chapter 12 for recyclable materials and solid waste storage provisions for Group R, Division I Occupancies.

OPTION 1

TABLE NO. 5-B—REQUIRED SEPARATION IN BUILDINGS OF MIXED OCCUPANCY¹
(In Hours)

	A-1	A-2	A-2.1	A-3	A-4	B-1	B-2	B-3 ²	B-4	E	H-1	H-2	H-3	H-4-5	H-6-7 ³	I	M ⁴	R-1	R-3	
A-1		N	N	N	N	4	3	3	3	N		4	4	4	4	3	1	1	1	
A-2	N		N	N	N	3	1	1	1	N		4	4	4	4	3	1	1	1	
A-2.1	N	N		N	N	3	1	1	1	N		4	4	4	4	3	1	1	1	
A-3	N	N	N		N	3	N	1	1	N		4	4	4	3	2	1	1	1	
A-4	N	N	N	N		3	1	1	1	N		4	4	4	4	3	1	1	1	
B-1	4	3	3	3	3		1	1	1	3		2	1	1	1	4	1	3	1	
B-2	3	1	1	N	1	1		1	1	1		2	1	1	1	2	1	1	1	
B-3 ⁴	3	1	1	1	1	1	1		1	1		2	1	1	1	3	1	1	1	
B-4	3	1	1	1	1	1	1	1		1		2	1	1	1	4	N	1	1	
E	N	N	N	N	N	3	1	1	1			4	4	4	3	1	1	1	1	
H-1	Not Permitted in Mixed Occupancies. See Chapter 9.																			
H-2	4	4	4	4	4	2	2	2	2	4			1	1	2	4	1	4	4	
H-3	4	4	4	4	4	1	1	1	1	4		1		1	1	4	1	3	3	
H-4-5	4	4	4	4	4	1	1	1	1	4		1	1		1	4	1	3	3	
H-6-7 ²	4	4	4	3	4	1	1	1	1	3		2	1	1		4	3	4	4	
I	3	3	3	2	3	4	2	3	4	1		4	4	4	4		1	1	1	
M ³	1	1	1	1	1	1	1	1	N	1		1	1	1	3	1		1	1	
R-1	1	1	1	1	1	3	1	1	1	1		4	3	3	4	1	1		N	
R-3	1	1	1	1	1	1	1	1	1	1		4	3	3	4	1	1	N		

¹For detailed requirements and exceptions, see Section 503.

²Open parking garages are excluded, except as provided in Section 702 (a).

³For special provisions on highly toxic materials, see Fire Code.

⁴For agricultural buildings, see also Appendix Chapter 11.

Not Permitted in Mixed Occupancies. See Chapter 9.

OPTION 2

TABLE NO. 5-B—REQUIRED SEPARATION IN BUILDINGS OF MIXED OCCUPANCY¹
(In Hours)

	A-1	A-2	A-2.1	A-3	A-4	B-1	B-2	B-3	B-4	E	H-1	H-2	H-3	H-4-5	H-6-7 ³	I	M ⁴	R-1	R-3	
A-1		N	N	N	N	4	3	3	3	N		4	4	4	4	3	I	I	I	
A-2	N		N	N	N	3	I	I	I	N		4	4	4	4	3	I	I	I	
A-2.1	N	N		N	N	3	I	I	I	N		4	4	4	4	3	I	I	I	
A-3	N	N	N		N	3	N	I	I	N		4	4	4	3	2	I	I	I	
A-4	N	N	N	N		3	I	I	I	N		4	4	4	4	3	I	I	I	
B-1	4	3	3	3	3		I	I	I	3		2	I	I	I	4	I	3	I	
B-2	3	I	I	N	I	I		I	I	I		2	I	I	I	2	I	I	I	
B-3	3	I	I	I	I	I	I		I	I		2	I	I	I	3	I	I	I	
B-4	3	I	I	I	I	I	I	I		I		2	I	I	I	4	N	I	I	
E	N	N	N	N	N	3	I	I	I			4	4	4	3	I	I	I	I	
H-1	Not Permitted in Mixed Occupancies. See Chapter 9.																			
H-2	4	4	4	4	4	2	2	2	2	4			I	I	2	4	I	4	4	
H-3	4	4	4	4	4	I	I	I	I	4		I		I	I	4	I	3	3	
H-4-5	4	4	4	4	4	I	I	I	I	4		I	I		I	4	I	3	3	
H-6-7 ³	4	4	4	3	4	I	I	I	I	3		2	I	I		4	3	4	4	
I	3	3	3	2	3	4	2	3	4	I		4	4	4	4		I	I	I	
M ⁴	I	I	I	I	I	I	I	I	N	I		I	I	I	3	I		I	I	
R-1	I	I	I	I	I	3	I	I	I	I		4	3	3	4	I	I		N	
R-3	I	I	I	I	I	I	I	I	I	I		4	3	3	4	I	I	N		

¹For detailed requirements and exceptions, see Section 503.

Not Permitted in Mixed Occupancies. See Chapter 9.

³For special provisions on highly toxic materials, see Fire Code.

⁴For agricultural buildings, see also Appendix Chapter 11.

NEW SECTION

WAC 51-20-0554 TABLE NO. 5-E.

OPTIONAL

TABLE NO. 5-E

Minimum Plumbing Facilities

Each building shall be provided with sanitary facilities, including provisions for the physically handicapped as prescribed by the Department having jurisdiction. In the absence of such requirements, this Appendix--which provides a guideline for the minimum facilities for the various types of occupancies (see Section 910, Plumbing Fixtures Required, of the Uniform Plumbing Code) may be used. For handicapped requirements ANSI A117.1-1961 (R1971), Specifications for Making Buildings and Facilities Accessible to, and Usable by, the Physically Handicapped, may be used.

The number of occupants shall be that determined by minimum exiting requirements.

Type of Building or Occupancy ²	Water Closets (Fixtures per Person)		Urinals ¹⁰ (Fixtures per Person)	Lavatories (Fixtures per Person)		Bathtubs or Showers (Fixtures per Person)	Drinking Fountains ^{3,13} (Fixtures per Person)
	Male	Female ¹⁴		Male	Female		
Assembly Places-Theaters, Auditoriums, Convention Halls, etc.--for permanent employee use	1:1-15 2:16-35 3:36-55	1:1-15 3:16-35 4:36-55	0:1-9 1:10-50	Male 1 per 40	Female 1 per 40		
	Over 55, add 1 fixture for each additional 40 persons.		Add one fixture for each additional 50 males.				
Assembly Places-Theatres, Auditoriums, Convention Halls, etc.--for public use	1:1-100 2:101-200 3:201-400	3:1-50 4:51-100 8:101-200 11:201-400	1:1-100 2:101-200 3:201-400 4:401-600	Male 1:1-200 2:201-400 3:401-750	Female 1:1-200 2:201-400 3:401-750		1 per 75 ¹²
	Over 400, add one fixture for each additional 500 males and 2 for each 300 females.		Over 600, add 1 fixture for each additional 500 males.		Over 750, add one fixture for each additional 500 persons.		
Dormitories ⁹ School or Labor	Male 1 per 10	Female ¹⁴ 1 per 8	1 per 25	Male 1 per 12	Female 1 per 12	1 per 8	1 per 75 ¹²
	Add 1 fixture for each additional 25 males (over 10) and 1 for each additional 20 females (over 8).		Over 150, add 1 fixture for each additional 50 males.	Over 12 add one fixture for each additional 20 males and 1 for each 15 additional females.		For females, add 1 bathtub per 30. Over 150, add 1 per 20.	
Dormitories for staff use	Male 1:1-15 2:16-35 3:36-55	Female ¹⁴ 1:1-15 3:16-35 4:36-55	1 per 50	Male 1 per 40	Female 1 per 40	1 per 8	
	Over 55, add 1 fixture for each additional 40 persons.						
Dwellings ⁴ Single Dwelling Multiple Dwelling or Apartment House	1 per dwelling 1 per dwelling or apartment unit			1 per dwelling 1 per dwelling or apartment unit		1 per dwelling 1 per dwelling or apartment unit	

Type of Building or Occupancy ²	Water Closets (Fixtures per Person)	Urinals ¹⁰ (Fixtures per Person)	Lavatories (Fixtures per Person)	Bathtubs or Showers (Fixtures per Person)	Drinking Fountains ^{3,13} (Fixtures per Person)
Hospital Waiting rooms	1 per room		1 per room		1 per 75 ¹²
Hospital for employee use	Male 1:1-15 Female 1:1-15 2:16-35 3:16-35 3:36-55 4:36-55 Over 55, add 1 fixture for each additional 40 persons.	0:1-9 1:10-50 Add one fixture for each additional 50 males.	Male 1 per 40 Female 1 per 40		
Hospitals Individual Room	1 per room		1 per room	1 per room	
Ward Room	1 per 8 patients		1 per 10 patients	1 per 20 patients	1 per 75 ¹²
Industrial ⁶ Warehouses	Male 1:1-10 Female 1:1-10		Up to 100, 1 per 10 persons	1 shower for each 15 persons exposed to excessive heat or to skin contamination with poisonous, infectious, or irritating material	1 per 75 ¹²
Workshops, foundries and similar establishments (for employee use)	Male 2:11-25 Female 2:11-25 3:26-50 3:26-50 4:51-75 4:51-75 5:76-100 5:76-100 Over 100, add 1 fixture for each additional 30 persons		Over 100, 1 per 15 persons ^{7,8}		
Institutional- Other than Hospitals or Penal Institutions (on each occupied floor)	Male 1 per 25 Female 1 per 20 ¹⁴	0:1-9 1:10-50 Add one fixture for each additional 50 males.	Male 1 per 10 Female 1 per 10	1 per 8	1 per 75 ¹²
Institutional- Other than Hospitals or Penal Institutions (on each occupied floor) For employee use	Male 1:1-15 Female 1:1-15 2:16-35 3:16-35 3:36-55 4:36-55 Over 55, add 1 fixture for each additional 40 persons	0:1-9 1:10-50 Add one fixture for each additional 50 males.	Male 1 per 40 Female 1 per 40	1 per 8	1 per 75 ¹²
Office or Public Buildings	Male 1:1-100 Female 3:1-50 ¹⁴ 2:101-200 4:51-100 3:201-400 8:101-200 4:401-600 11:201-400 Over 400, add one fixture for each additional 500 males and 2 for each 300 females.	1:1-100 2:101-200 3:201-400 4:401-600 Over 600, add 1 fixture for each additional 300 males.	Male 1:1-200 Female 1:1-200 2:201-400 2:201-400 3:401-750 3:401-750 Over 750, add one fixture fore each additional 500 persons.		1 per 75 ¹²
Office or Public buildings- For employee use	Male 1:1-15 Female 1:1-15 2:16-35 3:16-35 3:36-55 4:36-55	Over 55, add 1 fixture for each additional 40 persons.	0:1-9 1:10-50	Add one fixture for each additional 50 males.	Male 1 per 40 Female 1 per 40

Type of Building or Occupancy ²	Water Closets (Fixtures per Person)		Urinals ¹⁰ (Fixtures per Person)	Lavatories (Fixtures per Person)		Bathubs or Showers (Fixtures per Person)	Drinking Fountains ^{3,13} (Fixtures per Person)
	Male	Female		Male	Female		
Penal Institutions- For employee use	1:1-15 2:16-35 3:36-55	1:1-15 3:16-35 4:36-55	0:1-9 1:10-50	1 per 40	1 per 40		1 per 75 ¹²
	Over 55, add 1 fixture for each additional 40 persons.		Add one fixture for each additional 50 males.				
Penal Institutions- For prison use							
Cell	1 per cell			1 per cell			1 per cell block floor
Exercise room	1 per exercise room		1 per exercise room	1 per exercise room			1 per exercise room
Restaurants, Pubs and Lounges ¹¹	1:1-50 2:51-150 3:151-300	1:1-50 2:51-150 4:151-300	1:1-150	1:1-150 2:151-200 3:201-400	1:1-150 2:151-200 3:201-400		
	Over 300, add 1 fixture for each additional 200 persons		Over 150, add 1 fixture for each additional 150 males	Over 400, add 1 fixture for each additional 400 persons			
Schools-For staff use	1:1-15 2:16-35 3:36-55	1:1-15 2:16-35 3:36-55	1 per 50	1 per 40	1 per 40		
All schools	Over 55, add 1 fixture for each additional 40 persons						
Schools-For student use	1:1-20 2:21-50	1:1-20 2:21-50		1:1-25 2:26-50	1:1-25 2:26-50		1 per 75 ¹²
Nursery	Over 50, add 1 fixture for each additional 50 persons			Over 50, add 1 fixture for each additional 50 persons			
Elementary	1 per 30	1 per 25	1 per 75	1 per 35	1 per 35		1 per 75 ¹²
Secondary	1 per 40	1 per 30	1 per 35	1 per 40	1 per 40		1 per 75 ¹²
Others (Colleges, Universities, Adult Centers, etc.)	1 per 40	1 per 30	1 per 35	1 per 40	1 per 40		1 per 75 ¹²
Worship Places Educational and Activities Unit	1 per 125	1 per 75	1 per 125	1 per 2 water closets			1 per 75 ¹²
	2:126-250 3:126-250						
Worship Places Principal Assembly Place	1 per 150	1 per 75	1 per 150	1 per 2 water closets			1 per 75 ¹²
	2:151-300 3:151-300						

Whenever urinals are provided, one (1) water closet less than the number specified may be provided for each urinal installed, except the number of water closets in such cases shall not be reduced to less than two-thirds (2/3) of the minimum specified.

1. The figures shown are based upon one (1) fixture being the minimum required for the number of persons indicated or any fraction thereof.
2. Building categories not shown on this table shall be considered separately by the Administrative Authority.
3. Drinking fountains shall not be installed in toilet rooms.
4. Laundry trays. One (1) laundry tray or one (1) automatic washer standpipe for each dwelling unit or two (2) laundry trays or two (2) automatic washer standpipes, or combination thereof, for each ten (10) apartments. Kitchen sinks, one (1) for each dwelling or apartment unit.
5. Deleted.
6. As required by ANSI Z4.1-1968, Sanitation in Places of Employment.
7. Where there is exposure to skin contamination with poisonous, infectious, or irritating materials, provide one (1) lavatory for each five (5) persons.
8. Twenty-four (24) lineal inches (609.6 mm) of wash sink or eighteen (18) inches (457.2 mm) of a circular basin, when provided with water outlets for such space, shall be considered equivalent to one (1) lavatory.
9. Laundry trays, one (1) for each fifty (50) persons. Slop sinks, one (1) for each hundred (100) persons.
10. General. In applying this schedule of facilities, consideration must be given to the accessibility of fixtures. Conformity purely on a numerical basis may not result in an installation suited to the need of the individual establishment. For example, schools should be provided with toilet facilities on each floor having classrooms. Temporary workmen facilities, one (1) water closet and one (1) urinal for each thirty (30) workmen.
 - a. Surrounding materials, wall and floor space to a point two (2) feet (0.6 m) in front of urinal lip and four (4) feet (1.2 m) above the floor, and at least two (2) feet (0.6 m) to each side of the urinal shall be lined with non-absorbent materials.
 - b. Trough urinals are prohibited.
11. A restaurant is defined as a business which sells food to be consumed on the premises.
 - a. The number of occupants for a drive-in restaurant shall be considered as equal to the number of parking stalls.
 - b. Employee toilet facilities are not to be included in the above restaurant requirements. Hand washing facilities must be available in the kitchen for employees.
12. Where food is consumed indoors, water stations may be substituted for drinking fountains. Theatres, auditoriums, dormitories, offices, or public buildings for use by more than six (6) persons shall have one (1) drinking fountain for the first seventy-five (75) persons and one (1) additional fountain for each one hundred and fifty (150) persons thereafter.
13. There shall be a minimum of one (1) drinking fountain per occupied floor in schools, theatres, auditoriums, dormitories, offices or public building.
14. The total number of water closets for females shall be at least equal to the total number of water closets and urinals required for males.

NEW SECTION

WAC 51-20-0555 TABLE NO. 5-F.

TABLE NO. 5-F
Minimum Size Requirements for Exterior Solid Waste
and Recycling Storage Areas

<u>Building Size</u> <u>(sq. ft.)</u>	<u>Trash</u>	<u>Recyclables</u>	<u>Total Area</u>
0 - 5,000	12 sq. ft.	12 sq. ft.	24 sq. ft.
5,001 - 10,000	24 sq. ft.	24 sq. ft.	48 sq. ft.
10,001 - 25,000	48 sq. ft.	48 sq. ft.	96 sq. ft.
25,001 - 50,000	96 sq. ft.	96 sq. ft.	192 sq. ft.
50,001 - 75,000	144 sq. ft.	144 sq. ft.	288 sq. ft.
75,001 - 100,000	192 sq. ft.	192 sq. ft.	384 sq. ft.
100,001 +	Every additional 25,000 square feet shall require an additional 48 square feet for trash and 48 square feet for recyclables.		

NEW SECTION

WAC 51-20-0600 CHAPTER 6. Requirements for Group A Occupancies.

NEW SECTION

WAC 51-20-0605 LIGHT, VENTILATION AND SANITATION. Section 605.

OPTION 1

All enclosed portions of Group A Occupancies customarily used by human beings and all dressing rooms shall be provided with natural light by means of exterior glazed openings with an area not less than one tenth of the total floor area, and natural ventilation by means of openable exterior openings with an area of not less than one twentieth of the total floor area, or shall be provided with artificial light and a mechanically operated ventilating system. The mechanically operated ventilating system shall be capable of supplying a minimum of 5 cubic feet per minute of outside air per occupant with a total circulated of not less than 15 cubic feet per minute per occupant in all portions of the building during such time as the building is occupied. If the velocity of the air at the register exceeds 10 feet per second, the register shall be placed more than 8 feet above the floor directly beneath.

Toilet rooms shall be provided with a fully openable exterior window at least 3 square feet in area; or a vertical duct not less than 100 square inches in area for the first toilet facility, with 50 additional square inches for each additional facility; or a mechanically operated exhaust system capable of providing a complete change of air every 15 minutes. Such systems shall be connected directly to the outside, and the point of discharge shall be at least 3 feet from any opening into the building.

There shall be provided in an approved location at least one lavatory for each two water closets for each sex, and at least one drinking fountain for each floor level.

EXCEPTION: A drinking fountain need not be provided in a drinking or dining establishment.

For other requirements on water closets, see Sections 510 and 511.

OPTION 2

All enclosed portions of Group A Occupancies customarily used by human beings and all dressing rooms shall be provided with natural light by means of exterior glazed openings with an area not less than one tenth of the total floor area, and natural ventilation by means of openable exterior openings with an area of not less than one twentieth of the total floor area, or shall be provided with artificial light and a mechanically operated ventilating system. The mechanically operated ventilating system shall be capable of supplying a minimum of 5 cubic feet per minute of outside air per occupant with a total circulated of not less than 15 cubic feet per minute per occupant in all portions of the building during such time as the building is occupied. If the velocity of the air at the register exceeds 10 feet per second, the register shall be placed more than 8 feet above the floor directly beneath.

Toilet rooms shall be provided with a fully openable exterior window at least 3 square feet in area; or a vertical duct not less than 100 square inches in area for the first toilet facility, with 50 additional square inches for each additional facility; or a mechanically operated exhaust system capable of providing a complete change of air every 15 minutes. Such systems shall be connected directly to the outside, and the point of discharge shall be at least 3 feet from any operable opening into the building.

There shall be provided in an approved location at least one lavatory for each two water closets for each sex, and at least one drinking fountain for each floor level.

EXCEPTION: A drinking fountain need not be provided in a drinking or dining establishment.

For other requirements on water closets, see Sections 510 and 511.

NEW SECTION

WAC 51-20-0610 AMUSEMENT BUILDING ALARM SYSTEM. Section 610. (a) General. An approved smoke-detection system installed in accordance with the Fire Code shall be provided in amusement buildings.

EXCEPTION: In areas where ambient conditions will cause a smoke-detection system to alarm, an approved alternate type of automatic detector shall be installed.

(b) Alarm System. Activation of any single smoke detector, the automatic sprinkler system or other automatic fire-detection device shall immediately sound an alarm in the building of a constantly supervised location from which the manual operation of systems noted in Section 610(c), Items 1, 2 and 3, may be initiated.

OPTION 1

(c) System Response. The activation of two or more smoke detectors, a single smoke detector monitored by an alarm verification zone, the automatic sprinkler system or other approved automatic fire-detection device shall automatically:

1. Stop confusing sounds and visual effects, and
2. Activate an approved directional exit marking, and
3. Cause illumination of the exit path with light of not less than one footcandle at the walking surface.

OPTION 2

(c) System Response. The activation of two or more smoke detectors, a single smoke detector monitored by an alarm verification zone, the automatic sprinkler system or other approved automatic fire-detection device shall automatically:

1. Stop sound and visual effects, and
2. Activate an approved directional exit marking, and
3. Cause illumination of the exit path with light of not less than one footcandle at the walking surface.

(d) Public Address System. A public address system which is audible throughout the amusement building shall be provided. The public address system may also serve as an alarm system.

NEW SECTION

WAC 51-20-0700 CHAPTER 7. Requirements for Group B Occupancies.

NEW SECTION

WAC 51-20-0702 CONSTRUCTION, HEIGHT AND ALLOWABLE AREA. Section 702. (a) General. Buildings or parts of buildings classed in Group B Occupancy because of the use or character of the occupancy shall be limited to the types of construction set forth in Tables Nos. 5-C and 5-D and shall not exceed, in area or height, the limits specified in Sections 505, 506 and 507.

(b) Special Provisions. 1. Group B, Division 1 with Group A, Division 3; Group B, Division 2; or Group R, Division 1 Occupancy above. Other provisions of this code notwithstanding, a basement or first story of a building may be considered as a separate and distinct building for the purposes of area limitations, limitation of number of stories and type of construction, when all of the following conditions are met:

- A. The basement or first story is of Type I construction and is separated from the building above with a three-hour occupancy separation.
- B. The building above the three-hour occupancy separation contains only Group A, Division 3; Group B, Division 2; or Group R, Division 1 Occupancies.

C. The building below the three-hour occupancy separation is used exclusively for the parking and storage of private or pleasure-type motor vehicles.

- EXCEPTIONS:**
1. Entry lobbies, laundry rooms, mechanical rooms and similar uses incidental to the operation of the building.
 2. Group B, Division 2 office and retail occupancies in addition to those incidental to the operation of the building (including storage areas) provided that the entire structure below the three-hour occupancy separation is protected throughout by an automatic sprinkler system.

D. The maximum building height in feet shall not exceed the limits set forth in Table No. 5-D for the least type of construction involved.

2. Group B, Division 1 with Group B, Division 3 Occupancy above. Other provisions of this code notwithstanding, a Group B, Division 1 Occupancy, located in the basement or first story below a Group B, Division 3 open parking garage, as defined in Section 709, may be classified as a separate and distinct building for the purpose of determining the type of construction when all of the following conditions are met:

A. The allowable area of the structure shall be such that the sum of the ratios of the actual area divided by the allowable area for each separate occupancy shall not exceed 1.

B. The Group B, Division 1 Occupancy is of Type I or II construction and is at least equal to the fire resistance of the Group B, Division 3 Occupancy.

C. The height and the number of the tiers above the basement shall be limited as specified in Table No. 7-A or Section 709(e).

D. The floor-ceiling assembly separating the Group B, Division 1 and Group B, Division 3 Occupancies shall be protected as required for the floor-ceiling assembly of the Group B, Division 1 Occupancy. Openings between the Group B, Division 1 and Group B, Division 3 Occupancies, except exit openings, need not be protected.

E. The Group B, Division 1 Occupancy is used exclusively for the parking or storage for private or pleasure-type motor vehicles but may contain (a) mechanical equipment rooms incidental to the operation of the building and (b) an office, and waiting and toilet rooms having a total area of not more than 1,000 square feet.

(c) Specific Use Provisions. 1. Group B, Divisions 1 and 3 Occupancies and supports over pumps shall be of noncombustible, fire-retardant-treated wood or of one-hour fire-resistive construction.

EXCEPTIONS: 1. Roofs of one-story fuel-dispensing stations may be of heavy-timber construction.
2. Canopies conforming to Section 5213 may be erected over pumps.

In areas where motor vehicles, boats or aircraft are stored, and in motor vehicle fuel-dispensing stations and Division 1 repair garages, floor surfaces shall be of noncombustible, nonabsorbent materials. Floors shall drain to an approved oil separator or trap discharging to sewers in accordance with the Plumbing Code.

EXCEPTION: Floors may be surfaced or waterproofed with asphaltic paving materials in areas where motor vehicles or airplanes are stored or operated.

Canopies under which fuels are dispensed shall have a clear, unobstructed height of not less than 13 feet 6 inches to the lowest projecting element in the vehicle drive-through area.

2. Group B, Division 2 storage areas. Storage areas in connection with wholesale or retail sales in Division 2 Occupancies shall be separated from the public area by a one-hour fire-resistive occupancy separation.

EXCEPTION: Occupancy separation need not be provided when any one of the following conditions exists:
A. The storage area does not exceed 1,000 square feet, or
B. The storage area is sprinklered and does not exceed 3,000 square feet, or
C. The building is provided with an approved automatic sprinkler system throughout. Area increases as specified in Section 506(c) are permitted.

OPTION 1

3. Laboratories and vocational shops. Laboratories and vocational shops in buildings used for educational purposes and similar areas containing hazardous materials shall be separated from each other and other portions of the building by not less than a one-hour fire-resistive occupancy separation. When the quantities of hazardous materials in such uses do not exceed those listed in Table No. 9-A or 9-B, the requirements of Sections 905 and 908 shall apply. When the quantities of hazardous materials in such uses exceed those allowed by Table No. 9-A or 9-B, the use shall be classified as the appropriate Group H Occupancy.

Occupants in laboratories having an area in excess of 200 square feet shall have access to at least two exits from the room and all portions of the room shall be within 75 feet of an exit.

OPTION 2

3. Laboratories and vocational shops. Laboratories or suites of laboratories and vocational shops in buildings used for educational purposes and similar areas containing hazardous materials shall be separated from each other and other portions of the building by not less than a one-hour fire-resistive occupancy separation. When the quantities of hazardous materials in such uses do not exceed those listed in Table No. 9-A or 9-B, the requirements of Sections 905 and 908 shall apply. When the quantities of hazardous materials in such uses exceed those allowed by Table No. 9-A or 9-B, the use shall be classified as the appropriate Group H Occupancy.

Laboratories having an occupant load in excess of 10 shall have access to at least two exits from the room and all portions of the room shall be within 75 feet of an exit.

4. Medical gas systems. Medical gas systems shall be installed and maintained in accordance with the Fire Code. When nonflammable supply cylinders for such systems are located inside buildings they shall be in a separate room or enclosure separated from the rest of the building by not less than one-hour fire-resistive construction. Openings between the room or enclosure and interior spaces shall be protected by self-closing smoke- and draft-control assemblies having a fire-protection rating of not less than one hour. Rooms shall have at least one exterior wall in which there are not less than two vents of not less than 36 square inches in area. One vent shall be within 6 inches of the floor and one shall be within 6 inches of the ceiling.

EXCEPTION: When an exterior wall cannot be provided for the room, automatic sprinklers shall be installed within the room and the room shall be vented to the exterior through ducting contained within a one-hour-rated shaft enclosure. Approved mechanical ventilation shall provide six air changes per hour for the room.

5. Parking garage headroom. Parking garages shall have an unobstructed headroom clearance of not less than 7 feet above the finish floor to any ceiling, beam, pipe or similar construction, except for wall-mounted shelves, storage surfaces, racks or cabinets.

6. Group B, Division 4 roof framing. In Division 4 Occupancies, fire protection of the underside of roof framing may be omitted in all types of construction.

7. Amusement buildings. Amusement buildings with an occupant load of less than 50 shall comply with Sections 610, 3314 (f) and 3802 (c).

EXCEPTION: Amusement buildings or portions thereof which are without walls or a roof and constructed to prevent the accumulation of smoke in assembly areas.

For flammable decorative materials, see the Fire Code.

NEW SECTION

WAC 51-20-0800 CHAPTER 8. Requirements for Group E Occupancies.

NEW SECTION

WAC 51-20-0801 GROUP E OCCUPANCIES DEFINED. Section 801. Group E Occupancies shall be:

Division 1. Any building used for educational purposes through the 12th grade by 50 or more persons for more than 12 hours per week or four hours in any one day.

Division 2. Any building used for educational purposes through the 12th grade by less than 50 persons for more than 12 hours per week or four hours in any one day.

Division 3. Any building or portion thereof used for day-care purposes for more than six persons.

EXCEPTION: Family child day-care homes shall be considered Group R, Division 3 Occupancies.

For occupancy separations, see Table No. 5-B.

NEW SECTION

WAC 51-20-0802 CONSTRUCTION, HEIGHT AND ALLOWABLE AREA. Section 802. (a) General. Buildings or parts of buildings classed in Group E because of the use or character of the occupancy shall be limited to the types of construction set forth in Tables Nos. 5-C and 5-D and shall not exceed, in area or height, the limits specified in Sections 505, 506 and 507, except that the area may be increased by 50 percent when the maximum travel distance specified in Section 3303(d) is reduced by 50 percent.

(b) Atmospheric Separation Requirements. 1. Definitions. For the purpose of this chapter and Section 3319, the following definitions are applicable:

COMMON ATMOSPHERE. A common atmosphere exists between rooms, spaces or areas within a building which are not separated by an approved smoke- and draft-stop barrier.

SEPARATE ATMOSPHERE. A separate atmosphere exists between rooms, spaces or areas that are separated by an approved smoke- and draft-stop barrier.

SMOKE AND DRAFT BARRIER. A smoke and draft barrier consists of walls, partitions, floors and openings therein of such construction as will prevent the transmission of smoke or gases through the construction.

2. General provisions. The provisions of this subsection apply when a separate exit system is required in accordance with Section 3318.

Walls, partitions and floors forming all of, or part of, an atmospheric separation shall be of materials consistent with the requirements for the type of construction, but of construction not less effective than a smoke- or draft-stop barrier. Glass lights of approved wired glass set in steel frames may be installed in such walls or partitions.

Every door opening therein shall be protected with a fire assembly as required elsewhere in the code, but not less than a self-closing or automatic-closing, tight-fitting smoke barrier and fire assembly having a fire-protection rating of not less than 20 minutes when tested in accordance with U.B.C. Standard No. 43-2 which is a part of this code. (See Chapter 60, Part II.)

Ducts penetrating atmospheric separation walls, partitions or floors shall be equipped with an approved automatic-closing smoke damper when having openings into more than one atmosphere.

All automatic-closing fire assemblies installed in the atmospheric separation shall be activated by approved smoke detectors.

The specific requirements of this section are not intended to prevent the design or use of other systems, equipment or techniques which will effectively prevent the products of combustion from breaching the atmospheric separation.

(c) Special Provisions. Rooms in Divisions 1 and 2 Occupancies used for kindergarten, first- or second-grade pupils and Division 3 Occupancies shall not be located above or below the first story.

EXCEPTIONS:

1. Rooms on floors which have exits to the exterior of the building which require no more than 4 feet of vertical travel from the floor level to the level of the exterior finished surface of the ground, paving or sidewalk.
2. In buildings equipped with an automatic sprinkler system throughout, rooms used for kindergarten, first- and second-grade children or for 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 3318(a).
3. Division 3 Occupancies located above the second story, shall be in buildings equipped with an automatic sprinkler system throughout and of Type I or Type II fire-resistive construction when:
 - A. Division 3 Occupancies above the fourth floor shall not have more than 12 children per floor; and,
 - B. The entire story on which the day-care facility is located is equipped with an approved fire alarm and smoke detection system as set forth in the Fire Code. Actuation of the system shall sound an alarm audible throughout the entire story; and,
 - C. The 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 an automatic-closing smoke and draft control assembly, having a fire-protection rating of not less than 20 minutes, which will close automatically upon actuation of the fire alarm or detection systems; and,
 - D. Each separated area is provided with air-moving equipment independent of that serving the other; and,
 - E. Each separated area has not less than two exits, one of which is permitted to be through the adjoining separated area; and,
 - F. The exits from the Division 3 Occupancy shall be into separate exiting systems as defined in Section 3318.

Stages and platforms shall be constructed in accordance with Chapter 39. For attic space partitions and draft stops, see Section 2516(f).

(d) Special Hazards. Laboratories, vocational shops and similar areas containing hazardous materials shall be separated from each other and from other portions of the building by not less than a one-hour fire-resistive occupancy separation. When the quantities of hazardous materials in such uses do not exceed those listed in Table No. 9-A or 9-B, the requirements of Sections 905 and 908 shall apply. When the quantities of hazardous materials in such uses exceed those allowed by Table No. 9-A or 9-B, the use shall be classified as the appropriate Group H Occupancy.

Occupants in laboratories having an area in excess of 200 square feet shall have access to at least two exits from the room and all portions of the room shall be within 75 feet of an exit.

Equipment in rooms or groups of rooms sharing a common atmosphere where flammable liquids, combustible dust or hazardous materials are used, stored, developed or handled shall conform to the requirements of the Fire Code.

NEW SECTION

WAC 51-20-0900 CHAPTER 9. Requirements for Group H Occupancies.

NEW SECTION

WAC 51-20-0901 GROUP H OCCUPANCIES DEFINED. Section 901. (a) General. For definitions, identification and control of hazardous materials, display of nonflammable solid and nonflammable or noncombustible liquid hazardous materials in Group B, Division 2 Occupancies, see the Fire Code. For application and use of control areas, see Footnote No. 1 of Tables Nos. 9-A and 9-B. Group H Occupancies shall be:

Division 1. Occupancies with a quantity of material in the building in excess of those listed in Table No. 9-A which present a high explosion hazard, including, but not limited to:

1. Explosives, blasting agents, fireworks and black powder.

EXCEPTION: Storage and the use of pyrotechnic special effect materials in motion picture, television, theatrical and group entertainment production when under permit as required in the Fire Code. The time period for storage shall not exceed 90 days.

2. Unclassified detonatable organic peroxides.

3. Class 4 oxidizers.

4. Class 4 or Class 3 detonatable unstable (reactive) materials.

Division 2. Occupancies with a quantity of material in the building in excess of those listed in Table No. 9-A, which present a moderate explosion hazard or a hazard from accelerated burning, including, but not limited to:

1. Class I organic peroxides.

2. Class 3 nondetonatable unstable (reactive) materials.

3. Pyrophoric gases.

4. Flammable or oxidizing gases.

5. Class I, II or III-A flammable or combustible liquids which are used in normally open containers or systems or in closed containers pressurized at more than 15-pounds-per-square-inch gauge.

EXCEPTION: Aerosols.

6. Combustible dusts in suspension or capable of being put into suspension in the atmosphere of the room or area.

EXCEPTIONS:

1. Rooms or areas used for woodworking where no more than three fixed in-place woodworking appliances are utilized may be classified as a Group B, Division 2 Occupancy, provided the appliances are equipped with dust collectors sufficient to remove dust generated by the appliance.
2. Lumberyards and similar retail stores utilizing only power saws may be classified as Group B, Division 2 Occupancies.

The building official may revoke the use of these exceptions for due cause.

7. Class 3 oxidizers.

Division 3. Occupancies with a quantity of material in the building in excess of those listed in Table No. 9-A which present a high fire or physical hazard, including, but not limited to:

1. Class II, III or IV organic peroxides.

2. Class 1 or 2 oxidizers.

3. Class I, II or III-A flammable liquids or combustible liquids which are utilized or stored in normally closed containers or systems and containers pressurized at 15-pounds-per-square-inch gauge or less and aerosols.

4. Class III-B combustible liquids.

5. Pyrophoric liquids or solids.

6. Water reactives.

7. Flammable solids, including combustible fibers or dusts, except for dusts included in Division 2 Occupancies.

8. Flammable or oxidizing cryogenic fluids (other than inert).

9. Class 1 unstable (reactive) gas or Class 2 unstable (reactive) materials.

Division 4. Repair garages not classified as Group B, Division 1 Occupancies.

Division 5. Aircraft repair hangars and heliports not classified as Group B, Division 3 Occupancies.

Division 6. Semiconductor fabrication facilities and comparable research and development areas when the facilities in which hazardous production materials (HPM) are used and the aggregate quantity of materials are in excess of those listed in Table No. 9-A or 9-B. Such facilities and areas shall be designed and constructed in accordance with Section 911.

Division 7. Occupancies having quantities of materials in excess of those listed in Table No. 9-B that are health hazards, including but not limited to:

1. Corrosives.
2. Highly toxic materials.
3. Irritants.

(b) Multiple Hazards. When a hazardous material has multiple hazards, all hazards shall be addressed and controlled in accordance with the provisions of this chapter.

(c) Liquid Use, Dispensing and Mixing Rooms. Rooms in which Class I, Class II and Class III-A flammable or combustible liquids are used, dispensed or mixed in open containers shall be constructed in accordance with the requirements for a Group H, Division 2 Occupancy and the following:

1. Rooms in excess of 500 square feet shall have at least one exterior door approved for fire department access.
2. Rooms shall not exceed 1,000 square feet in area.
3. Rooms shall be separated from other areas by an occupancy separation having a fire-resistive rating of not less than one hour for rooms up to 150 square feet in area and not less than two hours where the room is more than 150 square feet in area. Separations from other occupancies shall not be less than required by Chapter 5, Table No. 5-B.

4. Shelving, racks and wainscoting in such areas shall be of non-combustible construction or wood not less than 1-inch nominal thickness.

5. Liquid use, dispensing and mixing rooms shall not be located in basements.

(d) Liquid Storage Rooms. Rooms in which Class I, Class II and Class III-A flammable or combustible liquids are stored in closed containers shall be constructed in accordance with the requirements for a Group H, Division 3 Occupancy and to the following:

1. Rooms in excess of 500 square feet shall have at least one exterior door approved for fire department access.
2. Rooms shall be separated from other areas by an occupancy separation having a fire-resistive rating of not less than one hour for rooms up to 150 square feet in area and not less than two hours where the room is more than 150 square feet in area. Separations from other occupancies shall not be less than required by Chapter 5, Table No. 5-B.
3. Shelving, racks and wainscoting in such areas shall be of non-combustible construction or wood of not less than 1-inch nominal thickness.
4. Rooms used for the storage of Class I flammable liquids shall not be located in a basement.

(e) Flammable or Combustible Liquid Storage Warehouses. Liquid storage warehouses in which Class I, Class II and Class III-A flammable or combustible liquids are stored in closed containers shall be constructed in accordance with the requirements for a Group H, Division 3 Occupancy and the following:

1. Liquid storage warehouses shall be separated from all other uses by a four-hour area separation wall.
2. Shelving, racks and wainscoting in such warehouses shall be of noncombustible construction or wood not less than 1-inch nominal thickness.
3. Rooms used for the storage of Class I flammable liquids shall not be located in a basement.

(f) Requirement for Report. The building official may require a technical opinion and report to identify and develop methods of protection from the hazards presented by the hazardous material. The opinion and report shall be prepared by a qualified person, firm or corporation approved by the building official and shall be provided without charge to the enforcing agency.

The opinion and report may include, but is not limited to, the preparation of a hazardous material management plan (HMMP); chemical analysis; recommendations for methods of isolation, separation, containment or protection of hazardous materials or processes, including appropriate engineering controls to be applied; the extent of changes in the hazardous behavior to be anticipated under conditions of exposure to fire or from hazard control procedures; and the limitations or conditions of use necessary to achieve and maintain control of the hazardous materials or operations. The report shall be entered into the files of the code enforcement agencies. Proprietary and trade secret information shall be protected under the laws of the state or jurisdiction having authority.

OPTIONAL

EXCEPTION: When an HMMP is required, the applicant may submit the report(s) used for compliance with requirements of 40 CFR "Hazardous Chemical Reporting and Community Right-to-Know Regulations" under Title III of the Superfund Amendments and Reauthorization Act of 1986 (SARA).

NEW SECTION

WAC 51-20-0902 CONSTRUCTION, HEIGHT AND ALLOWABLE AREA. Section 902. (a) General. Buildings or parts of buildings classed in Group H because of the use or character of the occupancy shall be limited to the types of construction set forth in Tables Nos. 5-C and 5-D and shall not exceed, in area or height, the limits specified in Sections 505, 506 and 507.

(b) Floors. Except for surfacing, floors in areas containing hazardous materials and in areas where motor vehicles, boats, helicopters or airplanes are stored, repaired or operated shall be of noncombustible, liquid-tight construction.

EXCEPTION: In Group H, Divisions 4 and 5 Occupancies, floors may be surfaced or waterproofed with asphaltic paving materials in that portion of the facility where no repair work is done.

(c) Spill Control. When required by the Fire Code, floors shall be recessed a minimum of 4 inches or shall be provided with a liquid-tight raised sill with a minimum height of 4 inches so as to prevent the flow of liquids to adjoining areas. When liquid-tight sills are provided, they may be omitted at door openings by the installation of an open-gate trench which connects to the room drainage system.

(d) Drainage. When required by the Fire Code, the room, building or area shall be provided with a drainage system to direct the flow of liquids to an approved location or, the room, building or area shall be designed to provide secondary containment for the hazardous materials and fire-protection water.

Drains from the area shall be sized to carry the sprinkler system design flow rate over the sprinkler system design area. The slope of drains shall not be less than 1 percent. Materials of construction for the drainage system shall be compatible with the stored materials.

Incompatible materials shall be separated from each other in the drain systems. They may be combined when they have been rendered acceptable for discharge by an approved means into the public sewer. Drainage of spillage and fire-protection water directed to a neutralizer or treatment system shall comply with the following:

1. The system shall be designed to handle the maximum worst-case spill from the single largest container plus the volume of fire-protection water from the system over the minimum design area for a period of 20 minutes.
2. Overflow from the neutralizer or treatment system shall be provided to direct liquid leakage and fire-protection water to a safe location away from the building, any material or fire-protection control valve, means of egress, adjoining property, or fire department access roadway.

(e) Containment. When required by the Fire Code, drains shall be directed to a containment system or other location designed as secondary containment for the hazardous material liquids and fire-protection water, or the building, room or area shall be designed to provide secondary containment of hazardous material liquids and fire-protection water through the use of recessed floors or liquid-tight raised sills.

Secondary containment shall be designed to retain the spill from the largest single container plus the design flow rate of the sprinkler system for the area of the room or area in which the storage is located or the sprinkler system design area, whichever is smaller. The containment capacity shall be capable of containing the flow for a period of 20 minutes.

Overflow from the secondary containment system shall be provided to direct liquid leakage and fire-protection water to a safe location away from the building, any material or fire-protection control valve, means of egress, fire access roadway, adjoining property or storm drains.

If the storage area is open to rainfall, the secondary containment shall be designed to accommodate the volume of a 24-hour rainfall as determined by a 25-year storm.

When secondary containment is required, a monitoring method capable of detecting hazardous material leakage from the primary containment into the secondary containment shall be provided. When visual inspection of the primary containment is not practical, other approved means of monitoring may be provided. When secondary containment may be subject to the intrusion of water, a monitoring

method for such water shall be provided. Whenever monitoring devices are provided, they shall be connected to distinct visual or audible alarms.

(f) Smoke and Heat Vents. Smoke and heat venting shall be provided in areas containing hazardous materials as set forth in the Fire Code in addition to the provisions of this code.

(g) Standby Power. A standby power system shall be provided for required mechanical exhaust ventilation, treatment, temperature control, liquid-level limit control, pressure control, alarm, and detection or other required electrically operated systems in Group H, Divisions 1, 2, and 3 Occupancies, and in Group H, Division 7 Occupancies in which there is use or storage of corrosives, highly toxic solids and liquids, irritants, sensitizers or other health hazard materials. For required systems, see the Fire Code. The standby power system shall be designed and installed in accordance with the Electrical Code to automatically supply power to all electrical equipment required by the Fire Code when the normal electrical supply system is interrupted.

(h) Emergency Power. An emergency power system shall be provided for required mechanical exhaust ventilation, treatment, temperature control, liquid-level limit control, pressure control, alarm and detection or other required electrically operated systems in Group H, Division 6 Occupancies, and in Group H, Division 7 Occupancies in which highly toxic or toxic gases are stored or used. For required systems, see the Fire Code. The emergency power system shall be designed and installed in accordance with the Electrical Code to automatically supply power to the exhaust ventilation system when the normal electrical supply system is interrupted.

(i) Special Provisions for Group H, Division 1 Occupancies. Group H, Division 1 Occupancies shall be in buildings used for no other purpose, without basements, crawl spaces or other under-floor spaces. Roofs shall be of lightweight construction with suitable thermal insulation to prevent sensitive material from reaching its decomposition temperature.

Group H, Division 1 Occupancies containing materials which are in themselves both physical and health hazards in quantities exceeding the exempt amounts in Table No. 9-B shall comply with requirements for both Group H, Division 1 and Group H, Division 7 Occupancies.

(j) Special Provisions for Group H, Divisions 2 and 3 Occupancies. Group H, Divisions 2 and 3 Occupancies containing quantities of hazardous materials in excess of those set forth in Table No. 9-E shall be in buildings used for no other purpose, shall not exceed one story in height and shall be without basements, crawl spaces or other under-floor spaces.

Group H, Division 3 Occupancies containing water-reactive materials shall be resistant to water penetration. Piping for conveying liquids shall not be over or through areas containing water reactives, unless isolated by approved liquid-tight construction.

EXCEPTION: Fire-protection piping may be installed over reactives without isolation.

(k) Special Provisions for Group H, Divisions 4 and 5 Occupancies. A Division 4 Occupancy having a floor area not exceeding 2,500 square feet may have exterior walls of not less than two-hour fire-resistive construction when less than 5 feet from a property line and of not less than one-hour fire-resistive construction when 5 feet or more but less than 20 feet from a property line.

(l) Special Provisions for Group H, Division 6 Occupancies. See Section 911.

NEW SECTION

WAC 51-20-1000 CHAPTER 10. Requirements for Group I Occupancies.

NEW SECTION

WAC 51-20-1011 SUITE CONCEPT. Section 1011. Rooms within hospitals and nursing homes may be considered as an adjoining or intervening room when the nature of the rooms is such that the entire configuration functions as a single unit. Any suite of rooms other than patient sleeping rooms, may be subdivided with non-combustible and non-fire-rated walls. Suites shall comply with all of the following:

1. Suites shall not exceed 10,000 square feet in area.
2. The maximum travel distance from any point in the suite to a corridor door is limited to 50 feet or there is unrestricted access from patient treatment areas to a corridor with a maximum of one intervening room.

3. Suites of more than 1,000 square feet shall have at least two separate exits.

4. The main building exiting system shall not pass through the suite.

5. Suites shall be separated from the rest of the occupancy by at least a one-hour fire-resistive occupancy separation.

6. The entire building and the suite shall be provided with an approved automatic sprinkler system and supervised automatic smoke-detection system.

7. Each patient room in the suite shall be located to permit direct visual supervision by the facility staff.

8. Patient corridors (rated and non-rated) within the suite shall be not less than 8 feet in width.

NEW SECTION

WAC 51-20-1200 CHAPTER 12. Requirements for Group R Occupancies.

NEW SECTION

WAC 51-20-1201 GROUP R OCCUPANCIES DEFINED. Section 1201. Group R Occupancies shall be:

Division 1. Hotels and apartment houses.

Congregate residences (each accommodating more than 10 persons).

Division 2. Not used.

Division 3. Dwellings, family child day care homes and lodging houses.

Congregate residences (each accommodating 10 persons or less).

For occupancy separations, see Table No. 5-B.

A complete code for construction of detached one- and two-family dwellings is in Appendix Chapter 12 of this code. When adopted, as set forth in Section 103, it will take precedence over the requirements set forth in Parts I through X and Chapter 60 of this code.

NEW SECTION

WAC 51-20-1210 SMOKE DETECTORS AND SPRINKLER SYSTEMS. Section 1210. (a) Smoke Detectors. 1. General. Dwelling units, congregate residences and hotel or lodging house guest rooms that are used for sleeping purposes shall be provided with operable smoke detectors. Detectors shall be installed in accordance with the approved manufacturer's instructions.

2. Additions, alterations or repairs to Group R Occupancies. When the valuation of an addition, alteration or repair to a Group R Occupancy exceeds \$1000.00 and a permit is required, or when one or more sleeping rooms are added or created in existing Group R Occupancies, smoke detectors shall be installed in accordance with Subsections 3, 4 and 5 of this section.

3. Power source. In new construction, required smoke detectors shall receive their primary power from the building wiring when such wiring is served from a commercial source and shall be equipped with a battery backup. The detector shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than those required for overcurrent protection. Smoke detectors may be solely battery operated when installed in existing buildings, or in buildings without commercial power; or in buildings which undergo alterations, repairs or additions regulated by Subsection 2 of this section.

4. Location within dwelling units. In dwelling units, a detector shall be mounted on the ceiling or wall at a point centrally located in the corridor or area giving access to each separate sleeping area. When the dwelling unit has more than one story and in dwellings with basements, a detector shall be installed on each story and in the basement. In dwelling units where a story or basement is split into two or more levels, the smoke detector shall be installed on the upper level, except that when the lower level contains a sleeping area, a detector shall be installed on each level. 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 dwelling units where the ceiling height of a room open to the hallway serving the bedrooms exceeds that of the hallway by 24 inches or more, smoke detectors shall be installed in the hallway and in the adjacent room. Detectors shall sound an alarm audible in all sleeping areas of the dwelling unit in which they are located.

5. Location in efficiency dwelling units, congregate residences and hotels. In efficiency dwelling units, hotel suites and in hotel and congregate residence sleeping rooms, detectors shall be located on the ceiling or wall of the mainroom or each sleeping room. When sleeping

rooms within an efficiency dwelling unit or hotel suite are on an upper level, the detector shall be placed at the ceiling of the upper level in close proximity to the stairway. When actuated, the detector shall sound an alarm audible within the sleeping area of the dwelling unit, hotel suite or sleeping room in which it is located.

6. Location within family child day care homes. In family child day care homes operable detectors shall be located in all sleeping and napping areas. When the family child day care home has more than one story, and in family child day care homes with basements, an operable detector shall be installed on each story and in the basement. 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, an operable detector shall be located on each level. 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 family child day care homes where the ceiling height of a room open to the hallway serving the bedrooms exceeds that of the hallway by 24 inches or more, smoke detectors shall be installed in the hallway and the adjacent room. Detectors shall sound an alarm audible in all areas of the building.

(b) Sprinkler and Standpipe Systems. When required by other provisions of this code, automatic sprinkler systems and standpipes shall be installed as specified in Chapter 38.

NEW SECTION

WAC 51-20-1215 FAMILY CHILD DAY CARE HOMES. Section 1215. 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 remote exits. Outside exit doors shall be operable from the inside without the use of keys or any special knowledge or effort.

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 exist:

- (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 is provided; or
- (d) A residential sprinkler system is provided throughout the entire building in accordance with National Fire Protection Association Standard 13d.

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

- EXCEPTIONS:**
1. Use of toilet facilities while under supervision of an adult staff person.
 2. Family child day care homes may be allowed on the second story if one of the following conditions exist:
 - (a) 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.

Every sleeping or napping room in a family child day care home shall have at least one operable window for emergency rescue.

EXCEPTION: Sleeping or napping rooms having doors leading to two separate exits ways, or a door leading directly to the exterior of the building.

Rooms or spaces containing a commercial-type cooking kitchen, boiler, maintenance shop, janitor closet, laundry, woodworking shop, flammable or combustible storage, or painting operation shall be separated from the family child day care area by at least one-hour fire-resistive construction.

EXCEPTION: A fire-resistive separation 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.

NEW SECTION

WAC 51-20-1216 RECYCLABLE MATERIALS AND SOLID WASTE STORAGE. Section 1216. (a) General. Group R, Division 1 Occupancies shall be provided with external space for the storage of recyclable materials and solid waste.

(b) External Storage Space. 1. Exterior solid waste and recycling storage areas shall have a minimum size as indicated in Table No. 12-A. The dimensions of the storage area shall accommodate containers consistent with current methods of collection.

2. The storage area shall be accessible to residents and haulers in order to assure efficient and safe collection. Points of collection shall be located within 200 feet of each dwelling unit.

3. All solid waste and recyclable materials storage areas shall be contained on a concrete or equivalent pad and shall be enclosed with a six (6) foot high solid fence.

4. One sign identifying each exterior solid waste and recycling storage area is required. Each sign shall not exceed one-square-foot and shall be posted on the exterior of the storage area adjacent to the access point.

NEW SECTION

WAC 51-20-1223 DIVISION II. REQUIREMENTS FOR GROUP R, DIVISION 4 AND DIVISION 5 OCCUPANCIES. Section 1223. General. (a) Purpose. The purpose of this division is to provide minimum standards of safety for residential group care facilities.

(b) Scope. 1. General. The provisions of this division shall apply to buildings or portions thereof that are to be used for Group R, Division 4 and Division 5 Occupancies.

OPTION 1

2. Applicability of other provisions. Except as specifically required by this division, Group R, Division 4 and Division 5 Occupancies shall meet all applicable provisions of this code. Group R, Division 4 and Division 5 Occupancies need not be accessible to people with disabilities.

or OPTION 2

2. Applicability of other provisions. Except as specifically required by this division, Group R, Division 4 and Division 5 Occupancies shall meet all applicable provisions of this code. Group R, Division 4 and Division 5 Occupancies shall be accessible to people with disabilities.

(c) Definitions. For the purpose of this division, certain terms are defined as follows:

GROUP R, DIVISION 4 OCCUPANCIES shall be residential group care facilities for ambulatory, nonrestrained persons who may have a mental or physical impairment (each accommodating more than five and not more than 16 clients or residents, excluding staff).

GROUP R, DIVISION 5 OCCUPANCIES shall be residential group care facilities for semi-ambulatory and non-ambulatory, nonrestrained persons who have a mental or physical impairment (each accommodating more than five and not more than 16 clients or residents, excluding staff).

AMBULATORY PERSONS means persons physically and mentally capable of walking or traversing a normal path to safety, including the ascent and descent of stairs, without the physical assistance of another person.

NON-AMBULATORY PERSONS means persons physically or mentally unable to walk or traverse a normal path to safety without the physical assistance of another person.

SEMI-AMBULATORY PERSONS means persons physically and mentally capable of traversing a normal path to safety with the use of mobility aids, but unable to ascend or descend stairs without the physical assistance of another person.

SEPARATE EXIT SYSTEM is a path of exit travel separated in such a manner from other required exits as to provide an atmospheric separation which precludes contamination by both paths by the same fire.

NEW SECTION

WAC 51-20-1224 CONSTRUCTION, HEIGHT AND ALLOWABLE AREA. Section 1224. (a) General. Unless otherwise specified in this chapter, buildings or portions of buildings classified as Group R, Division 4 or Division 5 may be constructed of any materials

allowed by this code, shall not exceed two stories in height nor be located above the second story in any building. Group R, Division 4 Occupancies shall not exceed 3,000 square feet in floor area per story except as provided in Sections 505 and 507.

OPTION 1

Where an approved automatic sprinkler system is installed in accordance with UBC Standard No. 38-3, floor areas in a Group R, Division 4 Occupancy may be increased to 6,000 square feet per story.

or OPTION 2

Where an approved automatic sprinkler system is installed in accordance with UBC Standard No. 38-1, floor areas in a Group R, Division 4 Occupancy may be increased to 6,000 square feet per story.

(b) Special Provisions. (1) Residential or quick response standard sprinkler heads shall be used in all sprinkler systems installed in Group R, Division 4 and Division 5 Occupancies.

(2) Group R, Division 4 Occupancies having more than 3,000 square feet of floor area above the first story shall be of not less than one-hour fire-resistive construction throughout.

(3) All buildings classed as Group R, Division 5 shall:

(A) Have installed an approved fully automatic fire extinguishing system conforming to UBC Standard No. 38-1; and,

(B) In buildings with individual floor areas over 6,000 square feet, have an approved smoke barrier dividing the floor into at least two compartments, provided that each compartment shall provide no less than 30 square feet per occupant; and,

(C) Be a minimum Type V, One-hour construction.

EXCEPTION: Buildings classified as Group R, Division 5 may be of Type V-N construction provided:

(i) The entire building has an interior wall and ceiling covering consisting of 1/2 inch gypsum wall board or an approved equal installed in accordance with Section 4711; and,

(ii) An approved smoke detection system, supervised by an approved central, proprietary, or remote station service, is installed throughout the entire structure and interconnected to the sprinkler system.

(c) Mixed Occupancies. Group R, Division 4 and Division 5 Occupancies shall be separated from Group H Occupancies by a four-hour fire-resistive occupancy separation and shall be separated from all other occupancies by a one-hour fire-resistive occupancy separation.

EXCEPTIONS: 1. An occupancy separation need not be provided between a Group R, Division 4 or Division 5 Occupancy and a carport having no enclosed uses above, provided the carport is entirely open on two or more sides.
2. In the one-hour occupancy separation between a Group R, Division 4 or Division 5 Occupancy and a Group M, Division 1 Occupancy, the separation may be limited to the installation of materials approved for one-hour fire-resistive construction on the garage side and a self-closing, tight-fitting solid-wood door 1 3/8 inch in thickness, or a self-closing tight-fitting door having a fire-protection rating of not less than 20 minutes when tested in accordance with Part II UBC Standard No. 43-2, which is part of this code, is permitted in lieu of a one-hour fire assembly. Fire dampers need not be installed in air ducts passing through the wall, floor or ceiling separating a Group R, Division 4 or Division 5 Occupancy from a Group M, Division 1 Occupancy, provided such ducts within the Group M Occupancy are constructed of steel having a thickness not less than 0.019 inch (No. 26 galvanized sheet gauge) and have no openings into the Group M Occupancy.

NEW SECTION

WAC 51-20-1225 LOCATION ON PROPERTY. Section 1225. Exterior walls located less than 3 feet from property lines shall be of one-hour fire-resistive construction. Openings shall not be permitted in exterior walls located less than 3 feet from property lines. For other requirements, see Section 504 and Part IV.

NEW SECTION

WAC 51-20-1226 EXITS AND EMERGENCY ESCAPES. Section 1226. (a) General. 1. Group R, Division 4 and Division 5 Occupancies shall be provided with exits as required by this section and Chapter 33 of this code.

2. All Group R, Division 5 Occupancies located above the first floor shall have at least two exits directly to the exterior of the building, or into separate exit systems in accordance with Section 3309(a) and this chapter.

(b) Exits Required. 1. Number of exits. Every story, basement or portion thereof housing a Group R, Division 4 or Division 5 Occupancy shall have not less than two exits.

EXCEPTIONS: 1. Basements used exclusively for the service of the building may have one exit. For the purpose of this exception, storage rooms, laundry rooms, maintenance offices and similar uses shall not be considered as providing service to the building.
2. Storage rooms, laundry rooms and maintenance offices not exceeding 300 square feet in floor area may be provided with only one exit.

2. Distance to exits. The maximum travel distance specified in Chapter 33 shall be reduced by 50 percent.

OPTION 1

(c) Corridor Width. Corridors shall be not less than 36 inches in width.

(d) Stairways. Stairways shall be constructed as required by Section 3306 of this code.

EXCEPTION: In buildings that are converted to a Group R, Division 4 or Division 5 Occupancy, existing stairways may have an 8-inch maximum rise and 9-inch minimum run. Existing stairways may be 30 inches in width in Group R, Division 4 Occupancies, and 36 inches in width in Group R, Division 5 Occupancies.

or OPTION 2

(c) Corridor Width. Corridors shall be not less than 44 inches in width.

(d) Stairways. Stairways shall be constructed as required by Section 3306 of this code.

EXCEPTION: In buildings that are converted to a Group R, Division 4 or Division 5 Occupancy, existing stairways may have an 8-inch maximum rise and 9-inch minimum run. Existing stairways may be 30 inches in width in Group R, Division 4 Occupancies, and 44 inches in width in Group R, Division 5 Occupancies.

(e) Emergency Exit Illumination. In the event of power failure, exit illumination shall be automatically provided from an emergency system. Emergency systems shall be supplied from storage batteries or an on site generator set and the system shall be installed in accordance with the requirements of the Electrical Code.

(f) Emergency Escape. Every sleeping room shall be provided with emergency escape or rescue facilities as required by Section 1204 of this code.

NEW SECTION

WAC 51-20-1227 LIGHT, VENTILATION AND SANITATION. Section 1227. Light, ventilation and sanitation shall be as specified in Section 1205.

NEW SECTION

WAC 51-20-1228 YARDS AND COURTS. Section 1228. Yards and courts shall be as specified in Section 1206.

NEW SECTION

WAC 51-20-1229 ROOM DIMENSIONS. Section 1229. Room dimensions shall be as specified in Section 1207.

NEW SECTION

WAC 51-20-1230 SECTION 1230. No requirements.

NEW SECTION

WAC 51-20-1231 SHAFT ENCLOSURES. Section 1231. Exits shall be enclosed as specified in Chapter 33.

Elevator shafts, vent shafts, dumbwaiter shafts, clothes chutes and other vertical openings shall be enclosed and the enclosure shall be as specified in Section 1706.

NEW SECTION

WAC 51-20-1232 FIRE ALARM SYSTEMS. Section 1232. An approved automatic and manual fire alarm system, supervised by an approved central, proprietary, or remote station service, shall be provided in Group R, Division 4 and Division 5 Occupancies in accordance with Section 14.104 (g) of the Fire Code.

EXCEPTION: Heat detectors need not be provided where an approved automatic sprinkler system that is interconnected to the fire alarm system is provided throughout the building.

NEW SECTION

WAC 51-20-1233 HEATING. Section 1233. All habitable rooms shall be provided with heating facilities capable of maintaining a room temperature of 70° F. at a point 3 feet above the floor.

NEW SECTION

WAC 51-20-1234 SPECIAL HAZARDS. Section 1234. (a) Heating Equipment. All heating equipment shall be permanently installed. Chimneys and heating apparatus shall conform to the requirements of Chapter 37 of this code and the Mechanical Code.

(b) Flammable Liquids. The storage and handling of gasoline, fuel oil or other flammable liquids shall be in accordance with the Fire Code.

NEW SECTION

WAC 51-20-1251 TABLE NO. 12-A.

TABLE No. 12-A
 Minimum Size Requirements for Exterior Solid Waste
 and Recycling Storage Areas

<u>Dwelling Units</u>	<u>Trash</u>	<u>Recyclables</u>	<u>Total Area</u>
2 - 6	12 sq. ft.	12 sq. ft.	24 sq. ft.
7 - 15	24 sq. ft.	24 sq. ft.	48 sq. ft.
16 - 25	48 sq. ft.	48 sq. ft.	96 sq. ft.
26 - 50	96 sq. ft.	96 sq. ft.	192 sq. ft.
51 - 75	144 sq. ft.	144 sq. ft.	288 sq. ft.
76 - 100	192 sq. ft.	192 sq. ft.	384 sq. ft.
101 - 125	240 sq. ft.	240 sq. ft.	480 sq. ft.
126 - 150	288 sq. ft.	288 sq. ft.	576 sq. ft.
151 - 175	336 sq. ft.	336 sq. ft.	672 sq. ft.
176 - 200	384 sq. ft.	384 sq. ft.	768 sq. ft.
201+	Every additional 25 dwelling units shall require an additional 48 square feet for trash and 48 square feet for recyclables.		

NEW SECTION

WAC 51-20-1800 CHAPTER 18. Type I Fire-resistive Buildings.

NEW SECTION

WAC 51-20-1807 SPECIAL PROVISIONS FOR GROUP B, DIVISION 2 OFFICE BUILDINGS AND GROUP R, DIVISION 1 OCCUPANCIES. Section 1807. (a) Scope. This section applies to all Group B, Division 2 office and Group R, Division 1 Occupancies, each having floors used for human occupancy located more than 75 feet above the lowest level of fire department access. Such buildings shall be provided with an approved automatic sprinkler system in accordance with Section 1807(c).

(b) Certificate of Occupancy. All mechanical and electrical equipment and other required life safety systems shall be approved and installed in accordance with approved plans and specifications pursuant to this section and shall be tested and proved to be in proper working condition to the satisfaction of the building official before issuance of the Certificate of Occupancy. Such system shall be maintained in accordance with the Fire Code.

(c) Automatic Sprinkler System. 1. System design. The automatic sprinkler system shall be provided throughout the building. The sprinkler system shall be designed using the parameters set forth in U.B.C. Standard No. 38-1 and the following:

A. Shutoff valves and a water-flow device shall be provided for each floor. The sprinkler riser may be combined with the standpipe riser.

B. In Seismic Zones Nos. 2, 3 and 4, in addition to the main water supply, a secondary on-site supply of water equal to the hydraulically calculated sprinkler design demand plus 100 gallons per minute additional for the total standpipe system shall be provided. This supply shall be automatically available if the principal supply fails and shall have a duration of 30 minutes.

2. Modifications. The following modifications of code requirements are permitted:

A. The fire-resistive time periods set forth in Table No. 17-A may be reduced by one hour for interior bearing walls, exterior bearing and nonbearing walls, roofs and the beams supporting roofs, provided they do not frame into columns. Vertical shafts other than stairway enclosures and elevator shafts may be reduced to one hour when sprinklers are installed within the shafts at alternate floors. The fire-resistive time period reduction as specified herein shall not apply to exterior bearing and nonbearing walls whose fire-resistive rating has already been reduced under the exceptions contained within Section 1803(a) or 1903(a).

B. Except for corridors in Group B, Division 2 and Group R, Division 1 Occupancies and partitions separating dwelling units or guest rooms, all interior nonbearing partitions required to be one-hour fire-resistive construction by Table No. 17-A may be of noncombustible construction without a fire-resistive time period.

C. Travel distance from the most remote point in the floor area to a horizontal exit or to an enclosed stairway may be 300 feet.

D. Fire dampers, other than those needed to protect floor-ceiling assemblies to maintain the fire resistance of the assembly, are not required.

E. Emergency windows required by Section 1204 are not required.

(d) Smoke-detection Systems. At least one approved smoke detector suitable for the intended use shall be installed:

1. In every mechanical equipment, electrical, transformer, telephone equipment, elevator machine or similar room.

2. In the main return- and exhaust-air plenum of each air-conditioning system and located in a serviceable area downstream of the last duct inlet.

3. At each connection to a vertical duct or riser serving two or more stories from a return-air duct or plenum of an air-conditioning system. In Group R, Division 1 Occupancies, an approved smoke detector may be used in each return-air riser carrying not more than 5,000 cfm and serving not more than 10 air inlet openings.

The actuation of any detector required by this section shall operate the voice alarm system and shall place into operation all equipment necessary to prevent the recirculation of smoke.

(e) Alarm and Communication Systems. The alarm and communication systems shall be designed and installed so that damage to any terminal unit or speaker will not render more than one zone of the system inoperative.

The voice alarm and public address system may be a combined system. When approved by the fire department, a communications system may be combined with the voice alarm system and the public address system.

Three communication systems which may be combined as set forth above shall be provided as follows:

1. Voice alarm system. The operation of any smoke detector, sprinkler, waterflow device or manual fire alarm station shall automatically sound an alert signal to the desired areas followed by voice instructions giving appropriate information and direction to the occupants.

The central control station shall contain controls for the voice alarm system so that a selective or general voice alarm may be manually initiated.

The system shall be supervised to cause the activation of an audible trouble signal in the central control station upon interruption or failure of the audiopath including amplifiers, speaker wiring, switches and electrical contacts and shall detect opens, shorts and grounds which might impair the function of the system.

The alarm shall be designed to be heard clearly by all occupants within the building or designated portions thereof as is required for the public address system.

2. Public address system. A public address communication system designed to be clearly heard by all occupants of the building shall operate from the central control station. It shall be established on a selective or general basis to the following terminal areas:

- A. Elevators.
- B. Elevator lobbies.
- C. Corridors.
- D. Exit stairways.
- E. Rooms and tenant spaces exceeding 1,000 square feet in area.
- F. Dwelling units in apartment houses.
- G. Hotel guest rooms or suites.

3. Fire department communication system. A two-way fire department communication system shall be provided for fire department use. It shall operate between the central control station and elevators, elevator lobbies, emergency and standby power rooms and at entries into enclosed stairways.

OPTION I

(f) Central Control Station. A central control station for fire department operations shall be provided. The location of the central control station shall be approved by the fire department. The central control station room shall have a minimum of 96 square feet with a minimum dimension of 8 feet. It shall contain the following as a minimum:

1. The voice alarm and public address system panels.
2. The fire department communications panel.
3. Fire-detection and alarm system annunciator panels.
4. Annunciator visually indicating the location of the elevators and whether they are operational.
5. Status indicators and controls for air-handling systems.
6. Controls for unlocking all stairway doors simultaneously.
7. Sprinkler valve and water-flow detector display panels.
8. Emergency and standby power controls and status indicators.
9. A telephone for fire department use with controlled access to the public telephone system.
10. Fire pump status indicators.
11. Schematic building plans indicating the typical floor plan and detailing the building core, exit facilities, fire-protection systems, fire-fighting equipment and fire department access.
12. Work table.

All control panels in the central control station shall be permanently identified as to function.

Alarm, supervisory and trouble signals as required by Items 3 and 7 above shall be annunciated in compliance with the Fire Code in the central control station by means of an audible and visual indicator. For purposes of annunciation, zoning shall be in accordance with the following:

1. When the system serves more than one building, each building shall be considered separately.

2. Each floor shall be considered a separate zone. When one or more sprinkler risers serve the same floor, each riser shall be considered a separate zone.

EXCEPTION: When more than one riser serves the same system on the floor.

OPTION 2

(f) Central Control Station. A central control station for fire department operations shall be provided. The location, size and arrangement of the central control station room shall be approved by the fire department. It shall contain the following as a minimum:

1. The voice alarm and public address system panels.
2. The fire department communications panel.
3. Fire-detection and alarm system annunciator panels.
4. Annunciator visually indicating the location of the elevators and whether they are operational.
5. Status indicators and controls for air-handling systems.
6. Controls for unlocking all stairway doors simultaneously.
7. Sprinkler valve and water-flow detector display panels.
8. Emergency and standby power controls and status indicators.
9. A telephone for fire department use with controlled access to the public telephone system.
10. Fire pump status indicators.
11. Schematic building plans indicating the typical floor plan and detailing the building core, exit facilities, fire-protection systems, fire-fighting equipment and fire department access.
12. Work table.

All control panels in the central control station shall be permanently identified as to function.

Alarm, supervisory and trouble signals as required by Items 3 and 7 above shall be annunciated in compliance with the Fire Code in the central control station by means of an audible and visual indicator. For purposes of annunciation, zoning shall be in accordance with the following:

1. When the system serves more than one building, each building shall be considered separately.
2. Each floor shall be considered a separate zone. When one or more sprinkler risers serve the same floor, each riser shall be considered a separate zone.

EXCEPTION: When more than one riser serves the same system on the floor.

(g) Smoke Control. Natural or mechanical ventilation for the removal of products of combustion shall be provided in every story and shall consist of one of the following:

1. Easily identifiable, manually operable windows or panels shall be distributed around the perimeter of the building at not more than 50-foot intervals. The area of operable windows or panels shall not be less than 20 square feet per 50 linear feet of perimeter.

EXCEPTIONS:

1. In Group R, Division 1 hotel occupancies, each guest room or suite having an exterior wall may be provided with 2 square feet of venting area in lieu of the area specified above.
2. Windows may be of fixed tempered glass provided that no coating or film is applied which will modify the natural breaking characteristics of the glass.

2. When a complete and approved automatic sprinkler system is installed, the mechanical air-handling equipment may be designed to accomplish smoke removal. Under fire conditions, the return and exhaust air shall be moved directly to the outside without recirculation to other sections of the building. The air-handling system shall provide a minimum of one exhaust air change each 10 minutes for the area involved.

3. Any other approved design which will produce equivalent results.

(h) Elevators. Elevators and elevator lobbies shall comply with the provisions of Chapter 51 and the following:

NOTE: A bank of elevators is a group of elevators or a single elevator controlled by a common operating system; that is, all those elevators which respond to a single call button constitute a bank of elevators. There is no limit on the number of cars which may be in a bank or group but there may not be more than four cars within a common hoistway.

1. Elevators on all floors shall open into elevator lobbies which are separated from the remainder of the building, including corridors and other exits, by walls extending from the floor to the underside of the fire-resistive floor or roof above. Such walls shall not be of less than one-hour fire-resistive construction. Openings through such walls shall conform to Section 3305(h).

EXCEPTIONS:

1. The main entrance level elevator lobby in office buildings.
2. Elevator lobbies located within an atrium complying with the provisions of Section 1715.
3. In fully sprinklered office buildings, corridors may lead through enclosed elevator lobbies if all areas of the building have access to at least one required exit without passing through the elevator lobby.

2. Each elevator lobby shall be provided with an approved listed smoke detector located on the lobby ceiling. When the detector is activated, elevator doors shall not open and all cars serving that lobby are to return to the main floor and be under manual control only. If the main floor detector or a transfer floor detector is activated, all cars serving the main floor or transfer floor shall return to a location approved by the fire department and building official and be under manual control only. The detector may serve to close the lobby doors and additional doors at the hoistway opening allowed in Section 5106.

3. Elevator hoistways shall not be vented through an elevator machine room. Cable slots entering the machine room shall be sleeved beneath the machine room floor and extend to not less than 12 inches below the shaft vent to inhibit the passage of smoke into the machine room.

(i) Standby Power, Light and Emergency Systems. 1. Standby power. Standby power-generating system conforming to U.B.C. Standard No. 18-1, which is a part of this code (see Chapter 60, Part II), shall be provided. The system shall be equipped with suitable means for automatically starting the generator set upon failure of the normal electrical supply systems and for automatic transfer of all functions required by this section at full power within 60 seconds of such normal service failure. System supervision with manual start and transfer override features shall be provided at the central control station.

An on-premises fuel supply sufficient for not less than two hours' full-demand operation of the system shall be provided.

The standby system shall have a capacity and rating that would supply all equipment required to be operational at the same time. The generating capacity need not be sized to operate all the connected electrical equipment simultaneously.

All power, lighting, signal and communication facilities specified in Subsections (d), (e), (f), (g), (h), (i) and (j) of this section, as applicable; fire pumps required to maintain pressure, standby lighting and normal circuits supplying exit signs and exit illumination shall be transferable to the standby source.

2. Standby lighting. Standby lighting shall be provided as follows:

A. Separate lighting circuits and fixtures sufficient to provide light with an intensity of not less than one footcandle measured at floor level in all exit corridors, stairways, smokeproof enclosures, elevator cars and lobbies and other areas which are clearly a part of the escape route.

B. All circuits supply lighting for the central control station and mechanical equipment room.

3. Emergency systems. The following are classified as emergency systems and shall operate within 10 seconds of failure of the normal power supply:

A. Exit sign and exit illumination as required by Sections 3313 and 3314.

B. Elevator car lighting.

(j) Exits. Exits shall comply with other requirements of this code and the following:

1. All stairway doors which are locked from the stairway side shall have the capability of being unlocked simultaneously without unlatching upon a signal from the central control station.

2. A telephone or other two-way communications system connected to an approved emergency service which operates continuously shall be provided at not less than every fifth floor in each required stairway where other provisions of this code permit the doors to be locked.

(k) Seismic Considerations. In Seismic Zones Nos. 2, 3 and 4, the anchorage of mechanical and electrical equipment required for life-safety systems, including fire pumps and elevator drive and suspension systems, shall be designed in accordance with the requirements of Section 2330.

NEW SECTION

WAC 51-20-2300 GENERAL DESIGN REQUIREMENTS.

NEW SECTION

WAC 51-20-2312 DEFINITIONS FOR WIND DESIGN. Section 2312. The following definitions apply only to this part:

BASIC WIND SPEED is the fastest-mile wind speed associated with an annual probability of 0.02 measured at a point 33 feet above the ground for an area having exposure category C.

EXPOSURE B has terrain with buildings, forest or surface irregularities 20 feet or more in height covering at least 20 percent of the area extending one mile or more from the site.

EXPOSURE C has terrain which is flat and generally open, extending one-half mile or more from the site in any full quadrant.

EXPOSURE D

OPTION 1

represents the most severe exposure in areas with basic wind speeds 80 miles per hour (mph) or greater and has terrain which is flat and unobstructed facing large bodies of water over one mile or more in width relative to any quadrant of the building site. Exposure D extends inland from the shoreline 1/4 mile or 10 times the building height, whichever is greater.

OPTION 2

represents the most severe exposure in areas with basic wind speeds greater than 80 miles per hour (mph) and has terrain which is flat and unobstructed facing large bodies of water over one mile or more in width relative to any quadrant of the building site. Exposure D extends inland from the shoreline 1/4 mile or 10 times the building height, whichever is greater.

FASTEST-MILE WIND SPEED is the wind speed obtained from wind velocity maps prepared by the National Oceanographic and Atmospheric Administration and is the highest sustained average wind speed based on the time required for a mile-long sample of air to pass a fixed point.

OPEN STRUCTURE or STORY is a partially enclosed structure that has a greater area of exterior wall openings on any one wall than the sum of the areas of the openings on all the other walls and has more than 15 percent of the wall area open. All windows and doors or other openings in exterior walls shall be considered as openings unless such openings and their frames are specifically detailed and designed to resist the loads on elements and components in accordance with the provisions of this section.

SPECIAL WIND REGION is an area where local records and terrain features indicate 50-year fastest-mile basic wind speed is higher than shown in Figure No. 23-1.

UNENCLOSED STRUCTURE or STORY is a structure which has openings on two or more sides but the sum of the areas of openings in each side is within 15 percent or less of each other.

NEW SECTION

WAC 51-20-2700 CHAPTER 27. Steel.

NEW SECTION

WAC 51-20-2710 STEEL STRUCTURES RESISTING FORCES INDUCED BY EARTHQUAKE MOTIONS IN SEISMIC ZONES NOS. 3 AND 4. Section 2710.

Sec. 2710. (a) General. Design and construction of steel framing in lateral-force-resisting systems in Seismic Zones Nos. 3 and 4 shall conform to the requirements of the code and to the requirements of this section.

(b) Definitions.

ALLOWABLE STRESSES are prescribed in U.B.C. Standard No. 27-15.

CHEVRON BRACING is that form of bracing where a pair of braces located either above or below a beam terminates at a single point within the clear beam span.

CONNECTION is the group of elements that connect the member to the joint.

DIAGONAL BRACING is that form of bracing that diagonally connects joints at different levels.

ECCENTRICALLY BRACED FRAME (EBF) is that form of braced frame where at least one end of each brace intersects a beam at a point away from the column girder joint.

GIRDER is the horizontal member in a seismic frame. The words beam and girder may be used interchangeably.

JOINT is the entire assemblage at the intersections of the members.

K BRACING is that form of bracing where a pair of braces located on one side of a column terminates at a single point within the clear column height.

LINK BEAM is that part of a beam in an eccentrically braced frame which is designed to yield in shear and/or bending so that buckling of the bracing members is prevented.

STRENGTH is the strength as prescribed in Section 2710 (d) 2.

V BRACING is that form of chevron bracing that intersects a beam from above and inverted V bracing is that form of chevron bracing that intersects a beam from below.

X BRACING is that form of bracing where a pair of diagonal braces cross near midlength of the bracing members.

(c) Symbols and Notations. The symbols and notations unique to this section are as follows:

- M_p = plastic moment.
- P_{DL} = axial dead load.
- P_E = axial load on member due to earthquake.
- P_{LL} = axial live load.
- P_{sc} = compressive axial strength of member.
- P_{st} = tensile axial strength of member.
- V_s = shear strength of member.
- Z = plastic section modulus.

(d) Materials. 1. Structural steel used in lateral-force-resisting systems shall conform to A 36, A 441, A 500, A 501, A 572 (Grades 42 and 50) and A 588. Structural steel conforming to A 283 (Grade D) may be used for base plates and anchor bolts.

EXCEPTION: Other steels permitted in this code may be used for the following:

- A. One-story buildings.
- B. Light-framed wall systems in accordance with Section 2710 (j).

2. Member strength. Where this section requires that the strength of the member be developed, the following shall be used:

	STRENGTH
Flexure	$M_s = 2F_y$
Shear	$V_s = 0.55 F_y d t$
Axial compression	$P_{sc} = 1.7 F_y A$
Axial tension	$P_{st} = F_y A$
Connectors	
Full-penetration welds	$F_y A$
Partial penetration welds	1.7 Allowable
Bolts and fillet welds	1.7 Allowable

Members need not be compact unless otherwise required by this section.

(c) Column Requirements. 1. Column strength. Columns shall satisfy the load combinations required by Section 2303 (f) at allowable stress limits, with stress increases allowed by Section 2303 (d). In addition, in Seismic Zones Nos. 3 and 4, columns in frames shall have the strength to resist the axial loads resulting from the load combinations in Items A and B following.

A. Axial Compression

$$1.0 P_{DL} + 0.7 P_{LL} + 3(R_w/8)P_E$$

B. Axial Tension

$$0.85 P_{DL} + 3(R_w/8)P_E$$

EXCEPTION: The axial load combination as outlined in Items A and B above:

A. Need not exceed either the maximum force that can be transferred to the column, by elements of the structure, or the limit as determined by the overturning uplift which the foundation is capable of resisting.

B. Need not apply to columns in moment-resisting frames complying with Formulas (10-3a) or (10-3b) where f_u is equal to or less than $0.3 F_y$ for all load combinations.

The load combinations from Items A and B need be used only when specifically referred to.

2. Column splices. Column splices shall have sufficient strength to develop the column forces determined from Section 2710 (e) 1. Welded column splices subject to net tensile forces shall comply with the more critical of the following:

A. Partial penetration welds shall be designed to resist 150 percent of the force determined from Section 2710 (c) 1 B.

B. Welding shall develop not less than 50 percent of the flange area strength of the smaller column.

Splices employing partial penetration welds shall be located at least three feet from girder flanges.

3. Slenderness evaluation. This paragraph is applicable when the provisions are applied to the effective length determination of columns of moment frames resisting earthquake forces. In the plane of the earthquake forces the factor K may be taken as unity when all of the following conditions are met:

A. The column is either continuous or is fixed at each joint.

B. The maximum axial compressive stress, f_u , does not exceed $0.4 F_y$ under design loads.

C. The calculated story drift ratios are less than the values given in Section 2334 (h).

(f) Ordinary Moment Frame Requirements. Girder-to-column connections of ordinary moment frames shall meet the requirements of Section 2710 (g) 1 unless it can be shown that they are capable of resisting the combination of gravity loads and $3(R_w/8)$ times the design seismic forces.

(g) Special Moment-resisting Frame (SMRF) Requirements. 1. Girder-to-column connection. A. Required strength. The girder-to-column connection shall be adequate to develop the lesser of the following:

(i) The strength of the girder in flexure.

(ii) The moment corresponding to development of the panel zone shear strength as determined from Formula (10-1).

EXCEPTION: Where a connection is not designed to contribute flexural resistance at the joint, it need not develop the required strength if it can be shown to meet the deformation compatibility requirements of Section 2337 (4) 4.

B. Connection strength. The girder-to-column connection may be considered to be adequate to develop the flexural strength of the girder if it conforms to the following:

(i) The flanges have full-penetration butt welds to the columns.

(ii) The girder web-to-column connection shall be capable of resisting the girder shear determined for the combination of gravity loads and the seismic shear forces which result from compliance with Section 2710 (g) 2 A. This connection strength need not exceed that required to develop gravity loads plus $3(R_w/8)$ times the girder shear resulting from the prescribed seismic forces.

Where the flexural strength of the girder flanges is greater than 70 percent of the flexural strength of the entire section (i.e., $b_f(d-t)F_y > 0.7Z_xF_y$) the web connection may be made by means of welding or high-strength bolting.

For girders not meeting the criteria in the paragraph above, the girder web-to-column connection shall be made by means of welding the web directly or through shear tabs to the column. That welding shall have a strength capable of developing at least 20 percent of the flexural strength of the girder web. The girder shear shall be resisted by means of additional welds or friction-type slip-critical high-strength bolts or both.

C. **Alternate connection.** Connection configurations utilizing welds or high-strength bolts not conforming with paragraph B above may be used if they are shown by test or calculation to meet the criteria in paragraph A above. Where conformance is shown by calculation, 125 percent of the strengths of the connecting elements may be used.

D. **Flange detail limitations.** For steel whose specified ultimate strength is less than 1.5 times the specified yield strength, plastic hinges shall not form at locations in which the beam flange area has been reduced, such as for bolt holes. Bolted connections of flange plates of beam-column joints shall have the net-to-gross area ratio A_n/A_g equal to or greater than $1.2 F_y/F_u$.

2. **Panel zone. A. Strength.** The panel zone of the joint shall be capable of resisting the shear induced by beam bending moments due to gravity loads plus 1.85 times the prescribed seismic forces, but the shear strength need not exceed that required to develop $0.8 \Sigma M_p$ of the girders framing into the column flanges at the joint. The joint panel zone shear strength may be obtained from the following formula:

$$V = 0.55 F_y d_i \left[1 + \frac{3b_c t_{cf}^2}{d_b d_c t} \right] \tag{10-1}$$

WHERE:

t = the total thickness of the joint panel zone including doubler plates.

d_b = the depth of the beam.

d_c = the column depth.

b_c = is the width of the column flange.

t_{cf} = is the thickness of the column flange.

B. **Thickness.** The panel zone thickness, t_z , shall conform to the following formula:

$$t_z \geq (d_z + w_z)/90 \tag{10-2}$$

WHERE:

d_z = the panel zone depth between continuity plates.

w_z = the panel zone width between column flanges.

For this purpose, t_z shall not include any double plate thickness unless the doubler plate is connected to the column web with plug welds adequate to prevent local buckling of the plate.

C. **Doubler plates.** Doubler plates provided to reduce panel zone shear stress or to reduce the web depth thickness ratio shall be placed not more than $1/16$ inch from the column web and shall be welded across the plate width top and bottom with at least a $3/16$ -inch fillet weld. They shall be either butt or fillet welded to the column flanges to develop the shear strength of the doubler plate. Weld strength shall be as given in Section 2710 (d) 2.

3. **Flange width-thickness ratio.** Girders shall comply with U.B.C. Standard No. 27-15, except that the flange width-thickness ratio, $b_f/2t_f$, shall not exceed $52/\sqrt{F_y}$.

4. **Continuity plates.** When determining the need for girder tension flange continuity plates, the value of P_{bf} in U.B.C. Standard No. 27-15 shall be taken as $1.8 (b_f)F_{yb}$.

5. **Strength ratio.** At any moment frame joint, the following relationships shall be satisfied:

$$\Sigma Z_c (F_{yc} - f_u) / \Sigma Z_b F_{yb} > 1.0 \tag{10-3a}$$

or

$$\Sigma Z_c (F_{yc} - f_u) / 1.25 \Sigma M_{pi} > 1.0 \tag{10-3b}$$

WHERE:

$f_u > 0$

M_{pi} = the sum of beam moments when panel zone shear strength reaches the value specified in Formula (10-1).

OPTION 1

- EXCEPTION: Columns meeting the compactness limitations for beams given in Section 2710(g)3 need not comply with this requirement provided they conform to one of the following conditions:
- A. Columns with f_c less than $0.4 F_y$ for all load combinations other than loads specified in Section 2710(e)1, and
 - (i) Which are used in the top story of a multistory building with building period greater than 0.7 second; or
 - (ii) Which are used in single-story buildings; or
 - (iii) Where the sum of their resistance is less than 20 percent of the shear in a story, and is less than 33 percent of the shear on each of the column lines within that story. A column line is defined for the purpose of this exception as a single line of columns, or parallel lines of columns located within 10 percent of the plan dimension perpendicular to the line of columns; or
 - (iv) When the design for combined axial compression and bending is proportioned to satisfy U.B.C. Standard No. 27-15 without the one-third permissible stress increase.
 - B. Columns in any story which have lateral shear strength 50 percent greater than that of the story above.
 - C. Columns which lateral shear strengths are not included in the design to resist code-required shears.

OPTION 2

- EXCEPTION: Columns meeting the compactness limitations for beams given in Section 2710(g)3 need not comply with this requirement provided they conform to one of the following conditions:
- A. Columns with f_c less than $0.4 F_y$ for all load combinations other than loads specified in Section 2710(e)1, and
 - (i) Which are used in the top story of a multistory building with building period greater than 0.7 second; or
 - (ii) Where the sum of their resistance is less than 20 percent of the shear in a story, and is less than 33 percent of the shear on each of the column lines within that story. A column line is defined for the purpose of this exception as a single line of columns, or parallel lines of columns located within 10 percent of the plan dimension perpendicular to the line of columns; or
 - (iii) When the design for combined axial compression and bending is proportioned to satisfy U.B.C. Standard No. 27-15 without the one-third permissible stress increase.
 - B. Columns in any story which have lateral shear strength 50 percent greater than that of the story above.
 - C. Columns which lateral shear strengths are not included in the design to resist code-required shears.

6. **Trusses in SMRF.** Trusses may be used as horizontal members in SMRF if the sum of the truss seismic force flexural strength exceeds the sum of the column seismic force flexural strength immediately above and below the truss by a factor of at least 1.25. For this determination the strengths of the members shall be reduced by the gravity load effects. In buildings of more than one story, the column axial stress shall not exceed $0.4F_y$ and the ratio of the unbraced column height to the least radius of gyration shall not exceed 60. Columns shall have allowable stresses reduced 25 percent when one end frames into a truss, and 50 percent when both ends frame into trusses. The connection of the truss chords to the column shall develop the lesser of the following:

- A. The strength of the truss chord.
- B. The chord force necessary to develop 125 percent of the flexural strength of the column.

7. **Girder-column joint restraint.** A. **Restrained joint.** Where it can be shown that the columns of SMRF remain elastic, the flanges of the columns need be laterally supported only at the level of the girder top flange.

Columns may be assumed to remain elastic if one of the following conditions is satisfied:

- (i) The ratio in Formula (10-3a) or (10-3b) is greater than 1.25.
- (ii) The flexural strength of the column is at least 1.25 times the moment that corresponds to the panel zone shear strength.
- (iii) Girder flexural strength or panel zone strength will limit column stress ($f_c + f_{br} + f_{py}$) to F_y of the column.
- (iv) The column will remain elastic under gravity loads plus $3(R_w/8)$ times the prescribed seismic forces.

Where the column cannot be shown to remain elastic, the column flanges shall be laterally supported at the levels of the girder top and bottom flanges. The column flange lateral support shall be capable of resisting a force equal to one percent of the girder flange capacity at allowable stresses and at a limiting displacement perpendicular to the frame of 0.2 inch. Required bracing members may brace the column flanges directly or indirectly through the column web or the girder flanges.

B. **Unrestrained joint.** Columns without lateral support transverse to a joint shall conform to the requirements of U.B.C. Standard No. 27-15, with the column considered as pin ended and the length taken as the distance between lateral supports conforming with A above. The column stress, f_c , shall be determined from gravity loads plus the lesser of the following:

- (i) $3(R_w/8)$ times the prescribed seismic forces.
- (ii) The forces corresponding to either 125 percent of the girder flexural strength or the panel zone shear strength.

The stress f_{py} shall include the effects of the bracing force specified in Section 2710 (g) 7 A and P Δ .

//r for such columns shall not exceed 60.

At truss frames the column shall be braced at each truss chord for a lateral force equal to one percent of the compression yield strength of the chord.

8. **Beam bracing.** Both flanges of beams shall be braced directly or indirectly. The beam bracing between column center lines shall not exceed $96r_y$. In addition, braces shall be placed at concentrated loads where a hinge may form.

9. **Changes in beam flange area.** Abrupt changes in beam flange area are not permitted within possible plastic hinge regions of special moment-resistant frames.

10. **Moment frame drift calculations.** Moment frame drift calculations shall include bending and shear contributions from the clear girder and column spans, column axial deformation and the rotation and distortion of the panel zone.

EXCEPTIONS: 1. Drift calculations may be based on column and girder center lines where either of the following conditions is met:

A. It can be demonstrated that the drift so computed for frames of similar configuration is typically within 15 percent of that determined above.

B. The column panel zone strength can develop $0.8 S M_r$ of girders framing to the column flanges at the joint.

2. Column axial deformations may be neglected if they contribute less than 10 percent to the total drift.

(h) **Requirements for Braced Frames.** 1. **General.** The provisions of this section apply to all braced frames except eccentrically braced frames (EBF) designed in accordance with Section 2710 (i). Those members which resist seismic forces totally or partially by shear or flexure shall be designed in accordance with Section 2710 (g) except Subsection 3.

2. **Bracing members.** A. **Slenderness.** In Seismic Zones Nos. 3 and 4, the l/r ratio for bracing members shall not exceed $720/\sqrt{F_y}$ except as permitted in Subsections 5 and 6 below.

B. **Stress reduction.** The allowable stress, F_{as} , for bracing members resisting seismic forces in compression shall be determined from the following formula:

$$F_{as} = BF_a \quad (10-4)$$

WHERE:

F_a = the allowable axial compressive stress allowed in U.B.C. Standard No. 27-15.

B = the stress-reduction factor determined from the following formula:

$$B = 1/[1 + Kl/r/2C_c] \quad (10-5)$$

C. **Lateral force distribution.** The seismic lateral force along any line of bracing shall be distributed to the various members so that neither the sum of the horizontal components of the forces in members acting in tension nor the sum of the horizontal components of forces in members acting in compression exceed 70 percent of the total force.

EXCEPTION: Where compression bracing acting alone has the strength, neglecting the strength-reduction factor B , to resist $3(R_w/8)$ times the prescribed seismic force such distribution is not required.

A line of bracing is defined, for the purpose of this provision, as a single line or parallel lines within 10 percent of the dimension of the structure perpendicular to the line of bracing.

D. **Built-up members.** The l/r of individual parts of built-up bracing members between stitches, when computed about a line perpendicular to the axis through the parts, shall not be greater than 75 percent of the l/r of the member as a whole.

E. **Compression elements in braces.** The width-thickness ratio of stiffened and unstiffened compression elements used in braces shall be as shown in U.B.C. Standard No. 27-15.

3. **Bracing connections.** A. **Forces.** Bracing connections shall have the strength to resist the lesser of the following:

- (i) The tensile strength of the bracing.
- (ii) $3(R_w/8)$ times the force in the brace due to the prescribed seismic forces.
- (iii) The maximum force that can be transferred to the brace by the system.

Beam-to-column connections for beams that are part of the bracing system shall have the capacity to transfer the force determined above.

B. **Net area.** In bolted brace connections, the ratio of effective net section area to gross section area shall satisfy the formula:

$$\frac{A_e}{A_g} \geq \frac{1.2 \alpha F^*}{F_u} \quad (10-6)$$

WHERE:

A_e = effective net area as defined in Section 2711 (b) 2.

F^* = stress in brace as determined in Section 2710 (h) 3 A.

F_u = minimum tensile strength.

α = fraction of the member force from Section 2710 (h) 2 A that is transferred across a particular net section.

4. **Bracing configuration.** A. **Chevron bracing.** Chevron bracing shall conform with the following:

(i) Bracing members shall be designed for 1.5 times the otherwise prescribed forces.

(ii) The beam intersected by chevron braces shall be continuous between columns.

(iii) Where chevron braces intersect a beam from below, i.e., inverted V brace, the beam shall be capable of supporting all tributary gravity loads presuming the bracing not to exist.

EXCEPTION: This limitation need not apply to penthouses, one-story buildings or the top story of buildings.

B. K bracing. K bracing is prohibited except as permitted in Subsection 5 below.

5. One- and two-story buildings. Braced frames not meeting the requirements of Section 2710 (h) 2 and 4 may be used in buildings not over two stories in height and in roof structures as defined in Chapter 36 if the braces have the strength to resist $3(R_w/8)$ times the code equivalent static forces.

6. Nonbuilding structures. Nonbuilding structures with R_w values defined by Table No. 23-Q need comply only with the provisions of Section 2710 (h) 3.

(i) Eccentrically Braced Frame (EBF) Requirements. Eccentrically braced frames shall be designed in accordance with the following:

1. Link beam. There shall be a link beam provided at least at one end of each brace. Beams in EBFs shall comply with the requirements of U.B.C. Standard No. 27-15, except that the flange width-thickness ratio, $b_f/2t_f$, shall not exceed $52/\sqrt{F_y}$.

2. Link beam strength. A. Link beam shear strength, V_s , and flexural strength, M_s , are the strengths as defined in Section 2710 (d) 2. Where link beam strength is governed by shear, the flexural and axial capacities within the link shall be calculated using the beam flanges only.

B. A reduced flexural strength, M_{rs} , for use in Section 2710 (i) 7 and 12 is defined as $Z(F_y - f_u)$. Where f_u is less than $0.15F_y$, f_u may be neglected.

3. Link beam rotation. The rotation of the link segment relative to the rest of the beam, at a total frame drift of $3(R_w/8)$ times the drift determined for prescribed seismic forces, shall not exceed the following:

A. 0.060 radians for link segments having clear lengths of $1.6 M_s/V_s$ or less.

B. 0.015 radians for link segments having clear lengths of $2.6 M_s/V_s$ or greater.

C. A value obtained by linear interpolation for clear lengths between the above limits.

4. Link beam web. The web of the link beam shall be single thickness without doubler plate reinforcement. No openings shall be placed in the web of a link beam. The web shear shall not exceed $0.8V_s$ under prescribed lateral forces.

5. Beam connection braces. Brace-to-beam connections shall develop the compression strength of the brace and transfer this force to the beam web. No part of the brace-to-beam connection shall extend into the web area of a link beam.

6. Link beam stiffeners. Link beams shall have full-depth web stiffeners on both sides of the beam web at the brace end of the link beam. In addition, for link beams with clear lengths within the limits in Section 2710 (i) 3 C, full-depth stiffeners shall be placed at a distance b_f from each end of the link. The stiffeners shall have a combined width not less than $b - 2t_w$ and a thickness not less than $0.75 t_w$ or less than $3/8$ inch.

7. Intermediate stiffeners. Intermediate full-depth web stiffeners shall be provided in either of the following conditions:

A. Where the link beam strength is controlled by V_s .

B. Where the link beam strength is controlled by flexure and the shear determined by applying the reduced flexural strength, M_{rs} , exceeds $0.45 F_y d$.

8. Web stiffener spacing. Where intermediate web stiffeners are required, the spacing shall conform to the requirements given below.

A. For link beams with rotation angle of 0.06 radians, the spacing shall not exceed $38t - d/5$.

B. For link beams with a rotation angle of 0.03 radians or less, the spacing shall not exceed $56t_w - d/5$. Interpolation may be used for rotation angles between 0.03 and 0.06 radians.

9. Web stiffener location. For beams 24 inches in depth and greater, intermediate full-depth web stiffeners are required on both sides of the web. Such web stiffeners are required only on one side of the beam web for beams less than 24 inches in depth. The stiffener thickness, t_w , of one side stiffeners shall not be less than $3/8$ inch and the width shall not be less than $(b_f/2) - t_w$.

10. Stiffener welds. Fillet welds connecting the stiffener to the beam web shall develop a stiffener force of $A_{st} F_y$. Fillet welds connecting the stiffener to the flanges shall develop a stiffener force of $A_{st} F_y/4$, where $A_{st} = bt$ of stiffener and $b =$ width of stiffener plate.

11. **Link beam-column connections.** A. Where a link beam is connected to the column flange, the following requirements shall be met:

- (i) The beam flanges shall have full-penetration welds to the column.
- (ii) Where the link beam strength is controlled by shear in conformance with Section 2710 (i) 7, the web connection shall be welded to develop the full link beam web shear strength.

B. Where the link beam is connected to the column web, the beam flanges shall have full-penetration welds to the connection plates and the web connection shall be welded to develop the link beam web shear strength.

12. **Brace strength.** Each brace shall have a compressive strength at least 1.5 times the axial force corresponding to the controlling link beam strength. The controlling link beam strength is either the shear strength, V_t , or the reduced flexural strength, M_{rt} , whichever results in the lesser force in the brace.

13. **Column strength.** Columns shall be designed to remain elastic at 1.25 times the strength of the EBF bay, as defined in Subsection 12 above.

14. **Roof link beam.** A link beam is not required in roof beams for EBF over five stories.

15. **Concentric brace in combination.** The first story of an EBF bay over five stories in height may be concentrically braced if this story can be shown to have an elastic capacity 50 percent greater than the yield capacity of the story frames above the first story.

16. **Axial forces.** Axial forces in beams of EBF frames due to braces and due to transfer of seismic force to the end of the frames shall be included in the frame calculations.

17. **Beam flanges.** Top and bottom flanges of EBF frame beams shall be laterally braced at the ends of link beams and at intervals not exceeding $76/\sqrt{F_y}$ times the beam flange width. End bracing shall be designed to resist 1.5 percent of the beam flange strength, defined as $F_y b_f t_f$. Intermediate bracing shall be designed to resist 1.0 percent of the beam flange force at the brace point using the link beam strength determined in Section 2710 (i) 12.

18. **Beam-column connection.** Beam connections to columns may be designed as pins in the plane of the beam web if the link beam is not adjacent to the column. Such connection shall have the capacity to resist a torsional moment of $0.01F_y b_f t_f d$.

(j) **Stud Wall Systems.** Stud wall systems may be used to resist the specified seismic forces in buildings not over five stories in height. Such systems shall comply with the following:

- 1. The H/r of the brace may exceed 200 and is unlimited.
- 2. All boundary members, chords and collectors shall be designed and detailed to transmit the induced axial forces.
- 3. Connection of the diagonal bracing member, top chord splices, boundary members and collectors shall be designed to develop the full tensile strength of the member or $3(R_w/8)$ times the otherwise prescribed seismic forces.
- 4. Vertical and diagonal members of the braced bay shall be anchored so the bottom track is not required to resist uplift forces by bending of the track web.
- 5. Both flanges of studs in a bracing panel shall be braced to prevent lateral torsional buckling. Wire tied bridging shall not be considered to provide such restraint.
- 6. Screws shall not be used to resist lateral forces by pullout resistance.
- 7. Provision shall be made for pretensioning or other methods of installation of tension-only bracing to guard against loose diagonal straps.

(k) **Nondestructive Testing.** Welded connections between the primary members of special moment-resisting frames shall be tested by nondestructive methods for compliance with U.B.C. Standard No. 27-6 and job specifications. This testing shall be a part of the special inspection requirements of Section 306. A program for this testing shall be established by the person responsible for structural design and as shown on plans and specifications.

As a minimum, this program shall include the following:

1. All complete penetration groove welds contained in joints and splices shall be tested 100 percent either by ultrasonic testing or by radiography.

EXCEPTION: When approved, the nondestructive testing rate for an individual welder or welding operator may be reduced to 25 percent, provided the reject rate is demonstrated to be 5 percent or less of the welds tested for the welder or welding operator. A sampling of at least 40 completed welds for a job shall be made for such reduction evaluation. Reject rate is defined as the number of welds containing rejectable defects divided by the number of welds completed. For evaluating the reject rate of continuous welds over 3 feet in length where the effective throat thickness is 1 inch or less, each 12-inch increment or fraction thereof shall be considered as one

weld. For evaluating the reject rate on continuous welds over 3 feet in length where the effective throat thickness is greater than 1 inch, each 6 inches of length or fraction thereof shall be considered one weld.

When approved by the building official and outlined in the project plans and specifications, this nondestructive ultrasonic testing may be performed in the shop of an approved fabricator utilizing qualified test techniques in the employment of the fabricator.

2. Partial penetration groove welds when used in column splices shall be tested either by ultrasonic testing or radiography when required by the plans and specifications.

3. Base metal thicker than 1 1/2 inches, when subjected to through-thickness weld shrinkage strains, shall be ultrasonically inspected for discontinuities directly behind such welds after joint completion.

Any material discontinuities shall be accepted or rejected on the basis of the defect rating in accordance with the (larger reflector) criteria of U.B.C. Standard No. 27-6.

NEW SECTION

WAC 51-20-3000 CHAPTER 30. VENEER.

NEW SECTION

WAC 51-20-3007 PLASTIC VENEER. Section 3007.

When used within a building, plastic veneer shall comply with the interior finish requirements of Chapter 42. Exterior plastic veneer shall be of approved plastics materials as defined in Chapter 4 and shall comply with the following:

(a) Plastic veneer shall not be attached to any exterior wall to a height greater than 50 feet above grade.

(b) Sections of plastic veneer shall not exceed 300 square feet in area and shall be separated by a minimum of 4 feet vertically.

EXCEPTIONS: 1. The area and separation requirements and the smoke-density limitation are not applicable to plastic veneer applied to Type V-N buildings, provided the walls are not required to have a fire-resistive rating.

OPTIONAL

2. The area and separation requirements are not applicable to veneers of approved plastic materials meeting the ASTM Standard No. D3679-81a when applied to exterior surfaces that have a one-hour fire-resistive rating before the application of the veneer.

NEW SECTION

WAC 51-20-3100 CHAPTER 31 ACCESSIBILITY.

PART I NEW CONSTRUCTION

NEW SECTION

WAC 51-20-3101 SCOPE. Section 3101. (a) General. Buildings or portions of buildings shall be accessible to persons with disabilities as required by this chapter.

Chapter 31 has been amended to comply with the Federal Fair Housing Act (FFHA) Guidelines as published by the U.S. Department of Housing and Urban Development (March 1991) and the Americans With Disabilities Act (ADA) Guidelines as published by the U.S. Architectural and Transportation Barriers Compliance Board and Department of Justice (July, 1991).

Reference is made to Appendix Chapter 31 for FFHA and ADA requirements not regulated by this chapter.

(b) Design. The design and construction of accessible building elements shall be in accordance with this chapter. For a building, structure or building element to be considered to be accessible, it shall be designed and constructed to the minimum provisions of this chapter.

(c) Maintenance of Facilities. Any building, facility, dwelling unit or site which is constructed to be accessible or adaptable under this chapter shall be maintained accessible and/or adaptable during its occupancy.

NEW SECTION

WAC 51-20-3102 DEFINITIONS. Section 3102. For the purpose of the chapter certain terms are defined as follows:

ACCESSIBLE is approachable and usable by persons with disabilities including those disabilities affecting mobility, sensory or cognitive functions.

ACCESS AISLE is an accessible pedestrian space between elements, such as parking spaces, seating, and desks, that provides clearances appropriate for use of the elements.

ACCESSIBLE EXIT is an exit, as defined in Section 3301 (b), which complies with this chapter and does not contain stairs, steps, or escalators.

ACCESSIBLE ROUTE OF TRAVEL is a continuous unobstructed path connecting all accessible elements and spaces in an accessible building or facility that can be negotiated by a person using a wheelchair and that is usable by persons with other disabilities.

AREA FOR EVACUATION ASSISTANCE is an accessible space which is protected from fire and smoke and which facilitates a delay in egress.

AUTOMATIC DOOR is a door equipped with a power-operated mechanism and controls that open and close the door automatically upon receipt of a momentary actuating signal. The switch that begins the automatic cycle may be a photoelectric device, floor mat or manual switch (see also, Power-assisted Door).

CLEAR is unobstructed.

CLEAR FLOOR SPACE is the minimum unobstructed floor or ground space required to accommodate a single, stationary wheelchair occupant.

COMMON USE AREAS are rooms, spaces or elements inside or outside a building that are made available for use by occupants of the building.

CROSS SLOPE is the slope that is perpendicular to the direction of travel.

CURB RAMP is a short ramp cutting through or built up to a curb.

DETECTABLE WARNING is a standardized surface feature built in or applied to walking surfaces or other elements to warn visually impaired persons of hazards on a circulation path.

DWELLING UNIT, TYPE A is an accessible dwelling unit that is designed and constructed to provide full wheelchair access to all doors, a 60 inch minimum diameter unobstructed floor space for wheelchair access in kitchens and bathrooms, and accessible counter space.

DWELLING UNIT, TYPE B is an accessible dwelling unit that is designed and constructed to the U.S. Department of Housing and Urban Development Federal Fair Housing Act Accessibility Guidelines.

ELEMENT is an architectural or mechanical component of a building, facility, space, or site, such as telephones, curb ramps, doors, drinking fountains, seating, or water closets.

LANDING is a level area (except as otherwise provided), within or at the terminus of a stair or ramp.

MARKED CROSSING is a crosswalk or other identified path intended for pedestrian use in crossing a vehicular way.

MULTISTORY DWELLING UNIT is a dwelling unit with finished living space located on one floor, and the floor or floors immediately above or below it.

PERSON WITH DISABILITY is an individual who has a physical impairment, including a mobility, sensory or cognitive impairment, which results in a functional limitation in access to and using of a building or facility.

POWER-ASSISTED DOOR is a door used for human passage with a mechanism that helps to open the door, or relieve the opening resistance of the door, upon the activation of a switch or a continued force applied to the door itself.

PUBLIC USE AREAS are those interior or exterior rooms or spaces which are made available to the general public. Public use may be provided at a privately or publicly owned building or facility.

PRIMARY ENTRY is the principal entrance through which most people enter the building. A building may have more than one primary entry.

PRIMARY ENTRY LEVEL is the floor or level of the building on which the primary entry is located.

RAMP is any walking surface having a running slope exceeding 1 inch vertical in 48 inches horizontal.

SERVICE ENTRY is an entrance intended primarily for delivery of goods or services.

SINGLE-STORY DWELLING UNIT is a dwelling unit with all finished living spaces located on one floor.

SITE is a parcel of land bounded by a property line or a designated portion of a public right-of-way.

TACTILE is an object that can be perceived using the sense of touch.

TELECOMMUNICATION DISPLAY DEVICE OR TELECOMMUNICATION DEVICE FOR THE DEAF (TDD) is a telecommunications display device, also known as a telecommunications device for the deaf that employs graphic (i.e., written) communications through the transmission of coded signals across the standard telephone network.

VEHICULAR WAY is a route intended for vehicular traffic, such as a driveway or parking lot.

NEW SECTION

WAC 51-20-3103 BUILDING ACCESSIBILITY. Section 3103. (a) Where required. 1. General. Accessibility to temporary or permanent buildings or portions thereof shall be provided for all occupancy classifications except as modified by this chapter. See also Appendix Chapter 31.

EXCEPTIONS: 1. Floors or portions of floors not customarily occupied, including, but not limited to, elevator pits, elevator penthouses, lookout galleries, piping and equipment catwalks and machinery, mechanical and electrical equipment rooms.

OPTION 1

2. In other than Group R Occupancies; Group B, Division 2 retail Occupancies; terminals, depots and other stations used for public transportation; and the professional offices of health care providers, floors above and below fully accessible levels with a combined occupant load of fewer than 50 need not be accessible provided that the primary entry level provides facilities equivalent to those located on the nonaccessible levels.

OPTION 2

2. In other than Group R Occupancies; Group B, Division 2 retail Occupancies; terminals, depots and other stations used for transportation; and the professional offices of health care providers, floors above and below fully accessible levels that have areas of less than 3000 square feet per floor, need not be accessible provided that the primary entry level provides facilities equivalent to those located on the nonaccessible levels.

OPTION 1

3. Temporary structures, sites and equipment directly associated with the construction process such as scaffolding, bridging or material hoists are not required to be accessible.

OPTION 2

3. Temporary structures, sites and equipment directly associated with the construction process such as construction site offices, scaffolding, bridging or material hoists are not required to be accessible.

Where provided, elevators shall meet the provisions of Section 3105 (c) of this code.

2. Group A Occupancies. A. General. All Group A Occupancies shall be accessible as provided in this chapter.

EXCEPTIONS: 1. In non-elevator buildings, where the area of mezzanine seating is not more than 25 percent of the total seating, an accessible means of vertical access to the mezzanine is not required; provided that the same services are provided in an accessible space which is not restricted to use only by persons with disabilities. Comparable facilities shall be available in all seating areas.

2. In banquet rooms or spaces where the head table or speaker's lectern is located on a permanent raised platform, the platform shall be accessible in compliance with Section 3106. Open edges on a raised platform shall be protected by a curb with a height of not less than 2 inches.

Stadiums, theaters, auditoriums and similar occupancies shall provide wheelchair spaces in accordance with Table No. 31-A. Removable seats shall be permitted in the wheelchair spaces.

Wheelchair spaces shall be accessible, located in places with unobstructed sight lines and reasonably distributed throughout the seating plan.

B. Assistive Listening Devices. Any assembly occupancies shall have an assistive listening system complying with Section 3106 (u) 3.

Assistive listening devices shall be provided at a rate of 4 percent of the total number of seats, but in no case fewer than two. Signage complying with Section 3106 (p) shall be installed to notify patrons of the availability of the listening system.

3. Group B Occupancies. All Group B Occupancies shall be accessible as provided in this chapter.

EXCEPTION: In Group B, Division 2 offices of a professional health care provider, at least 1 in 20 examination and treatment rooms shall be accessible.

Group B Occupancies with assembly spaces shall comply with Section 3103 (a) 2. B.

4. Group E Occupancies. All Group E Occupancies shall be accessible as provided in this chapter. Group E Occupancies with assembly spaces shall comply with Section 3103 (a) 2. B.

5. Group H Occupancies. All Group H Occupancies shall be accessible as provided in this chapter.

6. Group I Occupancies. All Group I Occupancies shall be accessible in all public use, common use and employee use areas, and shall have accessible patient rooms, cells and treatment or examination rooms as follows:

A. In Group I, Division 1.1 hospitals which specialize in treating conditions that affect mobility, all patient rooms in each nursing unit, including associated toilet rooms and bathrooms.

B. In Group I, Division 1.1 hospitals which do not specialize in treating conditions that affect mobility, at least 1 in every 10 patient rooms in each nursing unit, including associated toilet rooms and bathrooms.

C. In Group I, Division 1.1 and Division 2 nursing homes and long-term care facilities, at least 1 in every 2 patient rooms, including associated toilet rooms and bathrooms.

D. In Group I, Division 3 mental health Occupancies, at least 1 in every 10 patient rooms, including associated toilet rooms and bathrooms.

OPTION 1

E. In Group I, Division 3 jail, prison and similar Occupancies, at least 1 in every 100 rooms or cells, including associated bath facilities.

OPTION 2

E. In Group I, Division 3 jail, prison and similar Occupancies, at least 1 in every 50 rooms or cells, including associated bath facilities.

F. In Group I, Division 1.2 offices of professional health care providers, at least 1 in every 20 examination and treatment rooms.

At least one accessible entrance that complies with Section 3103 (b) shall be under shelter. Every such entrance shall include a passenger loading zone which complies with Section 3108 (b) 3.

7. Group M Occupancies. To the extent that accessible parking is provided, Group M, Division 1 private garages which are accessory to dwelling units required to be accessible shall be accessible. Other Group M, Division 1 Occupancies shall be accessible.

8. Group R Occupancies. A. General. All Group R Occupancies shall be accessible as provided in this chapter. Public use and common use areas such as recreational facilities, laundry facilities, garbage and recycling collection areas, mailbox locations, lobbies, foyers and management offices, shall be accessible.

EXCEPTION: Public use and common use areas within buildings exempted from providing both Type A and Type B dwelling units by Section 3103 (a) 8. B. need not be accessible, provided that equivalent public use and common use areas which are accessible shall be provided for in other accessible buildings.

B. Number of Dwelling Units. In all Group R, Division 1 apartment buildings the total number of units shall be as required by Table No. 31-B.

All other dwelling units shall be designed and constructed to the requirements for Type B units as defined in this chapter.

EXCEPTIONS: 1. Group R Occupancies containing three or fewer dwelling units or congregate residences accommodating 16 or fewer persons.

2. Dwelling units in Group R, Division 1 apartment buildings which are located on floors other than the primary entry level where no elevator is provided within the building. Where the

primary entry level is not a Group R Occupancy, the first level of Group R Occupancy, including dwelling units, shall be accessible.

3. In Type B dwelling units with two or more stories in a non-elevator building.

OPTION 1

4. Subject to the approval of the building official, where multiple buildings are planned on a single site, individual, non-elevator buildings may be exempted from containing Type B dwelling units where the site terrain is impractical for providing accessibility. In no case shall the number of Type B dwelling units provided on entry levels (on the entire site), when defined as the percentage of the total number of units on entry levels, be smaller than the percentage of the site which is less steep than 10 percent grade, or smaller than 20 percent of the total number of entry level units on the site.

OPTION 2 DO NOT INCLUDE EXCEPTION 4

C. Number of Guest Rooms. In all hotels and lodging houses 1 of every 20 guest rooms, or fractional part thereof, including associated bathing and toilet facilities, shall be accessible. An additional 5 percent of each class of sleeping rooms or suites, but never fewer than one, shall comply with Sections 3106 (n) 3. and 3106 (o). In addition, public use and common use areas of all hotels and lodging houses shall be accessible.

EXCEPTION: Group R, Division 3 lodging houses.

D. Proportional Distribution. Accessible dwelling units and accessible hotel or motel units shall be apportioned among efficiency dwelling units, single bedroom units and multiple bedroom units in proportion to the numbers of such units in the building.

9. Other Parking Facilities. Principal use parking facilities which are not accessory to the use of any building or structure shall provide accessible spaces in accordance with Table No. 31-C.

(b) Design and Construction. 1. General. When accessibility is required by this chapter, it shall be designed and constructed in accordance with this chapter.

2. Accessible Route of Travel. When a building, or portion of a building, is required to be accessible, an accessible route of travel shall be provided to all portions of the building, to accessible building entrances and connecting the building to the public way. Except within an accessible dwelling unit, an accessible route of travel shall not pass through kitchens, storage rooms, toilet rooms, bathrooms, closets or other similar spaces.

Accessible routes of travel serving any accessible space or element shall also serve as a means of egress for emergencies or connect to an area of evacuation assistance.

When more than one building or facility is located on a site, accessible routes of travel shall be provided connecting accessible buildings and accessible site facilities. The accessible route of travel shall be the most practical direct route connecting accessible building entrances, accessible site facilities and the accessible site entrances.

EXCEPTION: For sites where natural terrain or other unusual property characteristics do not allow the provision of an accessible route of travel from the public way to the building, the point of vehicular debarkation may be substituted for the accessible entrance to the site.

3. Primary Entry Access. The primary entry to a building shall be accessible. All other entrances to a building which are located within 6 inches of grade shall be accessible. Except within an accessible dwelling unit, a primary entry accessible route of travel shall not pass through kitchens, storage rooms, toilet rooms, bathrooms, closets or other similar spaces.

Where a building has multiple entries to common areas within a building, at least one entry on each facade, where entries are provided, shall be accessible.

EXCEPTION: Subject to the approval of the building official, where a building entry is directly adjacent to a public right-of-way, and the slope of the right-of-way exceeds 1 vertical in 12 horizontal, accessibility of the entry may be waived provided the building is accessible through other entries.

Where a building has multiple entries to individual tenant spaces within a building, each entry shall be accessible. Where a building has multiple entries on the same facade to common areas within the building, accessible entries shall be provided not less than every 500 feet of building facade.

EXCEPTION: Where a building does not provide entries every 500 feet or less along the same facade, each entry along the same facade shall be accessible.

4. Signs and Detectable Warnings. A. International Symbol of Access. The following elements and spaces of accessible facilities shall be identified by the International Symbol of Access:

- (1) Primary public site entrance(s)
- (2) Accessible parking facilities
- (3) Accessible parking space(s)
- (4) Accessible passenger loading zone(s)
- (5) Primary public building entrance(s)
- (6) Accessible toilet and bathing facilities
- (7) Required accessible exit(s)

EXCEPTIONS: 1. Toilet and bathing facilities within dwelling units, patient rooms and guest rooms.
2. Individual entrances into dwelling units, patient rooms and guest rooms.

At every major junction along or leading to an exterior accessible route of travel, there shall be a sign displaying the International Symbol of Access. Signage shall indicate the direction to accessible entrances and facilities.

A list of accessible rooms shall be permanently posted at each hotel/motel reception or check-in desk.

B. Other Signs. Every sign identifying a building or facility and permanent signs identifying any room or space shall be lettered, proportioned and colored for easy visibility and readability given its height and location.

The lettering on signs mounted at 66 inches or less above the adjoining walking surface shall be raised at least 1/32 inch. In addition, these signs shall provide the same message as provided in the lettering in Grade 2 Braille.

C. Detectable Warnings. Doors leading to hazardous areas, such as loading platforms, stages, mechanical rooms or similar areas, and stairs shall be made identifiable to the touch by a textured surface on the door pull or other operating hardware. Such textured surfaces shall not be provided on hardware of exit doors or any doors other than those to hazardous areas.

All stairs, except those in dwelling units and in stairway enclosures, shall have a detectable warning in accordance with Section 3106 (q).

NEW SECTION

WAC 51-20-3104 EGRESS AND AREAS FOR EVACUATION ASSISTANCE. Section 3104. (a) General. In buildings or portions of buildings required to be accessible, accessible means of egress shall be provided in the same number as required for exits by Chapter 33. When an exit required by Chapter 33 is not accessible, an area for evacuation assistance shall be provided.

Every area for evacuation assistance shall comply with the requirements of this code and shall adjoin an accessible route of travel which shall comply with Section 3106.

(b) Areas for Evacuation Assistance. 1. Location and Construction. An area for evacuation assistance shall be one of the following:

A. A portion of a landing within a smokeproof enclosure, complying with Section 3310.

B. A portion of an exterior exit balcony, located immediately adjacent to an exit stairway, when the exterior exit balcony complies with Section 3305. Openings to the interior of the building located within 20 feet of the area for evacuation assistance shall be protected with fire assemblies having a three-fourths-hour fire-protection rating.

OPTION 1

C. A portion of a one-hour fire-resistive corridor complying with Sections 3305 (g) and (h) located immediately adjacent to an exit enclosure.

OPTION 2

Delete subsection (b) 1. C. and renumber remaining subsections.

D. A vestibule located immediately adjacent to an exit enclosure and constructed to the same fire-resistive standards as required by Section 3305 (g) and (h).

E. A portion of a stairway landing within an exit enclosure which is vented to the exterior and is separated from the interior of the building by not less than one-hour fire-resistive door assemblies.

F. When approved by the building official, an area or room which is separated from other portions of the building by a smoke barrier.

Smoke barriers shall have a fire-resistive rating of not less than one hour and shall completely enclose the area or room. Doors in the smoke barrier shall be tight-fitting smoke- and draft-control assemblies having a fire-protection rating of not less than 20 minutes and shall be self-closing or automatic closing. The area or room shall be provided with an exit directly to an exit enclosure. When the room or area exits into an exit enclosure which is required to be of more than one-hour fire-resistive construction, the room or area shall have the same fire-resistive construction, including the same opening protection, as required for the adjacent exit enclosure.

G. An elevator lobby complying with Section 3104 (d).

2. Size. Each area for evacuation assistance shall provide at least two wheelchair spaces not smaller than 30 inches by 48 inches for each space. The area for evacuation assistance shall not encroach on any required exit width. The total number of such 30-inch by 48-inch wheelchair spaces per story shall not be less than 1 for every 200 persons of calculated occupant load served by the area for evacuation assistance.

OPTION 1

Delete subsection (b) 3. and renumber remaining subsections.

OPTION 2

3. Stairway Width. Each stairway adjacent to an area for evacuation assistance shall have a minimum clear width of 48 inches. Handrails may project into the required width a distance of 3-1/2 inches from each side of a stairway.

OPTION 3

3. Stairway Width. Each stairway adjacent to an area for evacuation assistance shall have a minimum clear width of 48 inches between handrails.

EXCEPTION: Subject to the approval of the building official, stairway width may be as required by Section 3306 when an approved mechanical evacuation device is located at each area of evacuation assistance.

4. Two-way Communication. A telephone with controlled access to a public telephone system or another method of two-way communication shall be provided between each area for evacuation assistance and the primary entry. The fire department may approve location other than the primary entry.

5. Identification. Each area for evacuation assistance shall be identified by a sign which states: AREA FOR EVACUATION ASSISTANCE and the International Symbol of Access. The sign shall be illuminated when exit sign illumination is required. The sign shall comply with Sections 3314 (c) and (d). In each area for evacuation assistance, instructions on the use of the area under emergency conditions shall be posted adjoining the two-way communication system.

6. Doors. Doors to the area for evacuation assistance shall comply with the requirements of Section 3106, shall swing in the direction of exit travel and shall not prevent re-entry from the egress side.

(c) Accessible Exits. All exterior exits which are located adjacent to accessible areas and within 6 inches of grade shall be accessible.

OPTION 1

(d) Area for Evacuation Assistance, High-rise Alternative. Within a building of any height or occupancy, constructed in accordance with the requirements of Section 1807 or 1907, an area for evacuation assistance may be located in the elevator lobby when:

1. The area for evacuation assistance complies with the requirements for size, two-way communication and identification as specified in Section 3104 (b); and,

2. Elevator shafts and adjacent lobbies are pressurized as required for smokeproof enclosures in Section 3310. Such pressurization system shall be activated by smoke detectors on each floor located in a manner approved by the building official. Pressurization equipment and its ductwork within the building shall be separated from other portions of the building by a minimum two-hour fire-resistive construction.

OPTION 2

(d) Area for Evacuation Assistance, High Rise Alternative. Within a building of any height or occupancy, constructed in accordance with the requirements of Section 1807 or 1907, an area for evacuation assistance may be located in the elevator lobby, or adjacent to the elevator where no lobby is required, when:

1. The area for evacuation assistance complies with the requirements for size, two-way communication and identification as specified in Section 3104 (b); and,

2. Elevator shafts are pressurized as required for smokeproof enclosures in Section 3310. Such pressurization system shall be activated by smoke detectors on each floor located in a manner approved by the building official. Pressurization equipment and its ductwork within the building shall be separated from other portions of the building by a minimum of two-hour fire-resistive construction.

3. The manager of the building shall establish and maintain a written fire- and life-safety emergency plan which, in addition to other provisions, shall specifically address the evacuation of persons with disabilities, and which has been approved by the building official and fire chief.

NEW SECTION

WAC 51-20-3105 FACILITY ACCESSIBILITY. Section 3105. (a) General. Where buildings are required to be accessible, building facilities shall be accessible to persons with disabilities as provided in this section. Where specific floors of a building are required to be accessible, the requirements shall apply only to the facilities located on accessible floors.

All building facilities or elements required by this section to be accessible shall be designed and constructed in accordance with Section 3106.

(b) Bathing and Toilet Facilities. 1. Bathing Facilities. When bathing facilities are provided, at least 2 percent, but not less than 1, bathtub or shower shall be accessible.

2. Toilet Facilities. Toilet facilities located within Type A and Type B dwelling units, guest rooms and congregate residences shall comply with Section 3106 (k).

EXCEPTION: Toilet facilities located within Type B dwelling units need not comply with Section 3106 (k) 1.

In each toilet facility in other occupancies, at least one accessible water closet shall be provided. When there are 10 or more water closets within a toilet facility, two accessible water closets shall be provided.

Where urinals are provided, at least one urinal shall be accessible.

3. Lavatories, Mirrors and Towel Fixtures. At least one accessible lavatory shall be provided within any toilet facility. Where mirrors, towel fixtures and other toilet and bathroom accessories are provided, at least one of each shall be accessible.

4. Fixtures in Dwelling Units. Grab bars may be omitted in bathing and toilet facilities within Type A or B dwelling units provided all structural reinforcements for grab bar installation are provided in the appropriate locations in the adjoining walls.

(c) Elevators. 1. Where Required. In multi-story buildings or portions thereof required to be accessible by Section 3103, at least one elevator shall serve each level, including mezzanines. If an elevator is not required but is nonetheless provided, the elevator shall be accessible.

EXCEPTIONS: 1. In Group R, Division 1 Occupancies an elevator is not required where accessible dwelling units and guest rooms are accessible by ramp or by grade level route of travel.

2. In a building of three or fewer stories an elevator is not required where ramps, grade-level entrances or accessible horizontal exits from an adjacent building is provided to each floor.

3. In multistory parking garages, an elevator is not required where an accessible route of travel is provided from accessible parking spaces on levels with accessible horizontal connections to the primary building served.

4. In Group R, Division 1 hotels and motels less than 3 stories in height, an elevator is not required provided that accessible guest rooms are provided on the first story.

2. Design. All elevators shall be accessible.

EXCEPTIONS: 1. Private elevators serving only one dwelling unit.
2. Where more than one elevator is provided in the building, elevators used exclusively for movement of freight.

Elevators required to be accessible shall be designed and constructed to comply with Chapter 296-81 of the Washington Administrative Code.

3. Platform Lifts. Platform lifts shall not be allowed on an accessible route of travel.

EXCEPTION: Subject to approval by the building official, access to areas of less than 3,000 square feet; or with an occupant load of less than 100; that are less than a full story above or below the accessible level, and to performance areas, may be by a platform lift, provided that the platform lift can be independently operated.

(d) Other Building Components. 1. Water Fountains. On any floor where water fountains are provided, at least 50 percent, but in no case less than one fountain shall be accessible.

2. Telephones. On any floor where public telephones are provided at least one telephone shall be accessible. On any floor where 2 or more banks of multiple telephones are provided, at least one telephone in each bank shall be accessible.

In transportation facilities and assembly occupancies where multiple phone banks are provided, at least one TDD telephone shall be provided on each floor.

All accessible telephones and at least 25 percent of all other public telephones shall be provided with volume controls in accordance with Section 3106 (n). Where six or more public telephones are provided in the building at least one shall be equipped with a TDD in accordance with Section 3106 (n).

3. Kitchens. Kitchens within accessible dwelling units shall be designed in accordance with Section 3106. Kitchens, kitchenettes or wet bars which are provided accessory to a sleeping room, guest room or suite, shall be designed in accordance with Section 3106. Countertops and sinks shall be mounted at a maximum height of 34 inches above the floor. At least 50 percent of shelf space in cabinets and appliances shall be within the reach ranges of Section 3106.

EXCEPTION: Kitchens in Type B dwelling units need not comply with Section 3106 (l) 1.

4. Swimming Pools. Where common or public use swimming pools, hot tubs, spas and similar facilities are provided, they shall be accessible. Swimming pools shall be accessible by transfer tier, hydraulic chair, ramp or other means. Hot tubs and spas shall be accessible only to the edge of the facility.

OPTION 1

5. Fixed Tables. Where fixed tables are provided at least 5 percent, but no fewer than two, shall be accessible. Accessible fixed tables shall comply with Section 3106 (s). In eating and drinking establishments, such tables shall be distributed throughout the facility.

OPTION 2

5. Fixed Tables. Where fixed tables are provided at least 10 percent, but no fewer than one, shall be accessible. Accessible fixed tables shall comply with Section 3106 (s). In eating and drinking establishments, such tables shall be distributed throughout the facility.

6. Work Surfaces. Where fixed or built-in seating, tables, sinks or work surfaces are provided in accessible spaces at least 5 percent, but no fewer than 1, of such fixed seating, tables, sinks or work surfaces shall be accessible in accordance with Section 3106 (s). An accessible route of travel shall lead to such fixed or built-in seating, tables, sinks or work surfaces.

7. Storage, Shelving and Display Units. Where fixed or built-in storage facilities such as cabinets, shelves, closets and drawers are provided in accessible spaces, at least one of each type provided shall contain storage space complying with Section 3106 (r).

Self service shelves or display units in retail occupancies shall be located on an accessible route in accordance with Section 3103 (b) 2.

8. Controls, Operating Mechanisms and Hardware. Controls, operating mechanisms and hardware, including switches that control lighting and ventilation and electrical convenience outlets, in accessible spaces, along accessible routes, or as parts of accessible elements shall comply with Section 3106 (c).

EXCEPTION: Floors or portions of floors not customarily occupied, including, but not limited to, elevator pits, elevator penthouses, lookout galleries, piping and equipment catwalks and machinery, mechanical and electrical equipment rooms.

9. Alarms. Alarm systems where provided, shall include both audible and visible alarms. The alarm devices shall be located in all sleeping accommodations and common use areas including toilet rooms and bathing facilities, hallways, and lobbies.

EXCEPTIONS: 1. Alarm systems in Group I, Division 1.1 and 1.2 Occupancies may be modified to suit standard health care design practice.
2. Visible alarms need not be required in dwelling units.

NEW SECTION

WAC 51-20-3106 SECTION 3106. Accessible Design and Construction Standards. (a) General. Where accessibility is required by this chapter, it shall be designed and constructed in accordance with this section, unless otherwise specified in this chapter.

(b) Space Allowance and Reach Ranges. 1. Wheelchair Passage Width. The minimum clear width for single wheelchair passage shall be 36 inches. The minimum width for two wheelchairs to pass is 60 inches.

EXCEPTION: The minimum width for single wheelchair passage may be 32 inches for a maximum distance of 24 inches.

Wheelchair turning spaces shall be designed and constructed to satisfy one of the following requirements:

1. A turning space not less than 60 inches in diameter; or,
2. A turning space at T-shaped intersections where minimum corridor width is not less than 36 inches. Each T shall be clear of obstructions not less than 24 inches in each direction.

2. Unobstructed Floor Space. A floor and vertical space above such floor space free of any physical obstruction, including door swings, to a height of 29 inches shall be provided. Where a pair of doors occurs the swing of the inactive leaf may be considered unobstructed floor space. A toe space which is a minimum of 9 inches in height and 6 inches in depth may be considered a part of the unobstructed floor space.

3. Clear Floor or Ground Spaces and Maneuvering Clearance Space for Wheelchairs.

A. Size. The minimum clear floor or ground space required to accommodate a single, stationary wheelchair occupant shall be not less than 30 inches by 48 inches.

B. Approach. Wheelchair spaces shall be designed to allow for forward or parallel approach to an accessible feature.

C. Knee and Toe Clearances. Spaces under obstructions, work surfaces or fixtures may be included in the clear floor or ground space provided that they are at least 30 inches in width, a minimum of 27 inches in height and not greater than 25 inches in depth. Toe spaces under obstructions, work surfaces or fixtures may be included in the clear floor or ground space provided that they are not more than 6 inches in depth and a minimum 9 inches in height.

D. Approach to Wheelchair Spaces. One full unobstructed side of the clear floor or ground space for a wheelchair shall adjoin or overlap an accessible route of travel, or shall adjoin another wheelchair clear space. Clear space located in an alcove or otherwise confined on all or part of three sides shall be not less than 36 inches in width where forward approach is provided, or 60 inches in width where parallel approach is provided.

E. Forward Reach. Where the clear floor space only allows forward approach to an object, the maximum high forward reach allowed shall be not higher than 48 inches. Reach obstructions 20 inches or less in depth may project into the clear space provided that knee clearance is maintained in accordance with Section 3106 (b) 2. B. Reach obstructions greater than 20 inches in depth may project into the clear space provided that the reach obstruction shall not exceed 25 inches in depth and the maximum high forward reach shall not exceed 44 inches in height. The minimum low forward reach shall be not lower than 15 inches.

F. Side Reach. Where the clear floor space allows parallel approach by a person in a wheelchair, the maximum high side reach allowed shall be not higher than 54 inches. Obstructions no greater than 34 inches in height and no more than 24 inches in depth may be located in the side reach area provided that when such obstructions are present the side reach shall be not more than 46 inches. The minimum low side reach shall be not lower than 9 inches.

(c) Controls and Hardware. 1. Operation. Handles, pulls, latches, locks and other operating devices on doors, windows, cabinets, plumbing fixtures and storage facilities, shall have a lever or other shape which will permit operation by wrist or arm pressure and does not require tight grasping, pinching or twisting to operate. Force required to operate windows shall be not greater than 5 pounds. Doors shall comply with Section 3304.

2. Mounting Heights. The highest operable part of environmental and other controls, dispensers, receptacles and other operable equipment shall be within at least one of the reach ranges specified in Section 3306 (b), and not less than 36 inches above the floor. Electrical

and communications system receptacles on walls shall be mounted a minimum of 15 inches in height above the floor. Door hardware shall be mounted at not less than 36 inches and not more than 48 inches above the floor.

3. Clear Floor Space. Clear floor space that allows a forward or a side approach shall be provided at all controls or hardware.

(d) Accessible Route of Travel. 1. Width. The minimum clear width of an accessible route of travel shall be 36 inches except at doors (see Section 3106 (j) 2.). Where an accessible route includes a 180 degree turn around an obstruction which is less than 48 inches in width, the clear width of the accessible route of travel around the obstruction shall be 42 inches minimum.

OPTION 1

FOR THE MINIMUM WIDTH OF EXTERIOR ROUTES OF TRAVEL, ADD THE FOLLOWING EXCEPTION:

EXCEPTION: For exterior accessible routes of travel, the minimum clear width shall be 44 inches.

OPTION 2

FOR THE MINIMUM WIDTH OF EXTERIOR ROUTES OF TRAVEL, DO NOT ADOPT THE EXCEPTION.

Where an accessible route is less than 60 inches in width, passing spaces at least 60 inches by 60 inches shall be located at intervals not to exceed 200 feet. A T-shaped intersection of two corridors or walks may be used as a passing space.

2. Height. Accessible routes shall have a clear height of not less than 79 inches. Where the vertical clearance of an area adjoining an accessible route of travel is less than 79 inches but more than 27 inches, a continuous permanent barrier shall be installed to prevent traffic into such areas of reduced clearance.

3. Slope. An accessible route of travel shall have a running slope not greater than 1 vertical in 12 horizontal. An accessible route of travel with a running slope greater than 1 vertical in 20 horizontal shall comply with Section 3106 (h). Cross slopes of an accessible route of travel shall not exceed 1 vertical in 48 horizontal.

4. Changes in Level. Changes in level along an accessible route of travel shall comply with Section 3106 (f). Stairs shall not be part of an accessible route of travel. Any raised area within an accessible route of travel shall be cut through to maintain a level route or shall have curb ramps at both sides and a level area not less than 48 inches long connecting the ramps.

5. Surfaces. A. General. All floor and ground surfaces in an accessible route of travel shall comply with Section 3106 (g).

B. Detectable Warnings. Curb ramps shall have detectable warnings complying with Section 3106 (g). Detectable warnings shall extend the full width and depth of the curb ramp.

6. Edge Protection. Guardrails designed and constructed in accordance with Section 1712 shall be provided on any portion of an accessible route of travel which is more than 30 inches above grade or floor below. Any portion of the edge of an accessible route of travel which is more than 8 inches above grade shall be provided with a protective railing with the top of the rail at a height of 34 inches nominal and a mid-rail at a height of 18 inches nominal; or with shoulder slopes.

Shoulder slopes shall abut any accessible route of travel; shall be at the same grade as its edges; and shall have a slope, downward from the edge, of not more than 1 vertical in 48 horizontal for a distance of not less than 36 inches.

EXCEPTION: Where curbs, walls, handrails or guardrails abut the accessible route of travel. Curbs where provided shall be not less than 2 inches in height.

7. Illumination. Illumination shall be provided along the accessible route of travel, at any time the building is occupied, with an intensity of not less than one footcandle on the surface of the route.

8. Curb Ramps. A. Slope. Slopes of curb ramps shall comply with Section 3106 (h). Transitions from ramps to walks, gutters or vehicular ways shall be flush and free of abrupt changes in height. Maximum slopes of adjoining gutters and road surfaces immediately adjacent to the curb ramp or accessible route of travel shall not exceed 1 vertical in 20 horizontal.

B. Width. Curb ramps shall be not less than 36 inches in width, exclusive of the required side slopes.

C. Side Slopes of Curb Ramps. Curb ramps located where pedestrians must walk across the ramp, or where not protected by handrails or guardrails, shall have sloped sides. The maximum side slope shall be 1 vertical in 10 horizontal. Curb ramps with returned curbs may be used where pedestrians would not normally walk across the ramp.

D. Location. Built-up curb ramps shall be located so as not to project into vehicular ways nor be located within accessible parking spaces.

E. Obstructions. Curb ramps shall be located or protected to prevent their obstruction by parked vehicles.

F. Location at Marked Cross Walks. Curb ramps at marked cross walks shall be wholly contained within the markings, excluding any sloped sides.

9. Vehicular Areas. Where an accessible route of travel crosses or adjoins a vehicular way, and where there are no curbs, railings or other elements detectable by a person who has a severe vision impairment separating the pedestrian and vehicular areas, the boundary between the areas shall be defined by a continuous detectable warning not less than 36 inches wide, complying with Section 3106 (g).

(e) Protruding Objects. Protruding objects shall not reduce the clear width of an accessible route of travel or maneuvering space. Any wall- or post-mounted object with its leading edge between 27 inches and 79 inches above the floor may project not more than 4 inches into the required width within a corridor. Any wall- or post-mounted projection greater than 4 inches shall extend to the floor. Protruding objects shall not reduce the clear width of an accessible route of travel or maneuvering space.

(f) Changes in Level. Accessible routes of travel and accessible spaces within buildings shall have continuous common floor or ramp surfaces. Abrupt change in height greater than 1/4 inch shall be beveled to 1 vertical in 2 horizontal. Changes in level greater than 1/2 inch shall be accomplished by means of a ramp meeting the requirements of Section 3106 (h).

(g) Floor Coverings and Surface Treatments. 1. General. All surfaces shall be firm and stable.

2. Carpeting. Carpeting and floor mats in accessible areas shall be securely fastened to the underlying surface, and shall provide a firm, stable, continuous and relatively smooth surface.

3. Slip-Resistant Surfaces. Showers, locker rooms, swimming pool, spa and hot tub decks, toilet rooms and other areas subject to wet conditions shall have slip-resistant floors.

Exterior accessible routes of travel shall have slip-resistant surfaces.

4. Grates. Within an accessible route of travel grates shall have openings no more than 1/2 inch in least clear distance between solid parts. The maximum vertical surface change shall be 1/8 inch.

5. Expansion and Construction Joints. Expansion and construction joints in exterior routes of travel shall have a width of not more than 1/2 inch, shall be filled with a firm, compressible, elastic material, and shall be substantially level with the surface of the accessible route of travel.

(h) Ramps. 1. General. Ramps required to be accessible shall comply with Section 3307 and the provisions of this section.

2. Slope and Rise. The maximum slope of a ramp shall be 1 vertical in 12 horizontal. The maximum rise for any run shall be 30 inches.

3. Width. The minimum width of a ramp shall be not less than 44 inches.

4. Landings. Ramps within the accessible route of travel shall have landings at the top and bottom, and at least one intermediate landing shall be provided for each 30 inches of rise. Landings shall have a minimum dimension measured in the direction of ramp run of not less than 60 inches. Where the ramp changes direction at a landing, the landing shall be not less than 60 inches by 60 inches. The width of any landing shall be not less the width of the ramp.

5. Handrails. Ramps having slopes steeper than 1 vertical in 20 horizontal shall have handrails as required for stairways, except that intermediate handrails as required in Section 3306 (i) are not required. Ramped aisles need not have handrails on sides serving fixed seating. Handrails shall be continuous provided that they shall not be required at any point of access along the ramp, nor at any curb cut. Handrails shall extend at least 12 inches beyond the top and bottom of any ramp segment.

6. Exterior Ramps. Exposed ramps and their approaches shall be constructed to prevent the accumulation of water on walking surfaces.

(i) Stairways. 1. General. Stairways required to be accessible shall comply with Section 3306 and provisions of this section.

2. Open Risers. Open risers shall not be permitted.

3. Nosings. Stair nosings shall be flush, slip-resistant and rounded to a radius of 1/2 inch maximum. Risers shall be sloped or the underside of the nosing shall have an angle of not less than 60 degrees from the horizontal. Nosings shall project no more than 1 1/2 inches.

4. Exterior Stairways. Exposed stairways and their approaches shall be constructed to prevent the accumulation of water on walking surfaces.

(j) Doors. 1. General. Doors required to be accessible shall comply with Section 3304 and provisions of this section. For the purpose of this section, gates shall be considered to be doors. An accessible gate or door shall be provided adjacent to any turnstile or revolving door. Where doorways have two independently operated door leaves, then at least one leaf shall comply with this section.

2. Clear Width. Doors shall be capable of opening so that the clear width of the opening is not less than 32 inches.

EXCEPTION: Doors not requiring full user passage, such as shallow closets, may have a clear opening not less than 20 inches.

3. Maneuvering Clearances at Doors. Except as provided in Section 3106 (aa), all doors shall have minimum maneuvering clearances as follows:

A. Where a door must be pulled to be opened, an unobstructed floor space shall extend at least 18 inches beyond the strike jamb.

B. Where a door must be pushed to be opened and is equipped with a closer and a latch, an unobstructed floor space shall extend at least 12 inches beyond the strike jamb.

C. Where two doors are in series, the minimum distance between two hinged or pivoted doors shall be 48 inches in addition to any area needed for door swing.

4. Thresholds at Doors. Thresholds at doors shall comply with Section 3106 (e).

5. Automatic and Power-Assisted Doors. Door closers or power operators shall be operable as required by Section 3304 (h).

EXCEPTION: Floor pad or electric eye actuated power operators.

All power operated doors shall remain in the fully open position for not less than 6 seconds before closing. Touch switches shall be mounted 36 inches above the floor and not less than 18 inches nor more than 36 inches horizontally from the nearest point of travel of the moving door. Other power operated doors must be actuated from a location not less than 36 inches from the nearest point of travel of the moving door. Power operated doors shall automatically reopen when they encounter an obstruction other than the strike jamb.

6. Door Closers. Where provided, door closers shall be adjusted to close from an open position of 70 degrees in not less than 3 seconds, to a point 3 inches from the latch, when measured to the leading edge of the door.

(k) Bathrooms, Toilet Rooms, Bathing Facilities and Shower Rooms. 1. Unobstructed Floor Space. An unobstructed floor space shall be provided within bathrooms, toilet rooms, bathing facilities and shower rooms of sufficient size to inscribe a circle with a diameter not less than 60 inches. Doors in any position may encroach into this space by not more than 12 inches. The clear floor spaces at fixtures, the accessible route of travel and the unobstructed floor space may overlap.

2. Toilet Stalls. A. Dimensions. Toilet stalls shall be at least 60 inches in width. Where wall-hung water closets are installed, the depth of the stall shall be not less than 56 inches. Where floor mounted water closets are installed, the depth of the stall shall be not less than 59 inches. Entry to the compartment shall have a clear width of 32 inches. Toilet stall doors shall not swing into the clear floor space required for any fixture. Except for door swing, a clear unobstructed access not less than 48 inches in width shall be provided to toilet stalls.

EXCEPTION: Partitions may project not more than one inch, in the aggregate, into the required width of the stall.

B. Toe Clearances. In toilet stalls, the front partition and at least one side partition shall provide a toe clearance of at least 9 inches above the floor.

EXCEPTION: Toe clearance is not required in a stall with a depth greater than 60 inches.

3. Water Closets. A. Clear Floor Space. The lateral distance from the center line of the water closet to the nearest obstruction, including grab bars, shall be not less than 15 inches on one side and 41 inches on the other side. In other than stalls, a clear floor space not less than 32 inches shall be provided in front of the water closet.

B. Height. The height of water closets shall be a minimum of 17 inches and a maximum of 19 inches measured to the top of the seat. Seats shall not be sprung to return to a lifted position.

C. Grab Bars. Grab bars shall be installed at one side and the back of the toilet stall. The top of grab bars shall be not less than 33 inches

and not more than 36 inches above and parallel to the floor. Grab bars located at the side shall be a minimum of 42 inches in length with the front end positioned not less than 18 inches in front of the water closet, and located not more than 18 inches from the center line of the water closet. Grab bars located at the back shall be a minimum of 36 inches in length. Grab bars shall be mounted not more than 9 inches behind the water closet seat.

D. Flush Controls. Flush controls shall be mounted for use from the wide side of the water closet area and not more than 44 inches above the floor.

E. Dispensers. Toilet paper and other dispensers shall be installed within easy reach of the water closet, and shall not interfere with grab bar utilization.

4. Urinals. A clear floor space measuring 30 inches by 48 inches shall be provided in front of urinals. Urinal shields shall have a clear space between them of not less than 29 inches and shall not extend farther than the front edge of the urinal rim. Urinals shall be stall-type or wall-hung with an elongated rim at a maximum of 17 inches above the floor. Flush controls shall be mounted not more than 44 inches above the floor.

5. Lavatories and Sinks. A. Clear Floor Space. A clear floor space not less than 30 inches by 48 inches shall be provided in front of lavatories and sinks.

B. Height. Lavatories and sinks shall be mounted with the rim or counter surface not higher than 34 inches above the finished floor.

C. Knee and Toe Clearances. (i) Lavatories. The total depth of clear space beneath a lavatory shall be not less than 17 inches of which toe clearance shall be not more than 6 inches of the total depth. Knee clearance shall be not less than 29 inches in height and 30 inches in width.

(ii) Sinks. Knee clearance not less than 27 inches in height, 30 inches in width and 19 inches in depth shall be provided underneath sinks.

D. Exposed Pipes and Surfaces. Hot water and drain pipes exposed under lavatories and sinks shall be insulated or otherwise covered. There shall be no sharp or abrasive surfaces under lavatories or sinks.

E. Faucets. Faucet control handles shall be located not more than 17 inches from the front edge of the lavatory, sink or counter, and shall comply with Section 3106 (c). Self-closing valves shall remain open for at least 10 seconds per operation.

F. Sink Depth. Sinks shall be not less than 6-1/2 inches in depth.

6. Mirrors, Dispensers and Other Fixtures. Mirrors or shelves shall be installed so that the bottom of the mirror or the top of the shelf is within 40 inches of the floor.

Drying equipment, towel or other dispensers, and disposal fixtures shall be mounted so as not to exceed 40 inches above the finished floor to any rack, operating controls, receptacle or dispenser.

7. Bathtubs. A. Clear Floor Space. A clear floor space not less than 60 inches in length shall be provided along the tub. Where the required seat is located at the end of the tub, the clear floor space shall be not less than 75 inches in length. The clear floor space shall be not less than 30 inches in width where access to the space is parallel to the tub and not less than 48 inches in width where access to the space is at right angles to the tub. A lavatory which complies with Subsection 5, above, may be located in the clear floor space for the tub.

B. Seats. An in-tub seat or a seat at the end of the tub shall be provided. In-tub seats shall be portable and removable, not less than 12 inches in width and extend the full width of the tub. Seats at the end of the tub shall be constructed flush with the top of the tub and shall extend not less than 15 inches from the end of the tub. Seats shall be mounted securely and shall not slip during use.

C. Grab Bars. All required grab bars shall be installed parallel to the floor. Lower grab bars shall be installed centered 9 inches above the tub rim. Upper or single grab bars shall be installed centered not less than 33 inches and not more than 36 inches above the floor of the clear space.

Where a tub has a seat at the end, two grab bars not less than 48 inches in length shall be installed on the wall opposite the clear floor space, one end of each shall terminate where the tub abuts the seat.

Where a tub has an in-tub seat, two grab bars not less than 24 inches in length shall be installed on the wall opposite the clear floor space. The grab bars shall extend to not less than 24 inches from one end of the tub and not less than 12 inches from the other end. One grab bar shall be installed on the wall at the end of the tub opposite the drain, extending at least 12 inches from the clear floor space.

For all bathtubs one grab bar shall be installed on the wall at the end of the tub nearest the drain, extending at least 24 inches from the clear floor space.

D. Controls and Fixtures. Faucets and other controls shall be located above the tub rim and below the grab bars, shall be not more than 24 inches laterally from the clear floor space and shall comply with Section 3106 (c).

A shower spray unit with a hose at least 60 inches long that can be used as a fixed shower head or as a hand-held shower shall be provided.

E. Bathtub Enclosures. Where provided, enclosures for bathtubs shall not obstruct controls or transfer from wheelchairs onto bathtub seats or into tubs. Enclosures on bathtubs shall not have tracks mounted on their rims.

8. Shower Stalls. A. Configuration. Shower stalls shall have one of the following configurations:

(i) 36 inches by 36 inches, nominal, with a seat; or,

(ii) Not less than 30 inches in depth by 60 inches in length, without a seat.

B. Clear Floor Space. A clear floor space not less than 48 inches in length shall be provided adjacent to shower stalls. Where a seat is not installed, the clear floor space shall be not less than 60 inches in length. The clear floor space shall be not less than 36 inches in width. A lavatory which complies with Subsection 5 above, may be located in the clear floor space of a shower without a seat.

C. Seats. Where provided, a shower stall seat shall be mounted not less than 17 inches and not more than 19 inches above the floor, and shall extend the full depth of the stall. The seat shall be located on the wall opposite the controls and shall be mounted not more than 1-1/2 inches from the shower walls. The seat shall be not more than 16 inches in width.

EXCEPTION: A section of the seat not more than 15 inches in length and adjacent to the wall opposite the clear space, may be not more than 23 inches in width.

D. Grab Bars. All required grab bars shall be installed parallel to the floor. All grab bars shall be installed not less than 33 inches and not more than 36 inches above the floor of the clear space.

Where a seat is installed in the stall, a grab bar not less than 18 inches in length shall be installed on the wall opposite the clear floor space, one end of which shall terminate at the wall opposite the seat. A grab bar not less than 27 inches in length shall also be installed on the wall opposite the seat.

In stalls where a seat is not installed, grab bars shall be provided on all permanent stall walls. Grab bars located on either end of the stall shall be not less than 27 inches in length. The grab bar located opposite the clear space shall be not less than 48 inches in length.

E. Controls and Fixtures. Faucets and other controls shall be located on the same wall as the shower spray unit, and shall be installed not less than 38 inches or more than 48 inches above the shower floor and shall comply with Section 3106 (c).

A shower spray unit with a hose at least 60 inches long that can be used as a fixed shower head or as a hand-held shower shall be provided.

EXCEPTION: In unmonitored facilities where vandalism is a consideration, a fixed shower head may be installed not more than 48 inches above the stall floor.

F. Thresholds. In shower stalls with seats, thresholds shall be flush or beveled with a maximum edge height of 1/2 inch, and a maximum slope not more than 1 vertical in 2 horizontal.

Thresholds in shower stalls without seats shall be level with the adjacent clear space.

G. Shower Enclosures. Where provided, enclosures for shower stalls shall not obstruct controls or transfer from wheelchairs onto shower seats.

9. Structural Requirements for Grab Bars, and Tub and Shower Seats. A. General. All grab bars, and tub and shower seats required to be accessible shall comply with this section.

B. Size and Spacing of Grab Bars. Grab bars shall have an outside diameter of not less than 1-1/4 inch nor more than 1-1/2 inches and shall provide a clearance of 1-1/2 inches between the grab bar and the wall.

C. Structural Strength. The structural strength of grab bars, tub and shower seats, fasteners and mounting devices shall meet the following specification:

(1) Bending stress in a grab bar or seat induced by the maximum bending moment from the application of 300 lbs. shall be less than the allowable stress for the material of the grab bar or seat.

(2) Shear stress induced in a grab bar or seat by the application of 300 lbs. shall be less than the allowable shear stress for the material of

the grab bar or seat. If the connection between the grab bar or seat and its mounting bracket or other support is considered to be fully restrained, then direct and torsional shear stresses shall be totaled for the combined shear stress, which shall not exceed the allowable shear stress.

(3) Shear force induced in a fastener or mounting device from the application of 300 lbs. shall be less than the allowable lateral load of either the fastener or mounting device or the supporting structure, whichever is the smaller allowable load.

(4) Tensile force induced in a fastener by a direct tension force of 300 lbs. plus the maximum moment from the application of 300 lbs. shall be less than the allowable withdrawal load between the fastener and the supporting structure.

D. Special Hazards. A grab bar and any wall or other surface adjacent to it shall be free of any sharp or abrasive elements. Edges shall have a minimum radius of 1/8 inch.

(l) Kitchens. 1. Clear Floor Space. An unobstructed floor space shall be provided within kitchens of sufficient size to inscribe a circle with a diameter not less than 60 inches. Doors in any position may encroach into this space by not more than 12 inches. The clear floor spaces at fixtures, the accessible route of travel and the unobstructed floor space may overlap.

2. Counter Surfaces and Shelving. Within Type A dwelling units, a counter surface, a minimum of 30 inches wide by 24 inches deep, shall be provided at a maximum height of 34 inches, with a space beneath at least 27 inches in height.

In other than dwelling units, at least 50 percent of shelf space in cabinets, refrigerators and freezers shall be within the reach ranges specified in Sections 3106 (b) 2. D. or 3106 (b) 2. E.

(m) Water Fountains. 1. Clear Floor Space. Wall- and post-mounted cantilevered units shall have a minimum clear floor space in front of the units 30 inches in width by 48 inches in depth in order to allow a person in a wheelchair to approach the unit facing forward.

Free-standing or built-in units not having a clear space under them shall have a clear floor space at least 30 inches in depth by 48 inches in width in order to allow a person in a wheelchair to make a parallel approach to the unit.

2. Knee Space. Wall- and post-mounted cantilevered units shall have knee space in accordance with Section 3106 (b) 2. B. The knee space shall be not less than 19 inches in depth.

3. Spout Location. Spouts shall be located not more than 36 inches above the floor or ground surface. Spouts shall be located in the front of the unit and shall direct a water flow not less than 4 inches in height, in a trajectory parallel to the front of the unit.

4. Controls. Controls shall be located not more than 6 inches from the front of the unit and shall comply with Section 3106 (c). The force required to activate the control shall not exceed 5 pounds.

5. Water Fountains in Alcoves. Where a unit is installed in an alcove greater than 8 inches in depth, the alcove shall be not less than 48 inches in width. A minimum 24 inches of clear space shall be provided from the spout to the nearest side wall of the alcove. Recessed units shall be installed such that the spout is not recessed beyond the plane of the wall.

(n) Telephones. 1. Clear Floor or Ground Space. A clear floor or ground space not less than 30 inches by 48 inches that allows either a forward or parallel approach by a person using a wheelchair shall be provided in front of telephones. Bases, enclosures and fixed seats shall not project into the clear floor space.

2. Height. The highest operable part of a telephone shall be within the reach ranges specified in Sections 3106 (b) 2. D. or 3106 (b) 2. E. Where a counter or other writing surface is provided it shall have a clear height of not less than 27 inches.

3. Equipment for Persons with Hearing Impairments. Telephones shall be equipped with volume controls and a receiver that generates a magnetic field in the area of the receiver cap.

4. Controls. Telephones shall have pushbutton controls where service for such equipment is available.

5. Cord Length. The cord from the telephone to the handset shall be not less than 29 inches in length.

(o) Alarms. 1. Audible Alarms. Audible alarms shall produce a sound in accordance with UFC Standard No. 14-1.

2. Visible Alarms. Visible alarm signal appliances shall be integrated into the building or facility alarm system. Where single station audible alarms are provided, single station visible alarm signals shall be provided.

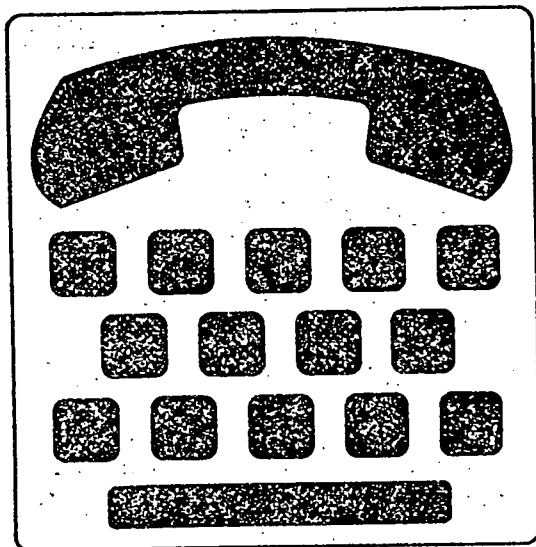
Visible alarms shall be located not less than 80 inches above floor level at an interval of not less than 50 feet horizontal, in rooms, corridors and hallways. Guidelines for visible alarm type, color, intensity and flash rate are found in Appendix Chapter 31, Division VI.

3. Access to Manual Fire Alarm Systems. Manual fire alarm devices shall be mounted not more than 54 inches above the floor provided that parallel approach is provided.

(p) Signage. 1. International Symbol of Access. A. General. The International Symbol of Access shall be as shown below:



B. Telephones. Telephones required to be accessible shall be identified by a sign containing a depiction of a telephone handset with radiating sound waves. Telephones required to be accessible by Section 3105 (d) 2. shall be identified by the international TDD symbol as shown below:



2. Mounting Location and Height. Signs shall be installed on the wall adjacent to the latch side of the door. Mounting height shall be not less than 54 inches, and not more than 66 inches. Mounting location for such signage shall be such that a person may approach within 3 inches of signage without encountering protruding objects or standing within the swing of a door.

3. Color. A. Exterior Signs. All exterior signs shall be white on a blue background.

OPTION 1

B. Interior Signs. All interior signs shall be white on a blue background.

OPTION 2

B. Interior Signs. The characters and background of interior signs shall be eggshell (11 to 19 degree gloss on 60 degree glossimeter). Characters shall be light on a dark background (or dark on a light background) and contrast with their background by at least 70 percent. Contrast in percent shall be determined as follows:

$$\text{Contrast} = [(B^1 - B^2) / B^1] \times 100$$

where: B^1 = light reflectance value (LRV) of the lighter area; and, B^2 = light reflectance value (LRV) of the darker area.

(q) Detectable Warnings. 1. Walking Surfaces. Detectable warnings on walking surfaces shall consist of a pattern of raised and lowered surfaces. The differences in height of the raised and lowered surfaces shall be 1/5 inch nominal.

2. Doors To Hazardous Areas. Knobs or handles or other operating hardware on doors leading to loading platforms, stages, mechanical equipment rooms or other areas hazardous to the blind shall be knurled or otherwise rough to the touch. Such surfaces shall not be provided for emergency exit doors or any doors other than those to hazardous areas. Textured surfaces for detectable door warnings shall be consistent within a building, facility, site or complex of buildings.

3. Stairs. Detectable warnings shall be provided on the floor or ground, shall be not less than 36 inches in depth and shall extend the width of the stair run. The detectable warning shall be separated from the top stair edge by a distance equal to the width of the stair run.

(r) Storage, Shelving and Display Units. 1. Clear Floor Space. Storage, shelving and display units shall have a clear floor space not less than 30 inches by 48 inches that allows either a forward or parallel approach.

2. Height. Accessible storage, shelving and display units shall be within the reach ranges specified in Sections 3106 (b) 2. D. or 3106 (b) 2. E. Clothes rods shall be not more than 54 inches above the floor.

(s) Seating, Tables, Sinks and Work Surfaces. 1. Clear Floor Space. Seating spaces at tables, sinks and work surfaces shall have a clear floor space of not less than 30 inches by 48 inches that allows forward approach. The clear floor space shall not overlap knee space by more than 19 inches.

2. Knee Clearances. Knee spaces at tables, counters, sinks and work surfaces shall be provided in accordance with Section 3106 (b) 2. B. No projection which might obstruct the arm of a wheelchair may intrude into this clearance height, within 24 inches horizontally from the table edge.

3. Height. The tops of tables, sinks and work surfaces shall be not less than 28 inches nor more than 34 inches in height above the floor or ground.

(t) Aisles. All aisles, including check out aisles, food service lines and aisles between fixed tables, shall be not less than 36 inches in width.

(u) Assembly Areas. 1. Wheelchair Spaces. A. Location. Wheelchair spaces shall be an integral part of any fixed seating plan and shall be dispersed throughout the seating area. Spaces shall adjoin an accessible route of travel that also serves as a means of egress and shall be located to provide lines of sight comparable to those for all viewing areas.

EXCEPTION: Accessible viewing positions may be clustered for bleachers, balconies and other areas having sight lines that require slopes of greater than 5 percent. Equivalent accessible viewing positions may be located on levels having accessible egress.

B. Size. Wheelchair spaces shall be not less than 33 inches in width. Where forward or rear approach is provided, wheelchair spaces shall be not less than 48 inches in depth. Where side approach is provided, wheelchair spaces shall be not less than 60 inches in depth.

C. Surfaces. The ground or floor surfaces at wheelchair locations shall be level and shall comply with Section 3106 (g).

2. Access to Performance Areas. An accessible route of travel shall connect wheelchair seating locations with performance areas, including stages, arena floors, dressing rooms, locker rooms and other spaces used by performers.

3. Placement of Assistive Listening Systems. Where an assistive listening system serves individual fixed seats, such seats shall have a clear line of sight and shall be located not more than 50 feet from the stage or performance area.

(v) Restaurants and Cafeterias. 1. Aisles. Aisles to fixed tables required to be accessible shall comply with 3106 (t).

2. Food Service Lines. A. Clear Floor Space. Food service lines shall comply with Section 3106 (t).

B. Height. Tray slides shall be mounted not more than 34 inches in height above the floor.

C. Counters and Bars. Where service of food or drink is provided, at counters more than 34 inches in height, to customers seated on stools or standing, a portion of the main counter shall be provided in compliance with Section 3106 (s), or service shall be available at accessible tables within the same area.

D. Tableware and Condiment Areas. Self-service shelves and dispensing devices for tableware, dishware, condiments, food and beverages shall be installed to comply with Section 3106 (s).

(w) Medical Care Facilities. Each patient room shall be designed and constructed to provide a 180-degree turn that complies with Section 3106 (b) 1. Each patient room shall have a minimum clear floor space not less than 36 inches between the side of the bed, and not less than 42 inches between the foot of the bed and the wall.

(x) Sales and Service Counters and Aisles. 1. General. Where counters exceeding 36 inches in height are provided for sales or distribution of goods or services to the public, a portion of the main counter shall be not less than 28 inches nor more than 34 inches above the floor.

2. Check-out Aisles. A. Width. All check-out aisles shall comply with Section 3106 (t).

B. Height. Counters in check-out aisles shall be not more than 36 inches in height.

(y) Libraries. 1. Reading and Study Areas. At least 5 percent or a minimum of one of each element of fixed seating, tables or study carrels shall comply with Section 3106 (s). Clearances between fixed accessible tables and study carrels shall comply with Section 3106 (t).

2. Check-Out Areas. At least one lane at each check-out area shall comply with Section 3106 (t). Any traffic control or book security gates or turnstiles shall comply with Section 3106 (j).

3. Card Catalogs, Magazine Displays and Reference Stacks. A. Aisles. Aisles between card catalogs, magazine displays or reference stacks shall comply with Section 3106 (t).

B. Height. Card catalogs, magazine displays or reference stacks shall have a reach height of not more than 54 inches for side approach and not more than 48 inches for forward approach.

(z) Hotels and Congregate Residences. 1. Clear Floor Space. Each sleeping room shall have a space complying with Section 3106 (b) 1, that permits a 180-degree turn along at least one side of one bed.

2. Accessible Route of Travel. An accessible route complying with Section 3103 (b) 2. shall connect all accessible spaces and elements including telephones, patios, terraces, balconies, carports, garages or parking spaces with all accessible sleeping rooms.

3. Doors. Doors within all sleeping rooms, suites or other covered units shall comply with Section 3106 (j).

4. Storage. Storage in accessible units, sleeping rooms or suites, including cabinets, shelves, closets and drawers shall comply with Section 3106 (r).

5. Controls. All controls in accessible units, sleeping rooms and suites shall comply with Section 3106 (c).

(aa) Dwelling Units. 1. Type A and B Dwelling Units. Type A and B dwelling units shall comply with Section 3106.

EXCEPTIONS: 1. Kitchens in Type B dwelling units need not comply with Section 3106 (l) 1., provided that:

A. In "U" shaped kitchens with a sink, range or cooktop at the base of the "U", an unobstructed floor space of sufficient size to inscribe a circle with a diameter of not less than 60 inches shall be provided; and,

B. In all other kitchens clearance between all opposing counters, base cabinets, countertops, appliances and walls shall be not less than 40 inches.

2. Bathrooms in Type B dwelling units need not comply with Section 3106 (k) 1.

3. Interior doors in Type B dwelling units need not comply with Section 3106 (j) 4. A.

4. Lofts in Type A or B dwelling units need not be accessible.

5. Sunken floors in Type B dwelling units need not be accessible provided that they do not interfere with the accessible route of travel through the unit.

6. Counter surfaces in Type B dwelling units need not comply with Section 3106 (l) 2.

7. Within an individual dwelling unit in an elevator building, access to other levels is not required if the accessible level complies with all requirements for accessible dwelling units and contains a bathroom.

NEW SECTION

WAC 51-20-3107 PARKING FACILITIES. Section 3107. (a) Accessible Parking Required. For other than Group R, Division 1 apartment buildings, when parking lots or garage facilities are provided, accessible parking spaces shall be provided in accordance with Table No. 31-C.

For Group R, Division 1 apartment buildings where parking is provided, one accessible parking space shall be provided for each Type A dwelling unit. In addition, where the total parking provided on a site exceeds 1 parking space per dwelling unit, not less than 2 percent, and in no case less than 1 space, of this additional parking shall be accessible.

Accessible parking spaces shall be located on the shortest possible accessible route of travel to an accessible building entrance. In facilities with multiple accessible building entrances with adjacent parking, accessible parking spaces shall be dispersed and located near the accessible entrances. Wherever practical, the accessible route of travel shall not cross lanes of vehicular traffic. Where crossing traffic lanes is necessary, the route of travel shall be designated and marked as a crosswalk.

(b) Design and Construction. 1. General. When accessible parking spaces are required by this section, they shall be designed and constructed in accordance with this section.

2. Size. Parking spaces shall be not less than 96 inches in width and shall have an adjacent access aisle not less than 60 inches in width. Where two adjacent spaces are provided, the access aisle may be shared between the two spaces. Boundaries of access aisles shall be marked so that aisles will not be used as parking space.

3. Vertical Clearance. Where accessible parking spaces are provided for vans, the vertical clearance shall be not less than 114 inches.

4. Slope. Accessible parking spaces and access aisles shall be located on a surface with a slope not to exceed 1 vertical in 48 horizontal.

5. Surface. Parking spaces and access aisles shall be firm, stable, smooth and slip resistant.

(c) Signs. Every parking space required by this section shall be identified by a sign, centered between 3 and 5 feet above the parking surface, at the head of the parking space. The sign shall include the International Symbol of Access and the phrase "State Disabled Parking Permit Required".

NEW SECTION

WAC 51-20-3108 PASSENGER DROP-OFF AND LOADING ZONES. Section 3108. (a) Location. Where provided, passenger drop-off and loading zones shall be located on an accessible route of travel.

(b) Design and Construction. 1. General. Passenger drop-off and loading zones shall be designed and constructed in accordance with this section.

2. Passenger Drop-off Zones. A. Size. Drop-off zones shall be not less than 12 feet in width by 25 feet in length with the long dimension abutting and parallel to an accessible route of travel.

B. Slope. Such zones shall be located on a surface with a slope not exceeding 1 vertical in 48 horizontal.

3. Passenger Loading Zones. A. Size. Passenger loading zones shall provide an access aisle not less than 5 feet in width by 20 feet in length with the long dimension abutting and parallel to: (1) the vehicle space on one side and (2) an accessible route of travel on the other.

B. Slope. Such zones shall be located on a surface with a slope not exceeding 1 vertical in 48 horizontal.

PART II ACCESSIBILITY FOR EXISTING BUILDINGS

NEW SECTION

WAC 51-20-3109 SCOPE. Section 3109. 1. General. The provisions of this part apply to renovation, alteration and additions to existing buildings including those identified as historic buildings. This chapter includes minimum standards for removing architectural barriers, and providing and maintaining accessibility for persons with disabilities to existing buildings and their related facilities.

2. Equivalent facilitation. Departures from specific technical and scoping requirements of this part by the use of alternate methods are permitted where such methods will provide equivalent or greater access

to, and usability of, the facility. Alternate methods shall permit individuals with disabilities to approach, enter and use a site, building, facility or portion thereof; as easily, safely, conveniently and independently as the specified method.

NEW SECTION

WAC 51-20-3110 DEFINITIONS. Section 3110. For the purpose of this part, certain terms are designated as follows:

ALTERATION is any change, addition or modification in construction or occupancy.

ALTERATION, SUBSTANTIAL is any alteration where the total cost of all alterations (including but not limited to electrical, mechanical, plumbing and structural changes) for a building or facility within any 12-month period amounts to 60 percent or more of the assessed value.

TECHNICALLY INFEASIBLE means that an alteration has little likelihood of being accomplished because existing structural conditions would require removing or altering a load-bearing member or because site constraints prohibit modification or addition of elements, spaces or features necessary to provide accessibility.

NEW SECTION

WAC 51-20-3111 ADDITIONS. Section 3111. New additions may be made to existing buildings without making the entire building comply, provided the new additions conform to the provisions of Part I of this chapter except as follows:

1. Entries. Where a new addition to a building or facility does not have an accessible entry, at least one entry in the existing building or facility shall be accessible.

2. Accessible Route. Where the only accessible entry to the addition is located in the existing building or facility, at least one accessible route of travel shall be provided through the existing building or facility to all rooms, elements and spaces in the new addition which are required to be accessible.

3. Toilet and Bathing Facilities. Where there are no toilet rooms and bathing facilities in an addition and these facilities are provided in the existing building, then at least one toilet and bathing facility in the existing facility shall comply with Section 3106 or with Section 3112 (c) 5.

4. Group R, Division 1 Apartment Buildings. Additions of 10 or fewer dwelling units in Group R, Division 1 apartment buildings need not comply with Part I of this chapter.

NEW SECTION

WAC 51-20-3112 ALTERATIONS. Section 3112. Alterations. (a) General. 1. Compliance. Alterations to existing buildings or facilities shall comply with this section. No alteration shall reduce or have the effect of reducing accessibility or usability of a building, portion of a building or facility. If compliance with this section is technically infeasible, the alteration shall provide access to the maximum extent feasible.

EXCEPTION: Except when substantial as defined by Section 3110, alterations to Group R, Division 1 apartment buildings need not comply with this section.

2. Existing Elements. If existing elements, spaces, essential features or common areas are altered, each such altered element, space feature or area shall comply with the applicable provisions of Part I of this chapter and Appendix Chapter 31 Division II.

3. Installation of Stairs or Escalators. If an escalator or new stairway is planned or installed requiring major structural changes, then a means of vertical transportation (e.g. elevator, platform lift) shall be provided in accordance with this chapter.

4. Other Requirements. A. Where alterations of single elements, when considered together, provide access to an area of a building or facility, the entire area or space shall be accessible.

B. No alteration of an existing element, space or area of a building shall impose a requirement for greater accessibility than that which would be required for new construction.

C. Where the alteration work is limited solely to the electrical, mechanical or plumbing system or hazardous materials removal, and does not involve the alteration, structural or otherwise, of any elements and spaces required to be accessible under these standards, Chapter 31 does not apply.

(b) Substantial Alterations. Where substantial alteration as defined in Section 3110 occurs to a building or facility, the entire building or facility shall comply with Part I of this code.

(c) Modifications. 1. General. The following modifications set forth in this section may be used for compliance where the required standard is technically infeasible or when providing access to historic buildings:

2. Ramps. Curb ramps and ramps constructed on existing sites, or in existing buildings or facilities, may have slopes and rises as specified for existing facilities in Chapter 31, where space limitations prohibit the use of 1 vertical in 12 horizontal slope or less provided that:

A. A slope not greater than 1 vertical in 10 horizontal is allowed for a maximum rise of 6 inches.

B. A slope not greater than 1 vertical in 8 horizontal is allowed for a maximum rise of 3 inches.

C. Slopes greater than 1 vertical in 8 horizontal are prohibited.

3. Stairs. Full extension of stair handrails is not required when such extension would be hazardous or impossible due to plan configuration. When an accessible elevator is provided, existing stairs need not be made accessible.

4. Elevators. Elevators shall comply with Chapter 296-81, Washington Administrative Code.

5. Doors. A. Clearance. When existing elements prohibit strict compliance with the clearance requirements, a projection of 5/8 inch maximum is permitted for the latch side door stop.

B. Thresholds. Existing thresholds measuring 3/4 inch high or less which are modified to provide a beveled edge on each side, may be retained.

6. Toilet Rooms. A. Shared Facilities. The addition of one unisex toilet facility accessible to all occupants on the floor may be provided in lieu of making existing toilet facilities accessible when it is technically infeasible to comply with either part of Chapter 31.

B. Number. The number of toilet facilities and water closets required by the Uniform Plumbing Code may be reduced by one, in order to provide accessible features.

7. Assembly Areas. Seating shall adjoin an accessible route of travel that also serves as a means of emergency egress or route to an area for evacuation assistance. In alterations, accessibility to raised or sunken dining areas, or to all parts of outdoor seating areas is not required provided that the same services and amenities are provided in an accessible space usable by the general public and not restricted to use by people with disabilities.

NEW SECTION

WAC 51-20-3113 HISTORIC PRESERVATION. Section 3113. (a) General. Generally, the accessibility provisions of this part shall be applied to historic buildings and facilities as defined in Section 104 (f) of this code.

The building official, shall determine whether provisions required by this part for accessible routes of travel (interior or exterior), ramps, entrances, toilets, parking or signage would threaten or destroy the historic significance of the building or facility.

If it is determined that any of the accessibility requirements listed above would threaten or destroy the historic significance of a building or facility, the modifications of Section 3112 (c) for that feature may be utilized.

(b) Special Provisions. Where removing architectural barriers or providing accessibility would threaten or destroy the historic significance of a building or facility, the following special provisions may be used:

1. At least one accessible route from a site access point to an accessible route shall be provided.

2. At least one accessible entrance which is used by the public shall be provided.

EXCEPTION: Where it is determined by the building official that no entrance used by the public can comply, access at any accessible entrance which is unlocked during business hours may be used provided directional signs are located at the main entry. The route of travel for the accessible entry shall not pass through hazardous areas, storage rooms, closets, kitchens or spaces used for similar purposes.

3. Where toilet facilities are provided, at least one toilet facility complying with Section 3111 and 3112 shall be provided along an accessible route. Such toilet facility shall be a shared facility available to both sexes.

4. Accessible routes from an accessible entrance to all publicly used spaces, on at least the level of the accessible entrance, shall be provided. Access should be provided to all levels of a building or facility

when practical. Displays and written information and documents shall be located where they can be seen by a seated person.

NEW SECTION

WAC 51-20-3114 APPEAL. Section 3114 (a) Request for Appeal. An appeal from the standards for accessibility for existing buildings may be filed with the board of appeals when:

1. Existing structural elements or physical constraints of the site prevent full compliance or would threaten or destroy the historical significance of a historic building, or

2. The cost of compliance with this part would exceed 25% of the total project cost, inclusive of the cost of eliminating barriers, within a 12-month period.

(b) Review. 1. Consideration of Alternative Methods. Review of appeal requests shall include consideration of alternative methods which may provide partial access.

2. Waiver or Modification of Requirements. The appeals board may waive or modify the requirements of this section when it is determined that compliance with accessibility requirements would threaten or destroy the historic significance of a building or facility.

NEW SECTION

WAC 51-20-3151 SECTION 3151.

TABLE NO. 31-A
WHEELCHAIR SPACES REQUIRED IN ASSEMBLY AREAS

Capacity of Seating in Assembly Area	Number of Required Wheelchair Spaces
2 to 49	2
50 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1000	2 percent of total seating
over 1000	20 plus 1 for each 100 over 1000

NEW SECTION

WAC 51-20-3152 SECTION 3152.

OPTION 1
TABLE NO. 31-B
REQUIRED TYPE A DWELLING UNITS

Total Number of Dwelling Units on Site	Required Number of Type A Dwelling Units
0- 10	None
11- 20	1
21- 40	2
41- 60	3
61- 80	4
81-100	5
For every 20 units or fractional part thereof, over 100	1 additional

OPTION 2
TABLE NO. 31-B
REQUIRED TYPE A DWELLING UNITS

Total Number of Dwelling Units on Site	Required Number of Type A Dwelling Units
0- 10	None
11- 33	1
34- 66	2

Total Number of Dwelling Units on Site	Required Number of Type A Dwelling Units
67-100	3
For every 33 units or fractional part thereof, over 100	1 additional

NEW SECTION

WAC 51-20-3153 SECTION 3153.

TABLE NO. 31-C-NUMBER OF ACCESSIBLE PARKING SPACES

TOTAL PARKING SPACES IN LOT OR GARAGE	MINIMUM REQUIRED NUMBER OF ACCESSIBLE SPACES
1-25	1
26-50	2
51-75	3
76-100	4
101-150	5
151-200	6
201-300	7
301-400	8
401-500	9
501-999	2% of total spaces
Over 1000	20 spaces plus 1 space for every 100 spaces, or fraction thereof, over 1000.

NEW SECTION

WAC 51-20-3200 CHAPTER 32. Roof Construction and Covering.

NEW SECTION

WAC 51-20-3207 ROOF DRAINAGE. Section 3207. (a) General. Roof systems shall be sloped a minimum of 1/4 inch in 12 inches for drainage. See Section 2305(f).

(b) Roof Drains. Unless roofs are sloped to drain over roof edges, roof drains shall be installed at each low point of the roof.

Roof drains shall be sized and discharged in accordance with the Plumbing Code.

(c) Overflow Drains and Scuppers. Where roof drains are required, overflow drains having the same size as the roof drains shall be installed with the inlet flow line located 2 inches above the low point of the roof, or overflow scuppers having three times the size of the roof drains may be installed in adjacent parapet walls with the inlet flow line located 2 inches above the low point of the adjacent roof and having a minimum opening height of 4 inches.

Overflow drains shall be connected to drain lines independent from the roof drain lines.

OPTIONAL

EXCEPTION: Storm drains overflow leaders may be connected to the vertical riser to the roof drain.

(d) Concealed Piping. Roof drains and overflow drains, when concealed within the construction of the building, shall be installed in accordance with the Plumbing Code.

(e) Over Public Property. Roof drainage water from a building shall not be permitted to flow over public property.

EXCEPTION: Group R, Division 3 and Group M Occupancies.

NEW SECTION

WAC 51-20-3300 CHAPTER 33. Exits.

NEW SECTION

WAC 51-20-3304 DOORS. Section 3304. (a) General. This section shall apply to every exit door serving an area having an occupant load of 10 or more, or serving hazardous rooms or areas, except that Subsections (c), (i), (j) and (k) shall apply to all exit doors regardless of occupant load. Buildings or structures used for human occupancy shall have at least one exterior exit door that meets the requirements of Subsection (f). Doors and landings at doors which are located within an accessible route of travel shall also comply with Chapter 31.

(b) Swing and Opening Force. Exit doors shall be of the pivoted or side-hinged swinging type. Exit doors shall swing in the direction of exit travel when serving any hazardous area or when serving an occupant load of 50 or more. The door latch shall release when subjected to a 15-pound force, and the door shall be set in motion when subjected to a 30-pound force. The door shall swing to full-open position when subjected to 15-pound force. Forces shall be applied to the latch side. Except that at exit doors within the accessible route of travel such force shall not exceed 8.5 pounds, and at sliding and folding doors such force shall not exceed 5 pounds. At exterior doors where environmental conditions require greater closing pressure, power operated doors shall be used within the accessible route of travel. See Section 4507 for doors swinging over public property.

- EXCEPTIONS:**
1. Group I, Division 3 Occupancy used as a place of detention.
 2. In other than accessible dwelling units doors within or serving an individual dwelling unit.
 3. Special door conforming with subsection (h).

Double-acting doors shall not be used as exits when any of the following conditions exist:

1. The occupant load served by the door is 100 or more.
2. The door is part of a fire assembly.
3. The door is part of a smoke- and draft-control assembly.
4. Panic hardware is required or provided on the floor.

A double-acting door shall be provided with a view panel of not less than 200 square inches.

(c) Type of Lock or Latch. Exit doors shall be openable from the inside without the use of a key or any special knowledge or effort.

- EXCEPTIONS:**
1. In Group B Occupancies, key-locking hardware may be used on the main exit when the main exit consists of a single door or pair of doors if there is a readily visible, durable sign on or adjacent to the door stating THIS DOOR TO REMAIN UNLOCKED DURING BUSINESS HOURS. The sign shall be in letters not less than 1 inch high on a contrasting background. When unlocked, the single door or both leaves of a pair of doors must be free to swing without operation of any latching device. The use of this exception may be revoked by the building official for due cause.
 2. Exit doors from individual dwelling units; Group R, Division 3 congregate residences; and guest rooms of Group R Occupancies having an occupant load of 10 or less may be provided with a night latch, dead bolt or security chain, provided such devices are openable from the inside without the use of a key or tool and mounted at a height not to exceed 48 inches above the finished floor.

Manually operated edge- or surface-mounted flush bolts and surface bolts are prohibited. When exit doors are used in pairs and approved automatic flush bolts are used, the door leaf having the automatic flush bolts shall have no door knob or surface-mounted hardware. The unlatching of any leaf shall not require more than one operation.

- EXCEPTIONS:**
1. Group R, Division 3 Occupancies.
 2. When a pair of doors serving a room not normally occupied are needed for the movement of equipment, manually operated edge or surface bolts may be used and a door closer need not be provided on the inactive leaf.

(d) Panic Hardware. Panic hardware, when installed, shall comply with the requirements of U.B.C. Standard No. 33-4. The activating member shall be mounted at a height of not less than 30 inches or more than 44 inches above the floor. The unlatching force shall not exceed 15 pounds when applied in the direction of exit travel.

When balanced doors are used and panic hardware is required, panic hardware shall be of the push-pad type and the pad shall not extend across more than one half of the width of the door measured from the latch side.

(e) Special Egress-control Devices. When approved by the building official, exit doors in Group B, Division 2 Occupancies may be equipped with approved listed special egress-control devices of the time-delay type, provided the building is protected throughout by an approved automatic sprinkler system and an approved automatic smoke-detection system. Such devices shall conform to all of the following:

1. Automatically deactivate the egress-control device upon activation of either the sprinkler system or the detection system.
2. Automatically deactivate the egress-control device upon loss of electrical power to any one of the following:
 - A. The egress-control device.
 - B. The smoke-detection device.

C. Exit illumination as required by Section 3313.

3. Be capable of being deactivated by a signal from a switch located in an approved location.

4. Initiate an irreversible process which will deactivate the egress-control device whenever a manual force of not more than 15 pounds is applied for two seconds to the panic bar or other door-latching hardware. The egress-control device shall deactivate within an approved time period not to exceed a total of 15 seconds. The time delay established for each egress-control device shall not be field adjustable.

5. Actuation of the panic bar or other door-latching hardware shall activate an audible signal at the door.

6. The unlatching shall not require more than one operation.

A sign shall be provided on the door located above and within 12 inches of the panic bar or other door-latching hardware reading: KEEP PUSHING. THIS DOOR WILL OPEN IN SECONDS. ALARM WILL SOUND.

Sign letter shall be at least 1 inch in height and shall have a stroke of not less than 1/8 inch.

Regardless of the means of deactivation, relocking of the egress-control device shall be by manual means only at the door.

(f) Width and Height. Every required exit doorway shall be of a size as to permit the installation of a door not less than 3 feet in width and not less than 6 feet 8 inches in height. When installed, exit doors shall be capable of opening so that the clear width of the exit is not less than 32 inches. In computing the exit width required by Section 3303 (b), the net dimension of the exitway shall be used.

(g) Door Leaf Width. A single leaf of an exit door shall not exceed 4 feet in width.

(h) Special Doors. Revolving, sliding and overhead doors shall not be used as required exits. Where a turnstile is used, a gate or door to accommodate persons with disabilities shall be installed.

- EXCEPTION:**
- Horizontal sliding doors complying with U.B.C. Standard No. 43-13 may be used in:
 - A. Elevator lobbies.
 - B. Smoke barriers of Group I, Division 1.1 Occupancies.

Power-operated doors complying with U.B.C. Standard No. 33-1 may be used for exit purposes. Such doors when swinging shall have two guide rails installed on the swing side projecting out from the face of the door jambs for a distance not less than the widest door leaf. Guide rails shall be not less than 30 inches in height with solid or mesh panels to prevent penetration into door swing and shall be capable of resisting a horizontal load at top of rail of not less than 50 pounds per lineal foot.

- EXCEPTIONS:**
1. Walls or other type separators may be used in lieu of the above guide rail, provided all the criteria are met.
 2. Guide rails in industrial or commercial occupancies not accessible to the public may conform with the exception to the third paragraph of Section 1712.
 3. Doors swinging toward flow of traffic shall not be permitted for use by untrained pedestrian traffic unless actuating devices start to function at least 8 feet 11 inches beyond door in open position and guide rails extend 6 feet 5 inches beyond door in open position.

Clearances for guide rails shall be as follows:

1. Six inches maximum between rails and leading edge of door at the closest point in its arc of travel.
2. Six inches maximum between rails and the door in an open position.
3. Two inches minimum between rail at hinge side and door in open position.
4. Two inches maximum between freestanding rails and jamb or other adjacent surface.

(i) Floor Level at Doors. Regardless of the occupant load, there shall be a floor or landing on each side of a door. When access for persons with disabilities is required by Chapter 31, the floor or landing shall not be more than 1/2 inch lower than the threshold of the doorway. When such access is not required, such dimension shall not exceed 1 inch. Landings shall be level except for exterior landings, which may have a slope not to exceed 1/4 inch per foot.

- EXCEPTIONS:**
1. In Group R, Division 3, and Group M Occupancies and within individual units of Group R, Division 1 Occupancies:
 - A. A door may open at the top step of an interior flight of stairs, provided the door does not swing over the top step.
 - B. A Door may open at a landing that is not more than 8 inches lower than the floor level, provided the door does not swing over the landing.
 - C. Screen doors and storm doors may swing over stairs, steps or landings.

2. Doors serving building equipment rooms which are not normally occupied.

(j) Landings at Doors. Landings shall have a width not less than the width of the stairway or the width of the door, whichever is the greater. Doors in the fully open position shall not reduce a required dimension by more than 7 inches. When a landing serves an occupant load of 50 or more, doors in any position shall not reduce the landing dimension to less than one half its required width. Landings shall have a length measured in the direction of travel of not less than 44 inches.

EXCEPTION: In Group R, Division 3, and Group M Occupancies and within individual units of Group R, Division 1 Occupancies, such length need not exceed 36 inches.

A Landing which has no adjoining door shall comply with Section 3306 (g).

(k) Door Identification. Glass doors shall conform to the requirements specified in Section 5406.

Exit doors shall be marked so that they are readily distinguishable from the adjacent construction.

(l) Additional Doors. When additional doors are provided for egress purposes, they shall conform to all provisions of this chapter.

EXCEPTION: Approved revolving doors having leaves which will collapse under opposing pressures may be used in exit situations, provided:

- Such doors have a minimum width 6 feet 6 inches.
- At least one conforming exit door is located adjacent to each revolving door.
- The revolving door shall not be considered to provide any exit width.

NEW SECTION

WAC 51-20-3305 CORRIDORS AND EXTERIOR EXIT BALCONIES. Section 3305. (a) General. This section shall apply to every corridor serving as a required exit for an occupant load of 10 or more except that subsection (b) shall apply to all corridors. For the purposes of this section, the term "corridor" shall include "exterior exit balconies" and any covered or enclosed exit passageway, including walkways, tunnels and malls. Partitions, rails, counters and similar space dividers not over 5 feet 9 inches in height above the floor shall not be construed to form corridors.

Exit corridors shall not be interrupted by intervening rooms.

EXCEPTION: Foyers, lobbies or reception rooms constructed as required for corridors shall not be construed as intervening rooms.

Corridors which are located within an accessible route of travel shall also comply with Chapter 31.

For Group I Occupancies see Section 3320(c).

(b) Width. The minimum corridor width shall be determined as specified in Section 3303(b), but shall not be less than 44 inches, except as specified herein. Corridors serving an occupant load of 49 or less shall not be less than 36 inches in width. For special requirements for Groups E and I Occupancies, see Sections 3318 and 3320.

(c) Height. Corridors and exterior exit balconies shall have a clear height of not less than 7 feet measured to the lowest projection from the ceiling.

(d) Projections. The required width of corridors shall be unobstructed.

EXCEPTION: Handrails and doors, when fully opened, shall not reduce the required width by more than 7 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 1 1/2 inches on each side.

(e) Access to Exits. When more than one exit is required, they shall be so arranged that it is possible to go in either direction from any point in a corridor to a separate exit, except for dead ends not exceeding 20 feet in length.

(f) Changes in Elevation. When a corridor or exterior exit balcony is accessible to the handicapped, changes in elevation of the floor shall be made by means of a ramp, except as provided for doors by Section 3304(i).

(g) Construction. Walls of corridors serving a Group R, Division 1 or Group I Occupancy having an occupant load of 10 or more and walls of corridors serving other occupancies having an occupant load of 30 or more shall be of not less than one-hour fire-resistive construction and the ceilings shall not be less than that required for a one-hour fire-resistive floor or roof system.

EXCEPTIONS:

- One-story buildings housing Group B, Division 4 Occupancies.
- Corridors more than 30 feet in width where occupancies served by such corridors have at least one exit independent from the corridor. (See Chapter 56 for covered malls.)
- Exterior sides of exterior exit balconies.
- In Group I, Division 3 Occupancies such as jails, prisons, reformatories and similar buildings with open-barred cells forming corridor walls, the corridors and cell doors need not be fire resistive.
- Corridor walls and ceilings need not be of fire-resistive construction within office spaces having an occupant load of 100 or less when the entire story in which the space is located is equipped with an automatic sprinkler system throughout and smoke detectors are installed within the corridor in accordance with their listing.
- In other than Type I or II construction, exterior exit balcony roof assemblies may be of heavy-timber construction without concealed spaces.
- Within office spaces occupied by a single tenant, partial height partitions which form corridors and which do not exceed 6 feet in height need not be fire resistive, provided they are constructed in accordance with Section 1705 and are not more than three fourths of the floor-to-ceiling height.

When the ceiling of the entire story is an element of a one-hour fire-resistive floor or roof system, the corridor walls may terminate at the ceiling. When the room-side fire-resistive membrane of the corridor wall is carried through to the underside of a fire-resistive floor or roof above, the corridor side of the ceiling may be protected by the use of ceiling materials as required for one-hour floor or roof system construction or the corridor ceiling may be of the same construction as the corridor walls.

Ceilings of noncombustible construction may be suspended below the fire-resistive ceiling.

For wall and ceiling finish requirements, see Table No. 42-B.

For restrictions on the use of corridors to convey air, see Chapter 10 of the Mechanical Code.

(h) Openings. 1. Doors. When corridor walls are required to be of one-hour fire-resistive construction by Section 3305(g), every interior door opening shall be protected by a tight-fitting smoke- and draft-control assembly having a fire-protection rating of not less than 20 minutes when tested in accordance with U.B.C. Standard No. 43-2. Said doors shall not have louvers. The door and frame shall bear an approved label or other identification showing the rating thereof, the name of the manufacturer and the identification of the service conducting the inspection of materials and workmanship at the factory during fabrication and assembly. Doors shall be maintained self-closing or shall be automatic closing by actuation of a smoke detector in accordance with Section 4306(b). Smoke- and draft-control door assemblies shall be provided with a gasket so installed as to provide a seal where the door meets the stop on both sides and across the top.

EXCEPTIONS:

- Viewports may be installed if they require a hole not larger than 1 inch in diameter through the door, have at least a 1/4-inch-thick glass disc and the holder is of metal which will not melt out when subject to temperatures of 1,700°F.
- Protection of openings in the interior walls of exterior exit balconies is not required when it is possible to exit in two directions.

OPTION 1

2. Openings other than doors. Where corridor walls are required to be of one-hour fire-resistive construction by Section 3305(g), interior openings for other than doors or ducts shall be protected by fixed glazing listed and labeled for a fire-protection rating of at least three-fourths hour in accordance with Section 4306(i). The total area of all openings, other than doors, in any portion of an interior corridor shall not exceed 25 percent of the area of the corridor wall of the room which it is separating from the corridor. For duct openings, see Section 4306.

EXCEPTION: Protection of openings in the interior walls of exterior exit balconies is not required when it is possible to exit in two directions.

OPTION 2

2. Openings other than doors. Where corridor walls are required to be of one-hour fire-resistive construction by Section 3305(g), interior openings for other than doors or ducts shall be protected by fixed glazing listed and labeled for a fire-protection rating of at least three-fourths hour in accordance with Section 4306 (i) or approved 1/4-inch-thick wired glass installed in steel frames. The total area of all

openings, other than doors, in any portion of an interior corridor shall not exceed 25 percent of the area of the corridor wall of the room which it is separating from the corridor. For duct openings, see Section 4306.

EXCEPTION: Protection of openings in the interior walls of exterior exit balconies is not required when it is possible to exit in two directions.

(i) Location on Property. Exterior exit balconies shall not be located in areas where openings are not permitted or where openings are required to be protected due to location on the property.

(j) Elevators. Elevators opening into a corridor serving a Group R, Division 1 or Group 1 Occupancy having an occupant load of 10 or more, or a corridor serving other occupancies having an occupant load of 30 or more shall be provided with an elevator lobby at each floor containing such a corridor. The lobby shall completely separate the elevators from the corridor by construction conforming to Section 3305(g) and all openings into the lobby wall contiguous with the corridor shall be protected as required by Section 3305(h).

EXCEPTIONS:

1. In office buildings classed as a Group B, Division 2 Occupancy, separations need not be provided from a street floor lobby, provided the entire street floor is protected with an automatic sprinkler system.
2. Elevators not required to meet the shaft enclosure requirements of Section 1706.
3. When additional doors are provided in accordance with Section 5106.

Elevator lobbies shall comply with Section 5106.

In fully sprinklered office buildings, corridors may lead through enclosed elevator lobbies if all areas of the building have access to at least one required exit without passing through the elevator lobby.

NEW SECTION

WAC 51-20-3306 STAIRWAYS. Section 3306. (a) General. Every stairway having two or more risers serving any building or portion thereof shall conform to the requirements of this section. When aisles in assembly rooms have steps, they shall conform with the provisions in Section 3315.

EXCEPTION: Stairs or ladders used only to attend equipment are exempt from the requirements of this section.

(b) Width. The minimum stairway width shall be determined as specified in Section 3303 (b), but shall not be less than 44 inches except as specified herein. Stairways serving an occupant load of 49 or less shall not be less than 36 inches in width.

Handrails may project into the required width a distance of 3 1/2 inches from each side of a stairway. Stringers and other projections such as trim and similar decorative features may project into required width 1 1/2 inches on each side.

(c) Rise and Run. The rise of every step in a stairway shall not be less than 4 inches or greater than 7 inches. Except as permitted in Subsections (d) and (f), the run shall not be less than 11 inches as measured horizontally between the vertical planes of the furthestmost projection of adjacent treads. Except as permitted in Subsections (d), (e) and (f), the largest tread run within any flight of stairs shall not exceed the smallest by more than 3/8 inch. The greatest riser height within any flight of stairs shall not exceed the smallest by more than 3/8 inch.

EXCEPTIONS:

1. Private stairways serving an occupant load of less than 10 and stairways to unoccupied roofs may be constructed with an 8-inch maximum rise and a 9-inch minimum run.
2. Where the bottom or top riser adjoins a sloping public way, walk or driveway having an established grade and serving as a landing, the bottom or top riser may be reduced along the slope to less than 4 inches in height with the variation in height of the bottom or top riser not to exceed 3 inches in every 3 feet of stairway width.

(d) Winding Stairways. In Group R, Division 3 Occupancies and in private stairways in Group R, Division 1 Occupancies, winders may be used if the required width of run is provided at a point not more than 12 inches from the side of the stairway where the treads are narrower, but in no case shall any width of run be less than 6 inches at any point.

(e) Circular Stairways. Circular stairways may be used as an exit, provided the minimum width of run is not less than 10 inches and the smaller radius is not less than twice the width of the stairway. The largest tread width or riser height within any flight of stairs shall not exceed the smallest by more than 3/8 inch.

(f) Spiral Stairways. In Group R, Division 3 Occupancies and in private stairways within individual units of Group R, Division 1 Occupancies, spiral stairways may be installed. Such stairways may be used for required exits when the area served is limited to 400 square feet.

The tread must provide a clear walking area measuring at least 26 inches from the outer edge of the supporting column to the inner edge of the handrail. A run of at least 7 1/2 inches is to be provided at a point 12 inches from where the tread is the narrowest. The rise must be sufficient to provide 6-foot 6-inch headroom. The rise shall not exceed 9 1/2 inches.

(g) Landings. Stairways shall have landings at the top and bottom. Every landing shall have a dimension measured in the direction of travel not less than the width of the stairway. Such dimension need not exceed 44 inches when the stair has a straight run. There shall not be more than 12 feet vertically between landings. For landings with adjoining doors, see Section 3304 (j).

EXCEPTION: Stairs serving an unoccupied roof are exempt from these provisions.

(h) Basement Stairways. When a basement stairway and a stairway to an upper story terminate in the same exit enclosure, an approved barrier shall be provided to prevent persons from continuing on into the basement. Directional exit signs shall be provided as specified in Section 3314.

(i) Handrails. Stairways shall have handrails on each side, and every stairway required to be more than 88 inches in width shall be provided with not less than one intermediate handrail for each 88 inches of required width. Intermediate handrails shall be spaced approximately equally across the entire width of the stairway.

EXCEPTIONS:

1. Stairways less than 44 inches in width or stairways serving one individual dwelling unit in Group R, Division 1 or 3 Occupancies, or a Group R, Division 3 congregate residence may have one handrail.
2. Private stairways 30 inches or less in height may have handrails on one side only.
3. Stairways having less than four risers and serving one individual dwelling unit in Group R, Division 1 or 3, or a Group R, Division 3 congregate residence or serving Group M Occupancies need not have handrails.

The top of handrails and handrail extensions shall be placed not less than 34 inches or more than 38 inches above the nosing of treads and landings. Handrails shall be continuous the full length of the stairs and, except for private stairways, at least one handrail shall extend in the direction of the stair run not less than 12 inches beyond the top riser or less than 23 inches beyond the bottom riser. Ends shall be returned or shall terminate in newel posts or safety terminals.

The handgrip portion of handrails shall be not less than 1 1/2 inches or more than 2 inches in cross-sectional dimension or the shape shall provide an equivalent gripping surface. The handgrip portion of handrails shall have a smooth surface with no sharp corners.

Handrails projecting from a wall shall have a space of not less than 1 1/2 inches between the wall and the handrail. Any recess containing a handrail shall allow a clearance of not less than 18 inches above the top of the rail, and shall be not more than 3 inches in horizontal depth.

Handrails shall not rotate within their fittings.

(j) Guardrails. Stairways open on one or both sides shall have guardrails as required by Section 1712.

(k) Exterior Stairway Protection. Except in Group R, Division 3 Occupancies, all openings in the exterior wall below and within 10 feet, measured horizontally, of an exterior exit stairway serving a building over two stories in height or a floor level having such openings in two or more floors below shall be protected by self-closing fire assembly having a three-fourths-hour fire-protection rating. Exterior stairways enclosed on three or more sides shall comply with the flame-spread requirements for interior stairways.

EXCEPTIONS:

1. Openings may be unprotected when two separated exterior stairways serve an exterior exit balcony.
2. Protection of openings is not required for open parking garages conforming to Section 709.

(l) Interior Stairway Construction. Interior stairways shall be constructed as specified in Part IV of this code.

Except when enclosed useable space under stairs is prohibited by Section 3309 (f), the walls and soffits of the enclosed space shall be protected on the enclosed side as required for one-hour fire-resistive construction.

All required interior stairways which extend to the top floor in any building four or more stories in height shall have, at the highest point

of the stair shaft, an approved hatch openable to the exterior not less than 16 square feet in area with a minimum dimension of 2 feet.

EXCEPTION: The hatch need not be provided on smokeproof enclosures or on stairways that extend to the roof with an opening onto that roof.

Stairways exiting directly to the exterior of a building four or more stories in height shall be provided with means for emergency entry for fire department access.

(m) Exterior Stairway Construction. Exterior stairways shall be constructed as specified in Part IV of this code.

Exterior stairways shall not project into yards where openings are not permitted or protection of openings is required.

Enclosed usable space under stairs shall have the walls and soffits protected on the enclosed side as required for one-hour fire-resistive construction.

Stairways exiting directly to the exterior of a building four or more stories in height shall be provided with means for emergency entry for fire department access.

(n) Stairway to Roof. In buildings four or more stories in height, one stairway shall extend to the roof surface, unless the roof has a slope greater than 4 in 12. See Subsection 3306 (1) for roof hatch requirements.

(o) Headroom. Every stairway shall have a headroom clearance of not less than 6 feet 8 inches. Such clearances shall be measured vertically from a plane parallel and tangent to the stairway tread nosings to the soffit above at all points.

(p) Stairway Identification. Approved stairway identification signs shall be located at each floor level in all enclosed stairways in buildings four or more stories in height. The sign shall identify the stairway, indicate whether there is roof access, the floor level, and the upper and lower terminus of the stairway. The sign shall be located approximately 5 feet above the floor landing in a position which is readily visible when the door is in the open or closed position. Signs shall comply with requirements of U.B.C. Standard No. 33-2.

NEW SECTION

WAC 51-20-3315 AISLES. Section 3315. (a) General. Aisles leading to required exits shall be provided from all portions of buildings. Aisles located within an accessible route of travel shall also comply with Chapter 31.

(b) Width in Occupancies without Fixed Seats. The width of aisles in occupancies without fixed seats shall comply with this section. Aisle widths shall be provided in accordance with the following:

1. In areas serving employees only, the minimum aisle width may be 24 inches but not less than the width required by the number of employees served.

2. In public areas of Group B, Division 2 Occupancies, and in assembly occupancies without fixed seats, the minimum clear aisle width shall be 36 inches where tables, counters, furnishings, merchandise or other similar obstructions are placed on one side of the aisle only and 44 inches when such obstructions are placed on both sides of the aisle.

(c) Width in Assembly Occupancies with Fixed Seats. Aisles in assembly occupancies with fixed seats shall comply with this section. The clear width of aisles shall be based on the number of occupants within the portion of the seating areas served by the aisle.

The clear width of an aisle in inches shall not be less than the occupant load served by the aisle multiplied by 0.3 for aisles with slopes greater than 1 vertical to 8 horizontal and not less than 0.2 for aisles with slopes of 1 vertical to 8 horizontal or less. In addition, when the rise of steps in aisles exceeds 7 inches, the aisle clear width shall be increased by 1 1/4 inches for each 100 occupants or fraction thereof served for each 1/4 inch of riser height above 7 inches.

Where exiting is possible in two directions, the width of such aisles shall be uniform throughout their length.

When aisles converge to form a single path of exit travel, the aisle width shall not be less than the combined required width of the converging aisle.

In assembly rooms with fixed seats arranged in rows, the clear width of aisles shall not be less than set forth above or less than the following:

48 inches for stairs having seating on both sides.

36 inches for stairs having seating on one side.

23 inches between a stair handrail and seating when the aisles are subdivided by the handrail.

42 inches for level or ramped aisles having seating on both sides.

36 inches for level or ramped aisles having seating on one side.

23 inches between a stair handrail and seating when an aisle does not serve more than five rows on one side.

(d) Aisle Termination. Aisles shall terminate at a cross aisle, foyer, doorway or vomitory. Aisles shall not have a dead end greater than 20 feet in length.

EXCEPTION: A longer dead-end aisle is permitted when seats served by the dead-end aisle are not more than 24 seats from another aisle measured along a row of seats having a minimum clear width of 12 inches plus 0.6 inch for each additional seat above seven in a row.

Each end of a cross aisle shall terminate at an aisle, foyer, doorway or vomitory.

OPTION 1

(e) Ramp Slope. The slope of ramped aisles shall not be more than 1 vertical in 8 horizontal. Ramped aisles shall have a slip-resistant surface.

OPTION 2

(e) Ramp Slope. The slope of ramped aisles shall not be more than 1 vertical in 8 horizontal. Ramped aisles shall have a slip-resistant surface.

EXCEPTION: When provided with fixed seating, theaters may have a slope not steeper than 1 vertical to 5 horizontal.

OPTION 1

(f) Aisle Steps. 1. When prohibited. Steps shall not be used in aisles having a slope of 1 vertical to 8 horizontal or less.

2. When required. Aisles with a slope steeper than 1 vertical to 8 horizontal shall consist of a series of risers and treads extending across the entire width of the aisle.

The height of risers shall not be more than 7 inches or less than 4 inches and the tread run shall not be less than 11 inches. The riser height shall be uniform within each flight and the tread run shall be uniform throughout the aisle. Variations in run or height between adjacent treads or risers shall not exceed 3/16 inch. A contrasting marking stripe or other approved marking shall be provided on each tread at the nosing or leading edge such that the location of each tread is readily apparent when viewed in descent. Such stripe shall be a minimum of 1 inch wide and a maximum of 2 inches wide.

EXCEPTION: When the slope of aisle steps and the adjoining seating area is the same, the riser heights may be increased to a maximum of 9 inches and may be nonuniform but only to the extent necessitated by changes in the slope of the adjoining seating area to maintain adequate sightlines. Variations may exceed 3/16 inch between adjacent risers provided the exact location of such variations is identified with a marking stripe on each tread at the nosing or leading edge adjacent to the nonuniform riser. The marking stripe shall be distinctively different from the contrasting marking stripe.

OPTION 2

(f) Aisle Steps. 1. When prohibited. Steps shall not be used in aisles having a slope of 1 vertical to 8 horizontal or less.

2. When required. Aisles with a slope steeper than 1 vertical to 8 horizontal shall consist of a series of risers and treads extending across the entire width of the aisle, except as provided in subsection (e).

The height of risers shall not be more than 7 inches or less than 4 inches and the tread run shall not be less than 11 inches. The riser height shall be uniform within each flight and the tread run shall be uniform throughout the aisle. Variations in run or height between adjacent treads or risers shall not exceed 3/16 inch. A contrasting marking stripe or other approved marking shall be provided on each tread at the nosing or leading edge such that the location of each tread is readily apparent when viewed in descent. Such stripe shall be a minimum of 1 inch wide and a maximum of 2 inches wide.

EXCEPTION: When the slope of aisle steps and the adjoining seating area is the same, the riser heights may be increased to a maximum of 9 inches and may be nonuniform but only to the extent necessitated by changes in the slope of the adjoining seating area to maintain adequate sightlines. Variations may exceed 3/16 inch between adjacent risers provided the exact location of such variations is identified with a marking stripe on each tread at the nosing or leading edge adjacent to the nonuniform riser. The marking stripe shall be distinctively different from the contrasting marking stripe.

(g) Handrails. Handrails shall comply with the height, size and shape dimensions set forth in Section 3306(i) and shall have rounded terminations or bends. Ramped aisles having a slope steeper than 1 vertical to 15 horizontal and aisle stairs (two or more adjacent steps) shall have handrails located either at the side or within the aisle width. Handrails may project into the required aisle width a distance of 3 1/2 inches.

EXCEPTIONS: 1. Handrails may be omitted on ramped aisles having a slope not greater than 1 vertical in 8 horizontal when fixed seating is on both sides of the aisle.
2. Handrails may be omitted when a guardrail is at the side of an aisle which conforms to the size and shape requirements for handrails.

Handrails located within the aisle width shall be discontinuous with gaps or breaks at intervals not to exceed five rows. These gaps or breaks shall have a clear width of not less than 22 inches or more than 36 inches measured horizontally. Such handrails shall have an additional intermediate handrail located 12 inches below the main handrail.

NEW SECTION

WAC 51-20-3350 SECTION 3350.

OPTION 1

TABLE NO. 33-A
MINIMUM EGRESS REQUIREMENTS¹

USE ²	MINIMUM OF TWO EXITS OTHER THAN ELEVATORS ARE REQUIRED WHERE NUMBER OF OCCUPANTS IS AT LEAST	OCCUPANT LOAD FACTOR ³ (sq. ft.)
1. Aircraft hangars (no repair)	10	500
2. Auction rooms	30	7
3. Assembly areas, concentrated use (without fixed seats Auditoriums Churches and chapels Dance floors Lobby accessory to assembly occupancy Lodge rooms Reviewing stands Stadiums Waiting Area	50 50	7 3
4. Assembly areas, less-concentrated use Conference rooms Dining rooms Drinking establishments Exhibit rooms Gymnasiums Lounges Stages	50	15
5. Bowling alley (assume no occupant load for bowling lanes)	50	4
6. Children's homes and homes for the aged	6	80
7. Classrooms	50	20
8. Congregate residences (accommodating 10 or less persons and having an area of 3,000 square feet or less) Congregate residences (accommodating more than 10 persons or having an area of more than 3,000 square feet)	10 10	300 200
9. Courtrooms	50	40
10. Dormitories	10	50
11. Dwellings	10	300
12. Exercising rooms	50	50
13. Garage, parking	30	200

TABLE NO. 33-A--MINIMUM EGRESS REQUIREMENTS¹--(Continued)

USE ²	MINIMUM OF TWO EXITS OTHER THAN ELEVATORS ARE REQUIRED WHERE NUMBER OF OCCUPANTS IS AT LEAST	OCCUPANT LOAD FACTOR ³ (sq. ft.)
14. Hospitals and sanitariums--	6	80
Nursing homes	6	80
Sleeping rooms	10	80
Treatment rooms	10	80
Health-care center	10	200
15. Hotels and apartments	10	200
16. Kitchen--commercial	30	200
17. Library reading room	50	50
18. Locker rooms	30	---
19. Malls (see Chapter 56)	--	---
20. Manufacturing areas	30	200
21. Mechanical equipment room	30	300
22. Nurseries for children (day care)	7	35
23. Offices	30	100
24. School shops and vocational rooms	50	50
25. Skating rinks	50	50 on the skating area; 15 on the deck
26. Storage and stock rooms	30	300
27. Stores--retail sales rooms	50	30
28. Swimming pools	50	50 for the pool area; 15 on the deck
29. Warehouses	30	500
30. All others	50	100

¹ Access to, and egress from, buildings for persons with disabilities shall be provided as specified in Chapter 31.
² For additional provisions on number of exits from Groups H and I Occupancies and from rooms containing fuel-fired equipment or cellulose nitrate, see Sections 3319, 3320 and 3321, respectively.
³ This table shall not be used to determine working space requirements per person.
⁴ Occupant load based on five persons for each alley, including 15 feet of runway.

OPTION 2

TABLE NO. 33-A
 MINIMUM EGRESS REQUIREMENTS¹

USE ²	MINIMUM OF TWO EXITS OTHER THAN ELEVATORS ARE REQUIRED WHERE NUMBER OF OCCUPANTS IS AT LEAST	OCCUPANT LOAD FACTOR ³ (sq. ft.)
1. Aircraft hangars (no repair)	10	500
2. Auction rooms	30	7
3. Assembly areas, concentrated use (without fixed seats Auditoriums Churches and chapels Dance floors Lobby accessory to assembly occupancy Lodge rooms Reviewing stands Stadiums Waiting Area	50	7
4. Assembly areas, less-concentrated use Conference rooms Dining rooms Drinking establishments Exhibit rooms Gymnasiums Lounges Stages	50	15
5. Bowling alley (assume no occupant load for bowling lanes)	50	4
6. Children's homes and homes for the aged	6	80
7. Classrooms	50	20
8. Congregate residences (accommodating 10 or less persons and having an area of 3,000 square feet or less)	10	300
Congregate residences (accommodating more than 10 persons or having an area of more than 3,000 square feet)	10	200
9. Courtrooms	50	40
10. Dormitories	10	50
11. Dwellings	10	300
12. Exercising rooms	50	50
13. Garage, parking	30	200

TABLE NO. 33-A--MINIMUM EGRESS REQUIREMENTS¹--(Continued)

USE ²	MINIMUM OF TWO EXITS OTHER THAN ELEVATORS ARE REQUIRED WHERE NUMBER OF OCCUPANTS IS AT LEAST	OCCUPANT LOAD FACTOR ³ (sq. ft.)
14. Hospitals and sanitariums--		
Nursing homes	6	80
Sleeping rooms		
Treatment rooms	10	80
Health-care center	10	80
15. Hotels and apartments	10	200
16. Laboratories (B-2)		
Instructional and teaching laboratories at schools, colleges and universities	10	50
All other B-2 laboratories	10	100
17. Kitchen--commercial	30	200
18. Library reading room	50	50
19. Locker rooms	30	50
20. Malls (see Chapter 56)	--	---
21. Manufacturing areas	30	200
22. Mechanical equipment room	30	300
23. Nurseries for children (day care)	7	35
24. Offices	30	100
25. School shops and vocational rooms	50	50
26. Skating rinks	50	50 on the skating area; 15 on the deck
27. Storage and stock rooms	30	300
28. Stores--retail sales rooms	50	30
29. Swimming pools	50	50 for the pool area; 15 on the deck
30. Warehouses	30	500
31. All others	50	100

¹ Access to, and egress from, buildings for persons with disabilities shall be provided as specified in Chapter 31.
² For additional provisions on number of exits from Groups H and I Occupancies and from rooms containing fuel-fired equipment or cellulose nitrate, see Sections 3319, 3320 and 3321, respectively.
³ This table shall not be used to determine working space requirements per person.
⁴ Occupant load based on five persons for each alley, including 15 feet of runway.

NEW SECTION

WAC 51-20-3800 CHAPTER 38. Fire-Extinguishing Systems.

NEW SECTION

WAC 51-20-3801 SCOPE. Section 3801. (a) General. All fire-extinguishing systems required in this code shall be installed in accordance with the requirements of this chapter.

Fire hose threads used in connection with fire-extinguishing systems shall be national standard hose thread or as approved by the fire department.

In buildings used for high-piled combustible storage, fire protection shall be in accordance with the Fire Code.

(b) Standard of Quality. All fire-extinguishing systems including automatic sprinkler systems, Class I, Class II and Class III standpipe systems, combined systems, special automatic extinguishing systems and basement pipe inlets shall be approved and shall be subject to such periodic tests as may be required. The location of all fire department hose connections shall be approved by the fire department.

The standards listed below labeled a "U.B.C. Standard" are also listed in Chapter 60, Part II, and are part of this code.

1. Fire-extinguishing system

A. U.B.C. Standard No. 38-1, Installation of Sprinkler Systems

B. U.B.C. Standard No. 38-3, Installation of Sprinkler Systems in Group R Occupancies Four Stories or Less

2. Standpipe systems

A. U.B.C. Standard No. 38-2, Standpipe Systems

(c) Definitions. For the purpose of this chapter, certain terms are defined as follows:

AUTOMATIC FIRE-EXTINGUISHING SYSTEM is an approved system of devices and equipment which automatically detects a fire and discharges an approved fire-extinguishing agent onto or in the area of a fire.

COMBINED SYSTEM is a system of water piping which serves 2 1/2-inch hose outlets for use by the fire department and also supplies water to fire sprinklers.

FIRE DEPARTMENT INLET CONNECTION is a connection through which the fire department can pump water into a standpipe system, or sprinkler system.

STANDPIPE SYSTEM is a wet or dry system of piping, valves, outlets and related equipment designed to provide water at specified pressures and installed exclusively for the fighting of fires, including the following:

Class I is a standpipe system equipped with 2 1/2-inch outlets.

Class II is a standpipe system directly connected to a water supply and equipped with 1 1/2-inch outlets and hose.

Class III is a standpipe system directly connected to a water supply and equipped with 2 1/2-inch outlets or 2 1/2-inch and 1 1/2-inch outlets when a 1 1/2-inch hose is required. Hose connections for Class III systems may be made through 2 1/2-inch hose valves with easily removable 2 1/2-inch by 1 1/2-inch reducers.

(d) Standards. Fire-extinguishing systems shall comply with U.B.C. Standards Nos. 38-1 and 38-2.

EXCEPTIONS: 1. Automatic fire-extinguishing systems not covered by U.B.C. Standard No. 38-1 or 38-2 shall be approved and installed in accordance with approved standards.

2. Automatic sprinkler systems may be connected to the domestic water-supply main when approved by the building official, provided the domestic water supply is of adequate pressure, capacity and sizing for the combined domestic and sprinkler requirements. In such case, the sprinkler system connection shall be made between the public water main or meter and the building shutoff valve, and there shall not be intervening valves or connections. The fire department connection may be omitted when approved by the fire department.

3. Automatic sprinkler systems in Group R Occupancies four stories or less may be in accordance with U.B.C. Standard No. 38-3. When residential sprinkler systems as set forth in U.B.C. Standard No. 38-3 are provided, exceptions to or reductions in code requirements based on the installation of an automatic fire-extinguishing system are not allowed.

(e) Modifications. When a residential sprinkler system as set forth in U.B.C. Standard No. 38-1 is provided, exception to, or reductions in, code requirements allowed because of the installation of an automatic fire-extinguishing system are not permitted.

(f) When sprinklers are installed in an insulated ceiling cavity not meeting exceptions of UBC Standard No. 38-1 or where blocked by

ducts or other similar obstructions, a space 6 inches or greater in depth with not less than 12 inches clearance from ducts or other similar obstructions shall be provided under all sprinklers.

NEW SECTION

WAC 51-20-3802 AUTOMATIC FIRE-EXTINGUISHING SYSTEMS. Section 3802. (a) Where Required. An automatic fire-extinguishing systems shall be installed in the occupancies and locations as set forth in this section.

For provisions on special hazards and hazardous materials, see the Fire Code.

(b) All Occupancies except Group R, Division 3 and Group M. Except for Group R, Division 3 and Group M Occupancies, an automatic sprinkler system shall be installed:

1. In every story or basement of all buildings when the floor area exceeds 1,500 square feet and there is not provided at least 20 square feet of opening entirely above the adjoining ground level in each 50 lineal feet or fraction thereof of exterior wall in the story or basement on at least one side of the building. Openings shall have a minimum dimension of not less than 30 inches. Such openings shall be accessible to the fire department from the exterior and shall not be obstructed in a manner that firefighting or rescue cannot be accomplished from the exterior.

When openings in a story are provided on only one side and the opposite wall of such story is more than 75 feet from such openings, the story shall be provided with an approved automatic sprinkler system, or openings as specified above shall be provided on at least two sides of an exterior wall of the story.

If any portion of a basement is located more than 75 feet from openings required in this section, the basement shall be provided with an approved automatic sprinkler system.

2. At the top of rubbish and linen chutes and in their terminal rooms. Chutes extending through three or more floors shall have additional sprinkler heads installed within such chutes at alternate floors. Sprinkler heads shall be accessible for servicing.

3. In rooms where nitrate film is stored or handled.

4. In protected combustible fiber storage vaults as defined in the Fire Code.

(c) Group A Occupancies. 1. Drinking establishments. An automatic sprinkler system shall be installed in rooms used by the occupants for the consumption of alcoholic beverages and unseparated accessory uses where the total area of such unseparated rooms and assembly uses exceeds 5,000 square feet. For uses to be considered as separated, the separation shall not be less than as required for a one-hour occupancy separation. The area of other uses shall be included unless separated by at least a one-hour occupancy separation.

2. Basements. An automatic sprinkler system shall be installed in basements classified as a Group A Occupancy when the basement is larger than 1,500 square feet in floor area.

3. Exhibition and display rooms. An automatic sprinkler system shall be installed in Group A Occupancies which have more than 12,000 square feet of floor area which can be used for exhibition or display purposes.

4. Stairs. An automatic sprinkler system shall be installed in enclosed usable space below or over a stairway in Group A, Divisions 2, 2.1, 3 and 4 Occupancies. See Section 3309(f).

5. Every building containing a multitheater complex.

6. Amusement buildings. An automatic sprinkler system shall be installed in all amusement buildings. The main water-flow switch shall be electrically supervised. The sprinkler main cutoff valve shall be supervised. When the amusement building is temporary, the sprinkler water-supply system may be of an approved temporary type.

EXCEPTION: An automatic sprinkler system need not be provided when the floor area of a temporary amusement building is less than 1,000 square feet and the exit travel distance from any point is less than 50 feet.

7. Other areas. An automatic sprinkler system shall be installed under the roof and gridiron, in the tie and fly galleries, and in all places behind the proscenium wall of stages; over and within permanent platforms in excess of 500 square feet in area; and in dressing rooms, workshops and storerooms accessory to such stages or permanent platforms.

EXCEPTIONS: 1. Stages or platforms open to the auditorium room on three or more sides.
2. Altars, pulpits or similar platforms and their accessory

rooms.

3. Stage gridirons when side-wall sprinklers with 135°F. rated heads with heat-baffle plates are installed around the entire perimeter of the stage except for the proscenium opening at points not more than 30 inches below the gridiron or more than 6 inches below the baffle plate.

4. Under stage or under platform areas less than 4 feet in clear height used exclusively for chair or table storage and lined on the inside with materials approved for one-hour fire-resistive construction.

(d) Group B, Division 2 Occupancies. An automatic sprinkler system shall be installed in retail sales rooms classed as Group B, Division 2 Occupancies where the floor area exceeds 12,000 square feet on any floor or 24,000 square feet on all floors or in Group B, Division 2 retail sales occupancies more than three stories in height. The area of mezzanines shall be included in determining the areas where sprinklers are required.

(e) Group E Occupancies. 1. Basements. An automatic sprinkler system shall be installed in basements classified as a Group E Occupancy when the basement is larger than 1,500 square feet in floor area.

2. Stairs. An automatic sprinkler system shall be installed in enclosed usable space below or over a stairway in Group E Occupancies. See Section 3309(f).

3. Division 1. An automatic fire-extinguishing system shall be installed in all buildings classified as Group E, Division 1 Occupancies.

EXCEPTION: Portable school classrooms, provided:
A. Aggregate area of clusters of portable school classrooms does not exceed 9,100 square feet; and
B. Clusters of portable school classrooms shall be separated as required in Chapter 5.

When not required by other provisions of this chapter, a fire-extinguishing system installed in accordance with UBC Standard No. 38-1 may be used for increases allowed in Chapter 5. Reductions in required fire flow shall be in accordance with the Fire Code.

(f) Group H Occupancies. 1. General. An automatic fire-extinguishing system shall be installed in Group H, Divisions 1, 2, 3 and 7 Occupancies.

2. Division 4. An automatic fire-extinguishing system shall be installed in Group H, Division 4 Occupancies having a floor area of more than 3,000 square feet.

3. Division 6. An automatic fire-extinguishing system shall be installed throughout buildings containing Group H, Division 6 Occupancies. The design of the sprinkler system shall not be less than that required under U.B.C. Standard No. 38-1 for the occupancy hazard classifications as follows:

LOCATION

- Fabrication areas
- Service corridors
- Storage rooms without dispensing
- Storage rooms with dispensing
- Exit corridors

OCCUPANCY HAZARD CLASSIFICATION

- Ordinary Hazard Group 3
- Ordinary Hazard Group 3
- Ordinary Hazard Group 3
- Extra Hazard Group 2
- Ordinary Hazard Group 3¹

¹ When the design area of the sprinkler system consists of a corridor protected by one row of sprinklers, the maximum number of sprinklers that needs to be calculated is 13.

(g) Group I Occupancies. An automatic sprinkler system shall be installed in Group I Occupancies.

EXCEPTION: In jails, prisons and reformatories, the piping system may be dry, provided a manually operated valve is installed at a continuously monitored location. Opening of the valve will cause the piping system to be charged. Sprinkler heads in such systems shall be equipped with fusible elements or the system shall be designed as required for deluge systems in U.B.C. Standard No. 38-1.

(h) Group R, Division 1 Occupancies. An automatic sprinkler system shall be installed throughout apartment houses three or more stories in height or containing 16 or more dwelling units, in congregate residences three or more stories in height and having an occupant load of 50 or more and in hotels three or more stories in height or containing 20 or more guest rooms. Residential or quick-response standard sprinklers shall be used in the dwelling units and guest room portions of the building.

NEW SECTION

WAC 51-20-3900 CHAPTER 39. Stages and Platforms.

NEW SECTION

WAC 51-20-3901 SCOPE. Section 3901. (a) Standards of Quality. Platforms and stages shall conform with the requirements of this chapter.

The standards listed below labeled a "UBC Standard" are also listed in Chapter 60, Part II, and are part of this code.

- 1. UBC Standard No. 6-1, Proscenium Curtains
- 2. UBC Standard No. 38-1, Installation of Sprinkler Systems

3. UBC Standard No. 42-1, Test Method for Surface-burning Characteristics of Building Materials

4. UBC Standard No. 43-1, Fire Tests of Building Construction and Materials.

(b) Definitions. For the purpose of this chapter, certain terms are defined as follows:

BATTEN is a flown metal pipe or shape on which lights or scenery are fastened.

DROP is a large piece of scenic canvas or cloth which hangs vertically, usually across the stage area.

FLY is the space over the stage of a theater where scenery and equipment can be hung out of view. Also called lofts and rigging lofts.

FLY GALLERY is a narrow raised platform at the side of legitimate stage from which the lines for flying scenery are manipulated.

GRIDIRON is the arrangement of beams over a legitimate stage supporting the equipment for flying scenery and hanging battens from which curtains, scenery and lighting are hung.

LEG DROP is a long narrow strip of fabric used for masking. When used on either or both sides of the acting area, it is provided to designate an entry onto the stage by the actors. It is also used to mask the side stage area. They may also be called "wings."

PINRAIL is a beam at one side of a legitimate stage through which wooden or metal pins are driven and to which lines from the flies are fastened.

PLATFORM is that raised area within a building used for the presentation of music, plays or other entertainment; the head table for special guests; the raised area for lectures and speakers; boxing and wrestling rings; theater in the round; and similar purposes wherein there are not overhead hanging curtains, drops, scenery or stage effects other than lighting.

PLATFORM, PERMANENT, is a platform used within an area for more than 30 days.

PLATFORM, TEMPORARY, is a platform used within an area for not more than 30 days.

PROSCENIUM WALL is the wall that separates the stage from the auditorium or house.

STAGE is a partially enclosed area within a building used for the purpose of entertainment and shall be classified as either:

Stage, Legitimate,

OPTION 1

is a stage wherein curtains, drops, leg drops, scenery, lighting devices or other stage effects are retractable horizontally or suspended overhead.

OPTION 2

is a stage wherein curtains, drops, leg drops, scenery, lighting devices or other stage effects are retractable horizontally or vertically.

Stage, Regular, is a stage wherein curtains, fixed leg drops, valances, scenery and other stage effects are hung and are not retractable, with the exception of a valance, a light trough, the main (house) curtain, a bank of lights and a single backdrop, which may be retractable without the stage being considered a legitimate stage.

Stage, Thrust, is a platform extending beyond the proscenium arch and into the audience.

THEATER-IN-THE-ROUND is an acting area in the middle of a room with the audience sitting all around it.

(c) **Materials and Design.** Materials used in the construction of platforms and stages shall conform to the applicable materials and design requirements as set forth in this code.

NEW SECTION

WAC 51-20-3903 STAGES. Section 3903. (a) **Construction.** Regular stages and thrust stages shall be constructed of materials as required for the type of construction of the building in which it is located. In all cases the finish floor may be of wood.

Legitimate stages shall be constructed of materials as required for a Type I or II F.R. building. Legitimate stage floors may be constructed with a wood floor of not less than 2 inches in nominal thickness on a resilient mounting upon a concrete or masonry floor.

Openings through stage floors (traps) shall be equipped with tight-fitting trap doors of wood having a nominal thickness of not less than 2 inches with approved safety locks.

(b) **Accessory Rooms.** Dressing rooms, workshops and store rooms accessory to stages shall be separated from each other and from the stage by not less than one-hour fire-resistive construction, and openings within such separations shall be protected as required for corridors.

EXCEPTION: A separation is not required for stages having a floor area not exceeding 500 square feet.

OPTION 1

(c) **Vents.** Stages exceeding 1,000 square feet in floor area shall be provided with one or more vents constructed of noncombustible material. Vents shall be located near the center and above the highest part of any stage. They shall be raised above the stage roof and shall have a total vent area equal to at least 5 percent of the floor area of the stage.

The vents shall open by spring action or force of gravity sufficient to overcome the effects of neglect, rust, dirt, frost, snow or expansion by heat or warping of the framework. Glass, if used in vents, must be protected against falling onto the stage. A wire screen, if used under the glass, must be so placed that, if clogged, it cannot reduce the required venting area or interfere with the operating mechanism or obstruct the distribution of water from an automatic sprinkler. Vents shall be arranged to open automatically by the use of fusible links. The fusible links and operating cable shall hold each door closed against the minimum 30-pound counterforce which may be exerted by springs or counterweights. This minimum counterforce shall be exerted on each door through its entire arc of travel and for a minimum of 115 degrees. A manual control shall be provided at an approved location.

Springs, when employed to actuate vent doors, shall be capable of maintaining full required tension. Springs shall not be stressed more than 50 percent of their rated capacity and shall not be located directly in the airstream or exposed to the outside.

A fusible link shall be placed in the cable control system on the underside of the vent at or above the roof line or as approved by the building official and shall be so located as not to be affected by the operation of an automatic sprinkler system. Remote, manual or electrical controls shall provide for both opening and closing of the vent doors for periodic testing and shall be located at a point on the stage designated by the building official. When remote control vents are electrical, power failure shall not affect its instant operation in the event of fire. Hand winches may be employed to facilitate operation of manually controlled vents.

Curbs for vents shall be as required for skylights.

OPTION 2

(c) **Vents.** Stages exceeding 1,000 square feet in floor area shall be provided with one or more vents constructed of noncombustible material. Vents shall be located near the center and above the highest part of any stage. They shall be raised above the stage roof and shall have a total vent area equal to at least 5 percent of the floor area of the stage.

The vents shall open by spring action or force of gravity sufficient to overcome the effects of neglect, rust, dirt, frost, snow or expansion by heat or warping of the framework. Glass, if used in vents, must be protected against falling onto the stage. A wire screen, if used under the glass, must be so placed that, if clogged, it cannot reduce the required venting area or interfere with the operating mechanism or obstruct the distribution of water from an automatic sprinkler. Vents shall be arranged to open automatically by the use of fusible links. The fusible links and operating cable shall hold each door closed against the minimum 30-pound counterforce which may be exerted by springs or counterweights. This minimum counterforce shall be exerted on each door through its entire arc of travel and for a minimum of 90 degrees. A manual control shall be provided at an approved location.

Springs, when employed to actuate vent doors, shall be capable of maintaining full required tension. Springs shall not be stressed more than 50 percent of their rated capacity and shall not be located directly in the airstream or exposed to the outside.

A fusible link shall be placed in the cable control system on the underside of the vent at or above the roof line or as approved by the building official and shall be so located as not to be affected by the operation of an automatic sprinkler system. Remote, manual or electrical controls shall provide for both opening and closing of the vent doors for periodic testing and shall be located at a point on the stage designated by the building official. When remote control vents are electrical, power failure shall not affect its instant operation in the event of fire. Hand winches may be employed to facilitate operation of manually controlled vents.

Curbs for vents shall be as required for skylights.

(d) **Proscenium Walls.** Legitimate stages shall be completely separated from the seating area by a proscenium wall of not less than two-hour fire-resistive noncombustible construction.

Proscenium walls may have, in addition to the main proscenium opening, one opening at the orchestra pit level and not more than two openings into the auditorium at the stage floor level. Each of the latter two openings shall not be more than 25 square feet in area.

All openings in the proscenium wall of a legitimate stage shall be protected by a fire assembly having a 1 1/2-hour fire-protection rating. The main proscenium opening used for viewing performances shall be provided with an automatic-closing fire-protection curtain as provided in U.B.C. Standard No. 6-1. Such curtain materials shall conform to the following conditions:

1. The curtain shall be tested in accordance with U.B.C. Standard No. 43-1 as modified in U.B.C. Standard No. 6-1. The time period for testing shall be not less than 30 minutes, and the unexposed surface of the test sample shall not show any evidence of thorough penetration of flame or smoke, or excessive smoking (only the vapors escaping as a result of baking the sample).

2. The curtain shall be listed by an approved agency and have a permanent marking giving the manufacturer's name, the approved agency's name or insignia, the rating achieved, and a statement that the curtain shall be installed in accordance with U.B.C. Standard No. 6-1.

3. Curtain fabrics shall have a smoke density no greater than 25 when tested in accordance with U.B.C. Standard No. 42-1. The curtain fabric shall be tested in the condition in which it is to be used.

4. A water curtain or deluge system complying with U.B.C. Standard No. 38-1 may be used only in conjunction with an automatically closing opaque noncombustible curtain in lieu of the proscenium fire-safety curtain described in U.B.C. Standard No. 6-1. Both the deluge

system and curtain closure shall be actuated by combination rate-of-temperature-rise and temperature devices located on the stage. The water system shall be designed to completely wet the entire curtain.

OPTION 1

(e) Gridirons, Fly Galleries and Pinrails. Gridirons, fly galleries and pinrails shall be constructed of noncombustible material.

OPTION 2

(e) Gridirons, Fly Galleries and Pinrails. Gridirons, fly galleries and pinrails shall be constructed of noncombustible material. Gridirons are not to be considered a floor, when measuring height above a floor for Section 1806, omitting of fireproofing.

(f) Special Exiting. Each side of a legitimate stage shall be provided with at least one well-marked exit providing not less than 32 inches clear width. Such exit shall open directly to a street, exit court or exit passageway leading to a street.

Fly galleries shall be provided with an exit stair not less than 30 inches in width. Each tier of dressing rooms shall be provided with two exits meeting the requirements of Chapter 33.

Stairways required by this subsection need not be enclosed.

NEW SECTION

WAC 51-20-5100 CHAPTER 51. Elevators, Dumbwaiters, Escalators and Moving Walks.

NEW SECTION

WAC 51-20-5103 DELETE SECTION 5103, SPECIAL PROVISIONS.

NEW SECTION

WAC 51-20-5105 ELEVATOR MACHINE ROOM FLOORS. Section 5105. Elevator hoistways shall not be vented through an elevator machine room unless such venting is accomplished by an approved duct system installed through the elevator machine room. Cable slots entering the machine room must be installed in a manner that inhibits the passage of smoke into the machine room.

NEW SECTION

WAC 51-20-5400 CHAPTER 54. Glass and Glazing.

NEW SECTION

WAC 51-20-5401 SCOPE. Section 5401. (a) General. The provisions of this chapter apply to:

1. Exterior glass and glazing in all occupancies.

OPTION 1

EXCEPTION: Occupancy Groups R and M not over three stories in height and located in areas with a minimum basic wind speed less than 80 miles per hour.

OPTION 2

EXCEPTION: Occupancy Groups R and M not over three stories in height and located in areas with a minimum basic wind speed not more than 80 miles per hour.

2. Interior and exterior glass and glazing in all occupancies subject to human impact as specified in Section 5406.

(b) Standards. Standards for materials shall be as specified in this chapter and UBC Standard No. 54-1.

Standards for glazing subject to human impact (hazardous location) as specified in Section 5406 shall be as specified in UBC Standard No. 54-2.

(c) Other Provisions. See Part IV of this code for additional glass requirements where openings are required to be fire protected, and Section 5204 for openings glazed with plastics.

(d) Standards of Quality. The standards listed below labeled a "UBC Standard" are also listed in Chapter 60, Part II, and are part of this code.

1. UBC Standard No. 54-1, Glass Standard Specification
2. UBC Standard No. 54-2, Safety Glazing

NEW SECTION

WAC 51-20-91200 APPENDIX CHAPTER 12.

NEW SECTION

WAC 51-20-91223 DIVISION II. REQUIREMENTS FOR GROUP R, DIVISION 4 AND DIVISION 5 OCCUPANCIES. Section 1223. General. (a) Purpose. The purpose of this division is to provide minimum standards of safety for residential group care facilities.

(b) Scope. 1. General. The provisions of this division shall apply to buildings or portions thereof that are to be used for Group R, Division 4 and Division 5 Occupancies.

OPTION 1

2. Applicability of other provisions. Except as specifically required by this division, Group R, Division 4 and Division 5 Occupancies shall meet all applicable provisions of this code. Group R, Division 4 and Division 5 Occupancies need not be accessible to people with disabilities.

or **OPTION 2**

2. Applicability of other provisions. Except as specifically required by this division, Group R, Division 4 and Division 5 Occupancies shall meet all applicable provisions of this code. Group R, Division 4 and Division 5 Occupancies shall be accessible to people with disabilities.

(c) Definitions. For the purpose of this division, certain terms are defined as follows:

GROUP R, DIVISION 4 OCCUPANCIES shall be residential group care facilities for ambulatory, nonrestrained persons who may have a mental or physical impairment (each accommodating more than five and not more than 16 clients or residents, excluding staff).

GROUP R, DIVISION 5 OCCUPANCIES shall be residential group care facilities for semi-ambulatory and non-ambulatory, nonrestrained persons who have a mental or physical impairment (each accommodating more than five and not more than 16 clients or residents, excluding staff).

AMBULATORY PERSONS means persons physically and mentally capable of walking or traversing a normal path to safety, including the ascent and descent of stairs, without the physical assistance of another person.

NON-AMBULATORY PERSONS means persons physically or mentally unable to walk or traverse a normal path to safety without the physical assistance of another person.

SEMI-AMBULATORY PERSONS means persons physically and mentally capable of traversing a normal path to safety with the use of mobility aids, but unable to ascend or descend stairs without the physical assistance of another person.

SEPARATE EXIT SYSTEM is a path of exit travel separated in such a manner from other required exits as to provide an atmospheric separation which precludes contamination by both paths by the same fire.

NEW SECTION

WAC 51-20-91224 CONSTRUCTION, HEIGHT AND ALLOWABLE AREA. Section 1224. (a) General. Unless otherwise specified in this chapter, buildings or portions of buildings classified as Group R, Division 4 or Division 5 may be constructed of any materials allowed by this code, shall not exceed two stories in height nor be located above the second story in any building. Group R, Division 4 Occupancies shall not exceed 3,000 square feet in floor area per story except as provided in Sections 505 and 507.

OPTION 1

Where an approved automatic sprinkler system is installed in accordance with UBC Standard No. 38-3, floor areas in a Group R, Division 4 Occupancy may be increased to 6,000 square feet per story.

or **OPTION 2**

Where an approved automatic sprinkler system is installed in accordance with UBC Standard No. 38-1, floor areas in a Group R, Division 4 Occupancy may be increased to 6,000 square feet per story.

(b) Special Provisions. (1) Residential or quick response standard sprinkler heads shall be used in all sprinkler systems installed in Group R, Division 4 and Division 5 Occupancies.

(2) Group R, Division 4 Occupancies having more than 3,000 square feet of floor area above the first story shall be of not less than one-hour fire-resistive construction throughout.

(3) All buildings classed as Group R, Division 5 shall:

(A) Have installed an approved fully automatic fire extinguishing system conforming to UBC Standard No. 38-1; and,

(B) In buildings with individual floor areas over 6,000 square feet, have an approved smoke barrier dividing the floor into at least two compartments, provided that each compartment shall provide no less than 30 square feet per occupant; and,

(C) Be a minimum Type V, One-hour construction.

EXCEPTION: Buildings classified as Group R, Division 5 may be of Type V-N construction provided:

(i) The entire building has an interior wall and ceiling covering consisting of 1/2 inch gypsum wall board or an approved equal installed in accordance with Section 4711; and,

(ii) An approved smoke detection system, supervised by an approved central, proprietary, or remote station service, is installed throughout the entire structure and interconnected to the sprinkler system.

(c) Mixed Occupancies. Group R, Division 4 and Division 5 Occupancies shall be separated from Group H Occupancies by a four-hour fire-resistive occupancy separation and shall be separated from all other occupancies by a one-hour fire-resistive occupancy separation.

EXCEPTIONS: 1. An occupancy separation need not be provided between a Group R, Division 4 or Division 5 Occupancy and a carport having no enclosed uses above, provided the carport is entirely open on two or more sides.

2. In the one-hour occupancy separation between a Group R, Division 4 or Division 5 Occupancy and a Group M, Division 1 Occupancy, the separation may be limited to the installation of materials approved for one-hour fire-resistive construction on the garage side and a self-closing, tight-fitting solid-wood door 1 3/8 inch in thickness, or a self-closing tight-fitting door having a fire-protection rating of not less than 20 minutes when tested in accordance with Part II UBC Standard No. 43-2, which is part of this code, is permitted in lieu of a one-hour fire assembly. Fire dampers need not be installed in air ducts passing through the wall, floor or ceiling separating a Group R, Division 4 or Division 5 Occupancy from a Group M, Division 1 Occupancy, provided such ducts within the Group M Occupancy are constructed of steel having a thickness not less than 0.019 inch (No. 26 galvanized sheet gauge) and have no openings into the Group M Occupancy.

NEW SECTION

WAC 51-20-91225 LOCATION ON PROPERTY. Section 1225. Exterior walls located less than 3 feet from property lines shall be of one-hour fire-resistive construction. Openings shall not be permitted in exterior walls located less than 3 feet from property lines. For other requirements, see Section 504 and Part IV.

NEW SECTION

WAC 51-20-91226 EXITS AND EMERGENCY ESCAPES. Section 1226. (a) General. 1. Group R, Division 4 and Division 5 Occupancies shall be provided with exits as required by this section and Chapter 33 of this code.

2. All Group R, Division 5 Occupancies located above the first floor shall have at least two exits directly to the exterior of the building, or into separate exit systems in accordance with Section 3309(a) and this chapter.

(b) Exits Required. 1. Number of exits. Every story, basement or portion thereof housing a Group R, Division 4 or Division 5 Occupancy shall have not less than two exits.

EXCEPTIONS: 1. Basements used exclusively for the service of the building may have one exit. For the purpose of this exception, storage rooms, laundry rooms, maintenance offices and similar uses shall not be considered as providing service to the building.
2. Storage rooms, laundry rooms and maintenance offices not exceeding 300 square feet in floor area may be provided with only one exit.

2. Distance to exits. The maximum travel distance specified in Chapter 33 shall be reduced by 50 percent.

OPTION 1

(c) Corridor Width. Corridors shall be not less than 36 inches in width.

(d) Stairways. Stairways shall be constructed as required by Section 3306 of this code.

EXCEPTION: In buildings that are converted to a Group R, Division 4 or Division 5 Occupancy, existing stairways may have an 8-inch maximum rise and 9-inch minimum run. Existing stairways may be 30 inches in width in Group R, Division 4 Occupancies, and 36 inches in width in Group R, Division 5 Occupancies.

or OPTION 2

(c) Corridor Width. Corridors shall be not less than 44 inches in width.

(d) Stairways. Stairways shall be constructed as required by Section 3306 of this code.

EXCEPTION: In buildings that are converted to a Group R, Division 4 or Division 5 Occupancy, existing stairways may have an 8-inch maximum rise and 9-inch minimum run. Existing stairways may be 30 inches in width in Group R, Division 4 Occupancies, and 44 inches in width in Group R, Division 5 Occupancies.

(e) Emergency Exit Illumination. In the event of power failure, exit illumination shall be automatically provided from an emergency system. Emergency systems shall be supplied from storage batteries or an on site generator set and the system shall be installed in accordance with the requirements of the Electrical Code.

(f) Emergency Escape. Every sleeping room shall be provided with emergency escape or rescue facilities as required by Section 1204 of this code.

NEW SECTION

WAC 51-20-91227 LIGHT, VENTILATION AND SANITATION. Section 1227. Light, ventilation and sanitation shall be as specified in Section 1205.

NEW SECTION

WAC 51-20-91228 YARDS AND COURTS. Section 1228. Yards and courts shall be as specified in Section 1206.

NEW SECTION

WAC 51-20-91229 ROOM DIMENSIONS. Section 1229. Room dimensions shall be as specified in Section 1207.

NEW SECTION

WAC 51-20-91230 SECTION 1230. No requirements.

NEW SECTION

WAC 51-20-91231 SHAFT ENCLOSURES. Section 1231. Exits shall be enclosed as specified in Chapter 33.

Elevator shafts, vent shafts, dumbwaiter shafts, clothes chutes and other vertical openings shall be enclosed and the enclosure shall be as specified in Section 1706.

NEW SECTION

WAC 51-20-91232 FIRE ALARM SYSTEMS. Section 1232. An approved automatic and manual fire alarm system, supervised by an approved central, proprietary, or remote station service, shall be provided in Group R, Division 4 and Division 5 Occupancies in accordance with Section 14.104 (g) of the Fire Code.

EXCEPTION: Heat detectors need not be provided where an approved automatic sprinkler system that is interconnected to the fire alarm system is provided throughout the building.

NEW SECTION

WAC 51-20-91233 HEATING. Section 1233. All habitable rooms shall be provided with heating facilities capable of maintaining a room temperature of 70° F. at a point 3 feet above the floor.

NEW SECTION

WAC 51-20-91234 SPECIAL HAZARDS. Section 1234. (a) Heating Equipment. All heating equipment shall be permanently installed. Chimneys and heating apparatus shall conform to the requirements of Chapter 37 of this code and the Mechanical Code.

(b) Flammable Liquids. The storage and handling of gasoline, fuel oil or other flammable liquids shall be in accordance with the Fire Code.

NEW SECTION

WAC 51-20-93100 APPENDIX CHAPTER 31.

DIVISION I
U.S. DEPARTMENT OF HOUSING AND URBAN
DEVELOPMENT
FEDERAL FAIR HOUSING ACT
GUIDELINES FOR SITE TERRAIN EXEMPTIONS

NEW SECTION

WAC 51-20-93115 SECTION 3115. (a) Purpose. The purpose of this division is to provide the United States Department of Housing and Urban Development Federal Fair Housing Act Guidelines for Site Terrain Exemptions.

(b) Scope 1. General. The provisions of this division may apply to all buildings and dwelling units that are regulated by the Federal Fair Housing Act Amendments of 1988.

2. Applicability of Other Provisions. Except as specifically allowed by this division for determining site terrain exemptions, Group R, Division 1 apartment houses shall meet all applicable provisions of this code.

(c) Definitions. For the purpose of this division, certain terms are defined as follows:

COVERED MULTIFAMILY DWELLINGS means buildings consisting of four or more dwelling units if such buildings have one or more elevators; and ground floor dwelling units in other buildings consisting of four or more dwelling units. Dwelling units within a single structure separated by firewalls do not constitute separate buildings.

FINISHED GRADE means the ground surface of the site after all construction, levelling, grading and development has been completed.

UNDISTURBED SITE means the site before any construction, levelling, grading or development associated with the current project.

(d) Site Impracticality. 1. General. Covered multifamily dwellings with elevators shall be designed and constructed to provide at least one accessible entrance on an accessible route, regardless of terrain or unusual characteristics of the site. Covered multifamily dwellings without elevators shall be designed and constructed to provide at least one accessible entrance on an accessible route unless terrain or unusual characteristics of the site are such that the following conditions are found to exist:

A. Site Impracticality Due to Terrain. There are two alternative tests for determining a site impracticality due to terrain: The individual building test provided in paragraph (i), or the site analysis test provided in paragraph (ii). These tests may be used as follows.

A site with a single building having a common entrance for all units may be analyzed only as described in paragraph (i).

All other sites, including a site with a single building having multiple entrances serving either individual dwellings units or clusters of dwelling units, may be analyzed using the methodology in either paragraph (i) or paragraph (ii). For these sites for which either test is applicable, regardless of which test is selected, at least 20% of the total ground floor units in nonelevator buildings, on any site, must comply with the guidelines.

(i) Individual Building Test. It is impractical to provide an accessible entrance served by an accessible route when the terrain of the site is such that:

(A) The slopes of the undisturbed site measured between the planned entrance and all vehicular or pedestrian arrival points within 50 feet of the planned entrance exceed 10 percent.

(B) The slopes of the planned finished grade measured between the entrance and all vehicular or pedestrian arrival points within 50 feet of the planned entrance also exceed 10 percent.

If there are no vehicular or pedestrian arrival points within 50 feet of the planned entrance, the slope for the purpose of this paragraph (i) will be measured to the closest vehicular or pedestrian arrival point.

For purposes of these guidelines, vehicular or pedestrian arrival points includes public or resident parking areas; public transportation stops; passenger loading zones; and public streets or sidewalks. To determine site impracticality, the slope would be measured at ground level from the point of the planned entrance, or (ii) if there are no vehicular or pedestrian arrival points closed to the planned entrance. In the case of sidewalks, the closest point to the entrance will be where a public sidewalk entering the site intersects with the sidewalk to the entrance. In the case of resident parking areas, the closest point to the planned entrance will be measured from the entry point to the parking area that is located closest to the planned entrance.

(ii) Site Analysis Test. Alternatively, for a site having multiple buildings, or a site with a single building with multiple entrances, impracticality of providing an accessible entrance served by an accessible route can be established by the following steps:

(A) The percentage of the total buildable area of the undisturbed site with a natural grade less than 10% slope shall be calculated. The analysis of the existing slope (before grading) shall be done on a topographic survey with two foot (2') contour intervals with slope determination made between each successive interval. The accuracy of the slope analysis shall be certified by a professional licensed engineer, landscape architect, architect or surveyor.

(B) To determine the practicality of providing accessibility to planned multifamily dwellings based on the topography of the existing natural terrain, the minimum percentage of ground floor units to be made accessible should equal the percentage of the total buildable area (not including floodplain, wetlands, or other restricted use areas) of the undisturbed site that has an existing natural grade of less than 10% slope.

(C) In addition to the percentage established in paragraph (B), all ground floor units in a building, or ground floor units served by a particular entrance, shall be made accessible if the entrance to the units is on an accessible route, defined as a walkway with a slope between the planned entrance and a pedestrian or vehicular arrival point that is no greater than 8.33%.

B. Site Impracticality Due to Unusual Characteristics. Unusual characteristics include sites located in a federally-designated floodplain or coastal high-hazard area and sites subject to other similar requirements of law or code that the lowest structural member of the lowest floor must be raised to a specified level at or above the base flood elevation. An accessible route to a building entrance is impractical due to unusual characteristics of the site when:

(i) the unusual site characteristics result in a difference in finished grade elevation exceeding 30 inches and 10 percent measured between an entrance and all vehicular or pedestrian arrival points within 50 feet of the planned entrance; or

(ii) if there are no vehicular or pedestrian arrival points within 50 feet of the planned entrance, the unusual characteristics result in a difference in finished grade elevation exceeding 30 inches and 10 percent measured between an entrance and the closest vehicular or pedestrian arrival point.

2. Exceptions to Site Impracticality. Regardless of site considerations described in Section 3115 (d), an accessible entrance on an accessible route is practical when:

A. There is an elevator connecting the parking area with the dwelling units on a ground floor. (In this case, those dwelling units on the ground floor served by an elevator, and at least one of each type of public and common use areas, would be subject to these guidelines.) However:

(i) Where a building elevator is provided only as a means of creating an accessible route to dwelling units on a ground floor, the building is not considered an elevator building for purposes of these guidelines; hence, only the ground floor dwelling units would be covered.

(ii) If the building elevator is provided as a means of access to dwelling units other than dwelling units on a ground floor, then the building is an elevator building which is a covered multifamily dwelling, and the elevator in that building must provide accessibility to all dwelling units in the building, regardless of the slope of the natural terrain; or

B. An elevated walkway is planned between a building entrance and a vehicular or pedestrian arrival point and the planned walkway has a slope no greater than 10 percent.

DIVISION II
U.S. DEPARTMENT OF JUSTICE
AMERICANS WITH DISABILITIES ACT

GUIDELINES FOR READILY ACHIEVABLE BARRIER REMOVAL

NEW SECTION

WAC 51-20-93116 SECTION 3116. (a) Purpose. The purpose of this division is to provide the United States Department of Justice, Americans with Disabilities Act Guidelines for readily achievable barrier removal in existing buildings.

(b) Scope 1. General. The provisions of this division may be used as a guideline for the removal of readily achievable barriers to accessibility in existing buildings, as required by the Americans with Disabilities Act of 1990.

2. Applicability of Other Provisions. Except as specifically allowed by this division, all buildings and portions thereof shall meet all applicable provisions of this code.

(c) Definitions. For the purpose of this division, certain terms are defined as follows:

COMMERCE is travel, trade, traffic, commerce, transportation or communication—

1. Among the several States;
2. Between any foreign country or any territory or possession and any State; or
3. Between points in the same State but through another State or foreign country.

COMMERCIAL FACILITIES are facilities—

1. Whose operations will affect commerce;
2. That are intended for nonresidential use by a private entity; and
3. That are not—

A. Facilities that are covered or expressly exempted from coverage under the Fair Housing Act of 1968, as amended (42 U.S.C. 3601-3631);

B. Aircraft; or

C. Railroad locomotives, railroad freight cars, railroad cabooses, commuter or intercity passenger rail cars (including coaches, dining cars, sleeping cars, lounge cars, and food service cars), any other railroad cars described in section 242 of the American's with Disability Act or covered under title II of the American's with Disabilities Act, or railroad rights-of-way. For purposes of this definition, "rail" and "railroad" have the meaning given the term "railroad" in section 202(e) of the Federal Railroad Safety Act of 1970 (46 U.S.C. 431(e)).

PLACE OF PUBLIC ACCOMMODATION is a facility, operated by a private entity, whose operations affect commerce and fall within at least one of the following categories—

1. An inn, hotel, motel, or other place of lodging, except for an establishment located within a building that contains not more than five rooms for rent or hire and that is actually occupied by the proprietor of the establishment as the residence of the proprietor;
2. A restaurant, bar, or other establishment serving food or drink;
3. A motion picture house, theater, concert hall, stadium, or other place of exhibition or entertainment;
4. An auditorium, convention center, lecture hall, or other place of public gathering;
5. A bakery, grocery store, clothing store, hardware store, shopping center, or other sales or rental establishment;
6. A laundromat, dry-cleaner, bank, barber shop, beauty shop, travel service, shoe repair service, funeral parlor, gas station, office of an accountant or lawyer, pharmacy, insurance office, professional office of a health care provider, hospital, or other service establishment;
7. A terminal, depot, or other station used for specified public transportation;
8. A museum, library, gallery, or other place of public display or collection;
9. A park, zoo, amusement park, or other place of recreation;
10. A nursery, elementary, secondary, undergraduate, or postgraduate private school, or other place of education;
11. A day care center, senior citizen center, homeless shelter, food bank, adoption agency, or other social service center establishment; and
12. A gymnasium, health spa, bowling alley, golf course, or other place of exercise or recreation.

PRIVATE ENTITY is a person or entity other than a public entity.

Public accommodation is a private entity that owns, leases (or leases to), or operates a place of public accommodation.

PUBLIC ENTITY is—

1. Any State or local government;

2. Any department, agency, special purpose district, or other instrumentality of a State or States or local government; and

3. The National Railroad Passenger Corporation, and any commuter authority (as defined in section 103(8) of the Rail Passenger Service Act).

READILY ACHIEVABLE is easily accomplishable and able to be carried out without much difficulty or expense. In determining whether an action is readily achievable, factors to be considered include—

1. The nature and cost of the action needed under this part;
2. The overall financial resources of the site or sites involved in the action; the number of persons employed at the site; the effect on expenses and resources, or the impact otherwise of the action upon the operation of the site;
3. The overall financial resources of any parent corporation or entity; the overall size of the parent corporation or entity with respect to the number of its employees; the number, type, and location of its facilities;
4. The type of operation or operations of the parent corporation or entity, including the composition, structure, and functions of the workforce of the parent corporation or entity; and
5. The geographic separateness, and the administrative or fiscal relationship of the site or sites in question to the parent corporation or entity.

UNDUE BURDEN is significant difficulty or expense. In determining whether an action would result in an undue burden, factors to be considered include—

1. The nature and cost of the action needed under this part;
2. The overall financial resources of the site or sites involved in the action; the number of persons employed at the site; the effect on expenses and resources, or the impact otherwise of the action upon the operation of the site;
3. The overall financial resources of any parent corporation or entity; the overall size of the parent corporation or entity with respect to the number of its employees; the number, type, and location of its facilities;
4. The type of operation or operations of the parent corporation or entity, including the composition, structure, and functions of the workforce of the parent corporation or entity; and
5. The geographic separateness, and the administrative or fiscal relationship of the site or sites in question to the parent corporation or entity.

(d) Removal of Barriers. 1. General. A public accommodation shall remove architectural barriers in existing facilities, including communication barriers that are structural in nature, where such removal is readily achievable, i.e., easily accomplishable and able to be carried out without much difficulty or expense.

(e) Examples. Examples of steps to remove barriers include, but are not limited to, the following actions:

1. Installing ramps;
2. Making curb cuts in sidewalks and entrances;
3. Lowering shelves;
4. Rearranging tables, chairs, vending machines, display racks, and other furniture;
5. Lowering telephones;
6. Adding raised letter markings on elevator control buttons;
7. Installing flashing alarm lights;
8. Widening doors;
9. Installing offset hinges to widen doorways;
10. Eliminating a turnstile or providing an alternative accessible path;
11. Installing accessible door hardware;
12. Installing grab bars in toilet stalls;
13. Rearranging toilet partitions to increase maneuvering space;
14. Insulating lavatory pipes;
15. Installing a raised toilet seat;
16. Installing a full-length bathroom mirror;
17. Lowering the paper towel dispenser in a bathroom;
18. Creating a designated accessible parking space;
19. Installing an accessible paper cup dispenser at an existing inaccessible water fountain;
20. Removing high pile, low density carpeting; or
21. Modifying vehicle hand controls.

(f) Priorities. A public accommodation shall take measures to comply with the barrier removal requirements of this section in accordance with the following order of priorities:

1. First, a public accommodation shall take measures to provide access to a place of public accommodation from public sidewalks, parking, or public transportation. These measures include, for example, installing an entrance ramp, widening entrances, and providing accessible parking spaces.

2. Second, a public accommodation shall take measures to provide access to restroom facilities in places of public accommodation where restroom facilities are used by the public on more than an incidental basis. These measures include, for example, removal of obstructing furniture or vending machines, widening of doors, installations of ramps, providing accessible signage, widening of toilet stalls, and installations of grab bars.

3. Third, a public accommodation shall take measures to provide access to those areas of a place of public accommodation where goods and services are made available to the public. These measures include, for example, adjusting the layout of display racks, rearranging tables, widening doors, and installing ramps.

4. Fourth, a public accommodation shall take any other measures necessary to provide access to the goods, services, facilities, privileges, advantages, or accommodations of a place of public accommodations.

(g) Relationship to Alterations Requirements of Section 3109 of this Code. Measures taken solely to comply with the barrier removal requirements of this section are not required to conform to the requirements for alterations in Section 3109 of this code. These measures include, for example, installing a ramp with a steeper slope or widening a doorway to a narrower width than that required by Section 3109 of this code. No measure shall be taken, however, that poses a significant risk to the health or safety of individuals with disabilities or others.

(h) Portable Ramps. Portable ramps should be used to comply with this division only when installation of a permanent ramp is not readily achievable. In order to avoid any significant risk to the health or safety of individuals with disabilities or others in using portable ramps, due consideration shall be given to safety features such as nonslip surfaces, railings, anchoring, and strength of materials.

(i) Interpretation of Readily Achievable. 1. Barrier removal is not readily achievable if it would result in significant loss of profit or significant loss of efficiency of operation.

(2) The rearrangement of temporary or movable structures, such as furniture, equipment, and display racks is not readily achievable to the extent that it results in a significant loss of selling or serving space.

(j) Alternatives to Barrier Removal. 1. General. Where a public accommodation can demonstrate that barrier removal is not readily achievable, a public accommodation shall not fail to make its goods, services, facilities, privileges, advantages, or accommodations available through alternative methods, if those methods are readily achievable.

2. Examples. Examples of alternatives to barrier removal include, but are not limited to, the following actions:

- A. Providing curb service or home delivery;
- B. Retrieving merchandise from inaccessible shelves or racks;
- C. Relocating activities to accessible locations;
- D. Providing refueling service at inaccessible self-service gas stations.

(k) Personal Devices and Services. This section does not require a public accommodation to provide its customers, clients, or participants with personal devices, such as wheelchairs, or services of a personal nature including assistance in eating, toileting, or dressing.

(l) Multiscreen Cinemas. If it is not readily achievable to remove barriers to provide access by persons with mobility impairments to all of the theaters of a multiscreen cinema, the cinema shall establish a film rotation schedule that provides reasonable access for individuals who use wheelchairs to all films. Reasonable notice shall be provided to the public as to the location and time of accessible showings.

(m) Readily Achievable and Undue Burden: Factors to be Considered. In determining whether an action is readily achievable or would result in an undue burden, factors to be considered include:

1. The nature and cost of the action needed under this part;
2. The overall financial resources of the site or sites involved in the action; the number of persons employed at the site; the effect on expenses and resources, or the impact otherwise of the action upon the operation of the site;
3. The overall financial resources of any parent corporation or entity; the overall size of the parent corporation or entity with respect to the number of its employees; the number, type, and location of its facilities;
4. The type of operation or operations of the parent corporation or entity, including the composition, structure, and functions of the workforce of the parent corporation or entity; and

5. The geographic separateness, and the administrative or fiscal relationship of the site or sites in question to the parent corporation or entity.

(n) Accessible or Special Goods. 1. This part does not require a public accommodation to alter its inventory to include accessible or special goods that are designed for, or facilitate use by, individuals with disabilities.

2. A public accommodation shall order accessible or special goods at the request of an individual with disabilities, if, in the normal course of its operation, it makes special orders on request for institute goods, and if the accessible or special goods can be obtained from a supplier with whom the public accommodation customarily does business.

3. Examples of accessible or special goods include items such as Brailled versions of books, books on audio cassettes, closed-captioned video tapes, special sizes or lines of clothing, and special foods to meet particular dietary needs.

(o) Seating in Assembly Areas. 1. To the extent that it is readily achievable, a public accommodation shall:

- A. Provide a reasonable number of wheelchair seating spaces in assembly areas; and,
- B. Locate the wheelchair seating spaces so that they:
 - (i) Are dispersed throughout the seating area;
 - (ii) Provide lines of sight comparable to those in all viewing areas;
 - (iii) Adjoin an accessible route of travel that also serves as a means of egress in case of emergency; and,
 - (iv) Permit individuals who use wheelchairs to sit with family members or other companions.

EXCEPTION: If removal of seats is not readily achievable, a public accommodation shall provide a portable chair or other means to permit a family member or other companion to sit with an individual who uses a wheelchair.

**DIVISION III
U.S. ARCHITECTURAL AND BARRIERS COMPLIANCE
BOARD
AMERICANS WITH DISABILITIES ACT
ADDITIONAL GUIDELINES FOR ACCESSIBLE SIGNAGE**

NEW SECTION

WAC 51-20-93117 SECTION 3117. (a) General. The purpose of this division is to provide additional design guidelines for accessible signage required by the Americans with Disabilities Act of 1990.

(b) Character Proportion. Letters and numbers on signs shall have a width-to-height ratio of not less than 3:5 and not more than 1:1 and a stroke-width-to-height ratio of not less than 1:10 and not more than 1:5.

(c) Character Height and Letter Spacing. Characters and letters on signs shall be not less than 1 inch in height for all signs.

EXCEPTIONS: 1. Characters and letters on signs located more than 66 inches above the floor shall be not less than 3 inches in height.
2. Building directories shall be not less than 5/8 inches in height and may be mounted at any height above the floor.

The spacing between letters shall be not less than 1/16 the height of the upper case letters.

(d) Raised and Brailled Characters and Pictorial Symbol Signs (Pictograms). Letters and numerals shall be raised not less than 1/32 inch; be upper case, sans serif or simple serif type; and shall be accompanied with Grade 2 Braille. Raised characters shall be not less than 5/8 inch or more than 2 inches in height. Pictograms shall be accompanied by the equivalent verbal description placed directly below the pictogram. The border dimension of the pictogram shall be not less than 6 inches in height.

(e) Illumination. Illumination levels on the sign surface shall be not less than 10 footcandles and not more than 30 footcandles and shall be uniform over the sign surface.

**DIVISION IV
U.S. ARCHITECTURAL AND BARRIERS COMPLIANCE
BOARD
AMERICANS WITH DISABILITIES ACT
ALTERNATE GUIDELINES FOR DETECTABLE WARNINGS**

NEW SECTION

WAC 51-20-93118 SECTION 3118. (a) General. The purpose of this division is to provide additional design guidelines for construction

and installation of truncated domes as required by the Americans with Disabilities Act of 1990.

(b) Raised Truncated Domes. Raised truncated domes shall have a diameter of 0.9 inches nominal, a height of 0.2 inches nominal and a center-to-center spacing of 2.35 inches nominal. Raised truncated domes shall comply with Appendix Chapter 31, Division VII for visual contrast.

**DIVISION V
U.S. ARCHITECTURAL AND BARRIERS COMPLIANCE
BOARD
AMERICANS WITH DISABILITIES ACT
ALTERNATE GUIDELINES FOR AUDIBLE ALARMS**

NEW SECTION

WAC 51-20-93119 SECTION 3119. (a) Purpose. The purpose of this division is to provide the United States Department of Justice, Americans with Disabilities Act Guidelines for audible alarms.

(b) Audible Alarms. Audible alarms shall exceed the prevailing equivalent sound level in the room or space by at least 15 decibels, or shall exceed any maximum sound level with a duration of 30 seconds by 5 decibels, whichever is louder. Sound levels for alarm signals shall not exceed 120 decibels.

**DIVISION VI
U.S. ARCHITECTURAL AND BARRIERS COMPLIANCE
BOARD
AMERICANS WITH DISABILITIES ACT
ALTERNATE GUIDELINES FOR VISIBLE ALARM**

NEW SECTION

WAC 51-20-93120 SECTION 3120. (a) Purpose. The purpose of this division is to provide the United States Department of Justice, Americans with Disabilities Act Guidelines for visible alarms.

(b) Visible Alarms. Visible alarm signals shall have the following minimum photometric and location features:

1. The lamp shall be a xenon strobe type.
2. The color shall be clear (i.e., unfiltered or clear filtered white light).
3. The intensity shall be a minimum of 75 candela seconds and a maximum of 120 candela seconds.
4. The flash rate shall be a minimum of 1 Hz and a maximum of 3 Hz.
5. The appliance shall be placed a minimum of 80 inches above the highest floor level within the space.
6. No place in any room shall be more than 50 feet from the signal (in the horizontal plane).
7. No place in corridors or hallways shall be more than 50 feet from the signal.

**DIVISION VII
U.S. ARCHITECTURAL AND BARRIERS COMPLIANCE
BOARD
AMERICANS WITH DISABILITIES ACT
ALTERNATE GUIDELINES FOR VISUAL CONTRAST**

NEW SECTION

WAC 51-20-93121 SECTION 3121. (a) Purpose. The purpose of this division is to provide the United States Department of Justice, Americans with Disabilities Act Guidelines for visual contrast.

(b) Guidelines for Visual Contrast. 1. Raised Truncated Domes. Raised truncated domes used as detectable warnings shall contrast visually by 70 percent with adjoining surfaces. Contrast in percent shall be determined as follows:

$$\text{Contrast} = [(B^1 - B^2)/B^1] \times 100$$

where: B¹ = light reflectance value (LRV) of the lighter area; and, B² = light reflectance value (LRV) of the darker area.

The material used to provide contrast shall be an integral part of the walking surface.

2. Signage. The characters and background of signs shall be eggshell (11 to 19 degree gloss on 60 degree glossimeter). Characters shall be

light on a dark background (or dark on a light background) and contrast with their background by at least 70 percent. Contrast in percent shall be determined as follows:

$$\text{Contrast} = [(B^1 - B^2)/B^1] \times 100$$

where: B¹ = light reflectance value (LRV) of the lighter area; and, B² = light reflectance value (LRV) of the darker area.

**Chapter 51-21 WAC
STATE BUILDING CODE ADOPTION AND AMENDMENT OF
THE 1991 EDITION OF THE UNIFORM BUILDING CODE
STANDARDS**

NEW SECTION

WAC 51-21-001 AUTHORITY. These rules are adopted under the authority of chapter 19.27 RCW.

NEW SECTION

WAC 51-21-002 PURPOSE. The purpose of these rules is to implement the provisions of chapter 19.27 RCW, which provides that the state building code council shall maintain the State Building Code in a status which is consistent with the purpose as set forth in RCW 19.27-.020. In maintaining the codes the council shall regularly review updated versions of the codes adopted under the act, and other pertinent information, and shall amend the codes as deemed appropriate by the council.

NEW SECTION

WAC 51-21-003 UNIFORM BUILDING CODE STANDARDS. The 1991 edition of the Uniform Building Code Standards as published by the International Conference of Building Officials is hereby adopted by reference with the following additions, deletions, and exceptions.

NEW SECTION

WAC 51-21-007 EXCEPTIONS. The exceptions and amendments to the Uniform Building Code Standards contained in the provisions of chapter 19.27 RCW shall apply in case of conflict with any of the provisions of these rules.

NEW SECTION

WAC 51-21-008 IMPLEMENTATION. The Uniform Building Code Standards adopted by chapter 51-21 WAC shall become effective in all counties and cities of this state on July 1, 1992, unless local amendments have been approved by the state building code council.

NEW SECTION

WAC 51-21-31010 UBC STANDARDS NO. 31-1. Building and Facility Access Specifications. UBC Standard No. 31-1 is deleted in its entirety.

NEW SECTION

WAC 51-21-38030 UBC STANDARDS NO. 38-3. Installation of sprinkler systems in Group R Occupancies four stories or less. The following amendments are adopted to Chapter 38-3 of the UBC Standards.

NEW SECTION

WAC 51-21-38038 TABLE 1-5.1. Table 1-5.1 is amended to read as follows:

Table 1-5.1

Materials and Dimensions	Standard
Spec. for Black and Hot-Dipped Zinc-Coated (Galvanized) Welded and Seamless Steel Pipe for Fire Protection Use	ASTM A795
Specification for Welded and Seamless Steel Pipe	ASTM A53
Wrought-Steel Pipe	ANSI B36.10M

Materials and Dimensions	Standard
Specification for Electric-Resistance Welded Steel Pipe	ASTM A135
Copper Tube (Drawn, Seamless) Specification for Seamless Copper Tube	ASTM B88
Specification for General Requirements for Wrought Seamless Copper and Copper-Alloy Tube	ASTM B251
Brazing Filler Metal (Classification BCuP-3 or BCuP-4)	AWS A5.8
Specification for Solder Metal, 95-5 (Tin-Antimony-Grade 95TA)	ASTM B32
Specifications for CPVC Pipe	ASTM F437 ASTM F438 ASTM F439 ASTM F442
Specification for Polybutylene Tube 3309	ASTM D

NEW SECTION

WAC 51-21-38039 TABLE 1-5.5. Table 1-5.5 is amended to read as follows:

Table 1-5.5

Materials and Dimensions	Standard
Cast Iron Cast Iron Threaded Fittings, Class 125 and 250	ANSI B16.4
Cast Iron Pipe Flanges and Flanged Fittings	ANSI B16.1
Malleable Iron Malleable Iron Threaded Fittings, Class 150 and 300	ANSI B16.3
Steel Factory-made Threaded Fittings Class 150 and 300	ANSI B16.9
Buttwelding ends for Pipe, Valves, Flanges, and Fittings	ANSI B16.25
Spec. for Piping Fittings of Wrought Carbon Steel and Alloy Steel for Moderate and Elevated Temperatures	ASTM A234
Pipe Flanges and Flanged Fittings, Steel Nickel Alloy and Other Special Alloys	ANSI B16.5
Forged Steel Fittings, Socket Welded and Threaded	ANSI B16.11
Copper Wrought Copper and Copper Alloy Solder-Joint Pressure Fittings	ANSI B16.22
Cast Copper Alloy Solder-Joint Pressure fittings	ANSI B16.18
Plastic Fittings for CPVC Pipe	ASTM F437 ASTM F438 ASTM F439 ASTM F442
Plastic Fittings for Polybutylene Tube 3309	ASTM D

**WSR 91-16-114
PROPOSED RULES
BUILDING CODE COUNCIL
[Filed August 7, 1991, 4:18 p.m.]**

Original Notice.

Title of Rule: 1991 Uniform Mechanical Code.

Purpose: To consider whether to adopt and amend the 1991 Uniform Mechanical Code as published by the International Conference of Building Officials.

Other Identifying Information: Copies of the 1991 Uniform Mechanical Code are available from: The International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California 90601.

Statutory Authority for Adoption: RCW 19.27.074.

Statute Being Implemented: Chapter 19.27 RCW.

Summary: To adopt by reference and amend the 1991 Uniform Mechanical Code.

Reasons Supporting Proposal: This rule amends the 1991 Uniform Mechanical Code to be adopted by reference. These changes are necessary to provide an added measure of flexibility and safety to the 1991 Uniform Mechanical Code.

Name of Agency Personnel Responsible for Drafting: Donald Kaiser, Ninth and Columbia Building, Mailstop GH-51, (206) 586-2251; Implementation: Linda Ramsey, Ninth and Columbia Building, Mailstop GH-51, (206) 586-3423; and Enforcement: Local governments.

Name of Proponent: Washington State Building Code Council, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The rule would adopt by reference and amend the 1991 [Uniform] Mechanical Code. The purpose is to update the existing 1988 Uniform Mechanical Code and assign the 1991 Uniform Mechanical Code its own WAC number chapter 51-22 WAC. The 1991 Uniform Mechanical Code will be amended to provide greater safety and flexibility than the existing 1991 Uniform Mechanical Code.

Proposal Changes the Following Existing Rules: The proposed rule proposes the following changes to the 1991 Uniform Mechanical Code: Expands the definition of unusually tight construction; expands the anchorage of appliances language; includes language on unvented portable heaters to be consistent with chapter 19.27A RCW; amends section 1002 and 1104 to provide flexibility in the construction of high-rise buildings; provides ventilation of refrigeration machinery rooms; and expands the requirement for installation of dryer ducts.

Small Business Economic Impact Statement: WAC 51-22-1508 option 2 requires refrigeration rooms to be ventilated to the outside of the building. This requirement will increase the construction cost to buildings containing refrigeration machinery rooms. Refrigeration machinery rooms are built where refrigeration loads are very large, this typically is in large cold storage buildings; the State Building Code Council (SBCC) expects the cost to incorporate this requirement in the code to be proportional to the size of the cooling requirement. The

work can be completed by either a small or large business with the compliance cost being the same regardless of business size; the above statement is made to cover economic impacts, however, the SBCC has been unable to locate existing data to analyze the cost on businesses. The other amendments to the 1991 Uniform Mechanical Code do not require an SBEIS.

Hearing Location: Spokane City Council Chambers, Spokane City Hall, West 808 Spokane Falls Boulevard, Spokane, WA, on September 13, 1991, at 9:00 a.m.; and at the Alpine Ballroom, Seattle Airport Hilton, 17620 Pacific Highway South, SeaTac, WA 98188, on Friday, September 20, 1991, at 9:00 a.m.

Submit Written Comments to: State Building Code Council, Ninth and Columbia Building, Mailstop GH-51, Olympia, Washington 98504-4151, by September 25, 1991.

Date of Intended Adoption: November 8, 1991.

July 12, 1991
Gene J. Colin
Chair

Chapter 51-22 WAC

STATE BUILDING CODE ADOPTION AND AMENDMENT OF THE 1991 EDITION OF THE UNIFORM MECHANICAL CODE

NEW SECTION

WAC 51-22-001 AUTHORITY. These rules are adopted under the authority of chapter 19.27 RCW.

NEW SECTION

WAC 51-22-002 PURPOSE. The purpose of these rules is to implement the provisions of chapter 19.27 RCW, which provides that the state building code council shall maintain the State Uniform Mechanical Code in a status which is consistent with the purpose as set forth in RCW 19.27.020. In maintaining the codes the council shall regularly review updated versions of the codes adopted under the act, and other pertinent information, and shall amend the codes as deemed appropriate by the council.

NEW SECTION

WAC 51-22-003 UNIFORM MECHANICAL CODE. The 1991 edition of the Uniform Mechanical Code, including Chapter 22, Fuel Gas Piping, Appendix B, published by the International Conference of Building Officials and the International Association of Plumbing and Mechanical Officials is hereby adopted by reference with the exceptions noted in this WAC.

NEW SECTION

WAC 51-22-004 CONFLICT BETWEEN UNIFORM MECHANICAL CODE AND STATE ENERGY CODE CHAPTER 51-11 WAC. In the case of conflict between the duct sealing or insulation requirements of section 1002 or section 1005 of this code and the duct sealing or insulation requirements of Chapter 51-11 WAC, the Washington State Energy Code, or where applicable, a local jurisdiction's energy code, the provisions of such energy codes shall govern.

NEW SECTION

WAC 51-22-005 CONFLICT BETWEEN UNIFORM MECHANICAL CODE AND STATE VENTILATION AND INDOOR AIR QUALITY CODE CHAPTER 51-13 WAC. In the case of conflict between the Group R ventilation requirements of this code and the Group R ventilation requirements of Chapter 51-13 WAC, the Washington State Ventilation and Indoor Air Quality Code shall govern.

NEW SECTION

WAC 51-22-007 EXCEPTIONS. The exceptions and amendments to the Uniform Mechanical Code contained in the provisions of chapter 19.27 RCW shall apply in case of conflict with any of the provisions of these rules.

NEW SECTION

WAC 51-22-008 IMPLEMENTATION. The Uniform Mechanical Code adopted by chapter 51-22 WAC shall become effective in all counties and cities of this state on July 1, 1992, unless local amendments have been approved by the state building code council.

NEW SECTION

WAC 51-22-0400 CHAPTER 4 DEFINITIONS AND ABBREVIATIONS.

NEW SECTION

WAC 51-22-0423 U. U.B.C. STANDARDS is the Uniform Building Code Standards promulgated by the International Conference of Building Officials, as adopted by this jurisdiction.

UNCONFINED SPACE is a room or space having a volume equal to at least 50 cubic feet per 1000 Btu/h of the aggregate input rating of all fuel-burning appliances installed in that space. Rooms communicating directly with the space in which the appliances are installed, through openings not furnished with doors, are considered a part of the unconfined space.

UNIT HEATER is a heating appliance designed for nonresidential space heating and equipped with an integral means for circulation of air.

UNIT REFRIGERATION SYSTEM is a refrigerating unit not to exceed three-horsepower rating and which has been factory assembled and tested prior to its installation. Such unit shall not be connected to any ductwork. The unit shall be a complete one-unit package without remote parts.

UNUSUALLY TIGHT CONSTRUCTION is construction where:

(a) Walls and ceilings exposed to the outside atmosphere have a continuous water vapor retarder with a rating of one perm or less with any openings gasketed or sealed, and

(b) Weatherstripping on openable windows and doors, and

(c) Caulking or sealants are applied to areas such as joints around window and door frames, between sole plates and floors, between wall-ceiling joints, between wall panels and at penetrations for plumbing, electrical, and gas lines and at other openings, and

(d) Any building built using the 1986 or 1991 Washington State Energy Code, 1986 or 1990 Northwest Energy Code, or Super Good Cents weatherization standards or equivalent.

NEW SECTION

WAC 51-22-0500 CHAPTER 5 EQUIPMENT—GENERAL.

NEW SECTION

WAC 51-22-0504 INSTALLATION. (a) Listed Appliances. Except as otherwise provided in the code, the installation of appliances regulated by this code shall conform to the conditions of listing. The appliance installer shall leave the manufacturer's installation and operating instructions attached to the appliance. Clearance of listed appliances from combustible materials shall be as specified in the listing or on the rating plate.

(b) Room Large in Comparison to Size of Equipment. Central heating furnaces not listed for closet or alcove installation shall be installed in a room or space having a volume at least 12 times the total volume of the furnace; central heating boilers not listed for closet or alcove installation shall be installed in a room or space having a volume 16 times the volume of the boiler. If the ceiling height of the room or space is greater than 8 feet, the volume shall be calculated on the basis of 8 foot height.

(c) Unlisted Appliances. Unlisted appliances shall be installed with the standard clearances from combustible construction specified in Table No. 5-A. Unlisted appliances may have the standard clearances of Table No. 5-A reduced by employing the forms of protection specified in Table No. 5-B. Forms of protection specified in Table No. 5-B may be utilized to reduce clearances to combustible construction for all applicable appliances.

(d) Anchorage of Appliances. Appliances designed to be fixed in position shall be securely fastened in place. Supports for appliances shall be designed and constructed to sustain vertical and horizontal loads within the stress limitations specified in the Building Code. All floor supported mechanical equipment and fixed appliances shall be anchored to the structure to resist displacement vertically and on both horizontal axis due to seismic motion. Suspended mechanical equipment and appliances shall have rigid vertical hangers and be braced in both horizontal directions. Connections by pipes or ducts which are or contain non-rigid elements, are not of inherent sufficient strength, or which are not themselves adequately anchored shall not be acceptable as equipment or appliance anchors. Approved, factory fabricated isolation cushions and dampers are permitted between supports or braces and the equipment housing. In no case shall flues or vents be used to support or restrain equipment or appliances.

(e) Identification of Equipment. When more than one heating, cooling, ventilating or refrigerating system is installed on the roof of a building or within the building, it shall be permanently identified as to the area or space served by the equipment.

(f) LPG Appliances. Liquefied petroleum gas-burning appliances shall not be installed in a pit, basement or similar location where heavier-than-air gas might collect. Appliances so fueled shall not be installed in an above-grade under-floor space or basement unless such location is provided with an approved means for removal of unburned gas.

NEW SECTION

WAC 51-22-0800 CHAPTER 8 VENTED DECORATIVE APPLIANCES, FLOOR FURNACES, VENTED WALL FURNACES, UNIT HEATERS AND ROOM HEATERS.

NEW SECTION

WAC 51-22-0807 ROOM HEATERS. (a) Vented Freestanding. Vented freestanding room heaters shall be installed with clearances from combustible material as set forth in Table No. 5-A.

EXCEPTION: Heaters listed for reduced clearances may be installed at the clearances specified on the required manufacturer's label.

Vented freestanding room heaters shall not be located so that a door can swing within less than 12 inches of a warm-air outlet of the heater, measured at right angles to the outlet. Doorstops or door closers shall not be installed to obtain such clearance.

Vented freestanding room heaters shall be located at least 36 inches below any part of a structure projecting over the heater. This projection shall include doors or windows that could project over the heater.

Vented freestanding room heaters shall be safely and securely installed to prevent accidental displacement.

(b) Vented Overhead. Vented overhead room heaters shall be safely and securely supported with hangers and brackets of noncombustible material and shall be installed with clearances from combustible material as specified on the required manufacturer's label

EXCEPTION: Installation of overhead heaters in aircraft storage or serving areas of Group B, Division 3 Occupancies shall comply with the requirements of Section 802.

(c) Unvented. Unvented fuel-burning room heaters shall not be installed, used, maintained, or permitted to exist in a Group I Occupancy nor shall an unvented heater be installed in any building, whether a new or as a replacement installation, unless permitted by this section. This subsection shall not apply to portable oil-fired unvented heating appliances used as supplemental heating in Group B, M or R Occupancies and regulated by the Fire Code.

Approved, unvented portable oil-fueled heaters may be used as supplemental heat source in any Group M, R, B-2, or B-4 Occupancy provided that such heaters shall not be located in any sleeping room or bathroom, and shall comply with RCW 19.27A.080, 19.27A.090, 19.27A.100, 19.27A.110, and 19.27A.120.

(d) Overhead Radiant Heaters. Listed or approved unvented overhead room heaters may be installed in Group A, Division 2, 2.1, 3, or 4; Groups B, H, Division 4; Group H, Division 5, or Group M Occupancy, provided the installation conforms to all of the following requirements:

1. All portions of the heater are located at least 8 feet above the floor.

2. At least two unobstructed permanent openings are provided to the room or space containing such heaters. These openings shall open directly to the outside of the building through the floor, roof or wall. The minimum combined total area of these openings shall be at least 1 square inch for each 1000 Btu/h input of the heater or heaters, with a minimum total area of 100 square inches. One half of the required openings shall be above the heater or heaters and one half shall be located below the heater or heaters.

EXCEPTION: When approved by the building official, provisions may be made to exhaust the product of combustion to the exterior by mechanical means.

3. Heaters shall be safely and securely supported with hangers and brackets of noncombustible materials and installed with clearances from combustible material as specified on the required manufacturer's label.

NEW SECTION

WAC 51-22-1000 CHAPTER 10 DUCTS.

NEW SECTION

WAC 51-22-1002 MATERIAL. (a) General. Supply air, return air, and outside air for heating, cooling or evaporative cooling systems shall be conducted through duct systems constructed of metal as set forth in Tables Nos. 10-A, 10-B and 10-C; metal ducts complying with the U.M.C. Standard No. 10-2 with prior approval; or factory-made air ducts complying with U.M.C. Standard No. 10-1. Ducts, plenums, and fittings may be constructed of concrete, clay, ceramics, or other approved non-metallic materials when installed in the ground or in a concrete slab, provided the joints are tightly sealed.

Corridors shall not be used to convey air to or from rooms if the corridor is required to be of fire-resistive construction by Section 3305 (g) of the U.B.C.

EXCEPTIONS:

1. Where such air is part of an engineered smoke control system.
2. Corridors conforming to Section 3321 (c) of the Uniform Building Code in Group I Occupancies.
3. Corridors serving residential occupancies may be supplied without specific mechanical exhaust subject to the following:
 - A. The supply air is 100% outside air, and
 - B. The units served by the corridor have conforming ventilation independent of the air supplied to the corridor, and
 - C. For other than high-rise buildings, the supply fan will automatically shut off upon activation of corridor smoke detectors which shall be spaced at no more than 30 feet on center along the corridor, or
 - D. For high-rise buildings, corridor smoke detector activation will close required smoke/fire dampers at the supply inlet to the corridor at the floor receiving the alarm.

Concealed building spaces or independent construction within buildings may be used as ducts or plenums.

When gypsum products are exposed in ducts or plenums, the air temperature shall be restricted to a range from 50°F. to 125°F. and moisture content shall be controlled so that the material is not adversely affected. For the purpose of this Section, gypsum products shall not be exposed in ducts serving the direct exhaust from evaporative coolers, and in other air handling systems regulated by this chapter where the design engineer determines that the temperature of the gypsum product will be below the dew point temperature under normal operating conditions.

See Section 904 for limitations on combustion products venting systems extending into or through duct or plenums.

See Section 1104 for limitations on environmental air system exhaust ducts extending into or through ducts or plenums.

(b) Combustibles within Ducts or Plenums. Materials exposed within ducts or plenums shall have a flame-spread index of not more than 25 and a smoke-developed rating of not more than 50 when tested in accordance with the test for Surface Burning Characteristics of Building Materials, U.B.C. Standard No. 42-1.

EXCEPTIONS:

1. Return-air and outside-air ducts, plenums or concealed spaces which serve a dwelling unit may be of combustible construction.
2. Air filters serving a dwelling unit.
3. Air filters listed by an approved testing agency as complying with reference standards included in Appendix C.
4. Air filters used as water evaporation medium in an evaporative cooler.

5. Charcoal filters when protected with an approved fire suppression system.

6. Electrical wiring in plenums shall comply with the Electrical Code. Flame propagation and smoke production characteristics of exposed electric cables installed in concealed space used as air plenums shall:

A. Exhibit a flame travel of 5 feet or less, and
B. Produce smoke having an average optical density not greater than 0.15 and having a peak optical density of 0.5 or less when tested in accordance with U.M.C. Standard No. 10-3.

C. Wiring meeting these requirements shall be listed and labeled as plenum cable as required by the Electrical Code.

7. Nonmetallic fire sprinkler piping in plenums shall be listed and shall meet the following requirements:

A. Exhibit flame travel of 5 feet or less, and
B. Produce smoke having an average optical density not greater than 0.15 and having a peak optical density of 0.5 or less when tested in accordance with U.M.C. Standard No. 10-3.

(b) **Factory-made Air Ducts.** Factory-made air ducts shall be approved for the use intended or shall conform to the requirements of U.M.C. Standard No. 10-1. Each portion of a factory-made air duct system shall be identified by the manufacturer with a label or other suitable identification indicating compliance with U.M.C. Standard No. 10-1 and its class designation. These ducts shall be listed and shall be installed in accordance with the terms of their listing, and the requirements of U.M.C. Standard No. 10-5.

(c) **Joints and Seams of Ducts.** Joints of duct systems shall be made substantially airtight by means of tapes, mastics, gasketing or other means.

Crimp joints for residential round ducts shall have a contact lap of at least 1 1/2 inch and shall be mechanically fastened by means of at least three sheet-metal screws equally spaced around the joint, or an equivalent fastening method.

Joints and seams for 0.016-inch (No. 28 gage) and 0.013-inch (No. 30 gage) residential rectangular ducts shall be as specified in Table No. 10-A for 0.019-inch (No. 26 gage) material.

Joints and seams for rectangular duct systems shall be as specified in Table No. 10-A.

Joints and seams for flat oval ducts and round ducts in other than single dwelling units shall be as specified in Table No. 10-B.

Joints and seams and all reinforcements for factory-made air ducts and plenums shall meet with the conditions of prior approval in accordance with the installation instructions that shall accompany the product.

(d) **Metal.** Every duct, plenum or fitting of metal shall comply with Table No. 10-A or Table No. 10-B.

EXCEPTIONS: 1. Ducts, plenums and fittings for systems serving single dwelling units may comply with Table No. 10-C.
2. Ducts systems complying with U.M.C. Standard No. 10-1.

(e) **Tin.** Existing tin ducts may be used when cooling coils are added to a heating system, provided the first 10 feet of the duct or plenum measured from the cooling coil discharge are constructed of metal of the gage thickness set forth in Table No. 10-A, No. 10-B, or No. 10-C of this chapter or are of approved material and construction. Tin ducts completely enclosed in inaccessible concealed areas need not be replaced. All accessible ducts shall be insulated to comply with Table No. 10-D of this Chapter. For the purpose of this subsection, ducts shall be considered accessible where the access space is 30 inches or greater in height.

(f) **Vibration Isolators.** Vibration isolators installed between mechanical equipment and metal ducts (or castings) shall be made of an approved material and shall not exceed 10 inches in length.

NEW SECTION

WAC 51-22-1100 CHAPTER 11 VENTILATION SYSTEMS AND PRODUCT-CONVEYING SYSTEMS.

NEW SECTION

WAC 51-22-1104 ENVIRONMENTAL AIR DUCTS. Environmental air ducts not regulated by other provisions of this code shall comply with this section. Ducts shall be substantially airtight and shall comply with the provisions of Chapter 10. Exhaust ducts shall terminate outside the building and shall be equipped with back-draft dampers. Environmental air ducts which have an alternate function as

a part of an approved smoke-control system do not require design as Class 1 product-conveying ducts.

Ducts used for domestic kitchen range ventilation and domestic clothes dryers shall be of metal and shall have smooth interior surfaces. Commercial dryer exhaust ducts shall be installed in accordance with their listing. For additional requirements for domestic dryer exhaust systems, see Section 1903

EXCEPTION: Approved flexible duct connectors not more than 6 feet in length may be used in connection with domestic dryer exhausts. Flexible duct connectors shall not be concealed within construction.

Bathroom and laundry room exhaust ducts may be of gypsum wall-board subject to the limitations of Section 1002 (a).

When gypsum products are exposed in ducts and plenums, the air temperature shall be restricted to a range from 50°F to 125°F and moisture content shall be controlled so that the material is not adversely affected. For the purpose of this Section, gypsum products shall not be exposed in ducts serving exhaust from public showers swimming pools, jacuzzi rooms, and in other air handling systems where the design engineer determines that the temperature of the gypsum product will be below the dew point temperature under normal operating conditions.

Exhaust ducts shall not extend into or through ducts or plenums.

EXCEPTION: Exhaust ducts conveying environmental air may pass through a duct or plenum provided that:

1. The duct is maintained under sufficient negative pressure to prevent leakage of the exhaust air to the surrounding duct or plenum; or
2. If maintained under a positive pressure with respect to the surrounding duct or plenum, the exhaust duct will be sealed to prevent leakage; or
3. The surrounding air stream is an exhaust air stream not intended for recirculation to the building and cross contamination of the two air streams will not create a hazardous condition.

NEW SECTION

WAC 51-22-1500 CHAPTER 15 MECHANICAL REFRIGERATING EQUIPMENT.

NEW SECTION

WAC 51-22-1508 REFRIGERATION MACHINERY ROOM VENTILATION.

OPTION 1

Emergency refrigeration machinery room ventilation.

Sec. 1508. Refrigeration machinery rooms shall be provided with means of ventilation to the outside of the building. Such emergency ventilation shall be either of the following:

1. A separate and individual exhaust system of ventilation serving no other area and having the capacity to provide a complete change of air in such room at least once every five minutes and discharge to the outside of the building at a location not less than 20 feet from any exterior door, window or ventilation air inlet in any building. Provisions shall be made for makeup air to replace that being exhausted. Each exhaust ventilation system shall be controlled by a readily accessible emergency ventilation switch located within 2 feet of the switch specified in Section 1509, and the switch shall be labeled to comply with Section 1519.

2. A mechanical ventilation or gravity ventilation openings to the outside of the building shall be sized in accordance with Table No. 15-B based on accumulated horsepower in the rooms with refrigeration units.

Gravity openings shall be so installed that approximately one half of the required area is located within 12 inches of the ceiling and one half of the required area is located within 12 inches of the floor of the room. Every portion of the lower opening shall be horizontal or slope downward from the opening in the refrigeration machinery room to the exterior of the building at or above the adjacent ground level.

OPTION 2

Refrigeration machinery room ventilation.

Sec. 1508. Refrigeration machinery rooms shall be provided with means of ventilation to the outside of the building. Such ventilation shall also incorporate provisions for emergency ventilation. The two requirements may be combined in one system, conforming to the following requirements:

1. An emergency exhaust system serving no other area and having the capacity to provide a complete change of air in such room at least once every five minutes and discharge to the outside of the building at a location not less than 20 feet from any exterior door, window or any operable opening in any building. Provisions shall be made for makeup air to replace that being exhausted. Each exhaust ventilation system shall be controlled by a readily accessible emergency ventilation switch located within 2 feet of the switch specified in Section 1509, and the switch shall be labeled to comply with Section 1519. Operating status indicator shall be provided at the switch and at the fire control center.

2. A mechanical ventilation system or gravity ventilation openings to the outside of the building shall be sized in accordance with Table No. 15-B based on accumulated horsepower in the rooms with refrigeration units and shall operate continuously.

Gravity openings shall be so installed that approximately one half of the required area is located within 12 inches of the ceiling and one half of the required area is located within 12 inches of the floor of the room. Every portion of the lower opening shall be horizontal or slope downward from the opening in the refrigeration machinery room to the exterior of the building at or above the adjacent ground level.

Equipment and components located in a refrigeration machinery room shall be protected from freezing or other low temperature damage.

3. Where gravity ventilation is not provided, operation of the mechanical ventilation shall occur anytime the space is occupied, or operations or maintenance personnel are present.

NEW SECTION

WAC 51-22-1900 CHAPTER 19 MISCELLANEOUS HEAT-PRODUCING APPLIANCES.

NEW SECTION

WAC 51-22-1903 CLOTHES DRYERS. (a) Moisture Exhaust Ducts. Moisture exhaust ducts shall terminate on the outside of the building and shall be equipped with a back-draft damper. Screens shall not be installed at the duct termination. Ducts for exhausting clothes dryers shall not be connected or installed with sheet metal screws or other fasteners which will obstruct the flow. Clothes-dryer moisture-exhaust duct shall not be connected to a gas vent connector, gas vent or chimney. Clothes dryer moisture exhaust ducts shall not extend into or through ducts or plenums. Clothes Dryer exhaust ducts shall be protected by a steel plate or clip not less than 1/16 inch (1.59 mm) in thickness and of sufficient width to fully protect the duct. Plates or clips shall be placed on the finish face of all framing members which the clothes dryer exhaust duct passes through when there is less than one-and-one-quarter inch (1 1/4") of framing material between the duct and the finish face. Plates or clips shall also be placed where nails or screws from finish or other work are likely to penetrate the clothes dryer exhaust duct.

(b) Length Limitation. Unless otherwise permitted or required by the dryer manufacturer's installation instructions and approved by the building official, domestic dryer moisture exhaust ducts shall not exceed a total combined horizontal and vertical length of 14 feet, including two 90-degree elbows. Two feet shall be deducted for each 90-degree elbow in excess of two.

(c) Domestic Clothes Dryers. When a compartment or space for a domestic clothes dryer is provided, a minimum 4-inch-diameter moisture exhaust duct of approved material shall be installed in accordance with this section and Section 1104.

(d) Commercial Clothes Dryers. The installation of commercial clothes dryer exhaust ducts shall comply with the appliance manufacturer's installation instructions.

Code, and chapter 51-25 WAC, adoption of the 1991 Edition of the Uniform Fire Code Standards.

Purpose: To consider whether to adopt, or amend and adopt the 1991 Uniform Fire Code and the 1991 Uniform Fire Code Standards.

Other Identifying Information: Copies of the 1991 Uniform Fire Code and Uniform and Uniform Fire Code Standards are available from: The International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California 90601.

Statutory Authority for Adoption: RCW 19.27.074.

Statute Being Implemented: Chapter 19.27 RCW.

Summary: The proposed rule includes adoption of the Uniform Fire Code and Standards, with amendments. The rule incorporates the existing amendments to Article 80, as found in chapter 51-16 WAC; references to chapter 173-360 WAC; similar amendments proposed in chapter 51-20 WAC, adoption and amendment of the Uniform Building Code; and maintains existing language concerning spraying application in dry apparatus for the application of flammable finishes.

Reasons Supporting Proposal: Chapter 19.27 RCW.

Name of Agency Personnel Responsible for Drafting and Implementation: Donna Voss, Ninth and Columbia Building, Mailstop GH-51, Olympia, Washington, (206) 586-8999; and Enforcement: Local governments.

Name of Proponent: State Building Code Council, governmental.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: The council especially seeks comments on the following issues and options that are proposed in the rule: WAC 51-24-09105 Revise the definition of control area. WAC 51-24-10507 Require automatic fire-extinguishing systems in new schools, as outlined in the Uniform Building Code. WAC 51-24-25107 Option: Add exception for ramp slope of aisles in theaters. Ramp slope exception from 1988 UBC. WAC 51-24-45211 Option: Revise the spraying procedure in drying apparatus. Revised language is from the 1988 UFC. WAC 51-24-80103(b) Option: Hazardous materials management plan. Is compliance with 40 CFR "Hazardous Chemical Reporting and Community Right-To-Know Regulations" under Title III of the Superfund Amendments and Reauthorization Act of 1986 (SARA) adequate to meet the requirements for a HMMP? WAC 51-24-80103(c) Option: Hazardous materials inventory plan. Is compliance with 40 CFR "Hazardous Chemical Reporting and Community Right-To-Know Regulations" under Title III of the Superfund Amendments and Reauthorization Act of 1986 (SARA) adequate to meet the requirements for a HMIP? WAC 51-24-80109 Option: Personnel training and written procedures. Is compliance with 40 CFR "Hazardous Chemical Reporting and Community Right-To-Know Regulations" under Title III of the Superfund Amendments and Reauthorization Act of 1986 (SARA) adequate to meet the requirements for this section? WAC 51-24-80110 Option: Facility closure plan. Allow notification of fire departments in lieu of the requirement for a plan. WAC 51-24-80111 Option: Delete provisions for out-of-service facilities.

WSR 91-16-115

PROPOSED RULES

BUILDING CODE COUNCIL

[Filed August 7, 1991, 4:21 p.m.]

Original Notice.

Title of Rule: Chapter 51-24 WAC, adoption and amendment of the 1991 Edition of the Uniform Fire

WAC 51-24-80114 Option: Add section referencing nationally recognized standards of good practice. WAC 51-24-80301(k) Option: Storage plan. Is compliance with 40 CFR "Hazardous Chemical Reporting and Community Right-To-Know Regulations" under Title III of the Superfund Amendments and Reauthorization Act of 1986 (SARA) adequate to meet the requirements for this section? WAC 51-24-99352 Appendix Chapter III-E, Group R, Division 4 and 5 Occupancies Fire Department Response Times. (This section is intended to work with the amendments for long-term residential care facilities proposed in chapter 51-21 WAC.) WAC 51-24-99500 Option: Appendix V. Nationally Recognized Standards of Good Practice. Inclusion of The Chlorine Institute Publications in this appendix.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The purpose is to amend and adopt the 1991 Uniform Fire Code and the 1991 Uniform Fire Code Standards. Adoption will require local building departments to commence enforcement of this code and the standards on July 1, 1991, as part of the State Building Code.

Proposal Changes the Following Existing Rules: The proposal updates the state's Uniform Fire Code and Uniform Fire Code Standards from the 1988 to the 1991 version.

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

The council has considered whether this rule is subject to the Regulatory Fairness Act and has determined that it is not for the following reasons: Amendments related to Articles 9 and 80 result in no substantive change over existing regulations. Amendments to Article 80 were addressed in the Small Business Economic Impact Statement for Proposed Adoption of Chapter 9 of Uniform Building Code and Article 80 of the Uniform Fire Code as found in WSR 89-17-138. Amendments related to Section 45.211, maintain existing language found in the 1988 Edition of the Uniform Fire Code, adopted in chapter 51-16 WAC. Amendments to Sections 9.117, 10.507(e), 25.107 (e) and (f), are in response to existing requirements on day care home facilities (chapter 51-16 WAC), provide for the installation of automatic sprinkler systems in new Group E, Division 1 Occupancies, existing provisions as addressed in chapter 51-20 WAC. Amendments to Article 79, add references to chapter 173-360 WAC. The impacts of chapter 173-360 WAC to small businesses have been addressed by the Department of Ecology in WSR 90-15-060.

Hearing Location: City Council Chambers, Spokane City Hall, West 808 Spokane Falls Boulevard, Spokane, WA 99201, on September 13, 1991, at 9:00 a.m.; and at the Alpine Ballroom, Seattle Airport Hilton, 17620 Pacific Highway South, SeaTac, WA 98188, on September 20, 1991, at 9:00 a.m.

Submit Written Comments to: Gene Colin, State Building Code Council, Ninth and Columbia Building, Mailstop GH-51, Olympia, Washington 98504-4151, by September 20, 1991.

Date of Intended Adoption: November 8, 1991.

July 12, 1991
Gene J. Colin
Chair

Chapter 51-24 WAC
STATE BUILDING CODE ADOPTION AND AMENDMENT OF
THE 1991 EDITION OF THE UNIFORM FIRE CODE

NEW SECTION

WAC 51-24-001 AUTHORITY. These rules are adopted under the authority of chapter 19.27 RCW.

NEW SECTION

WAC 51-24-002 PURPOSE. The purpose of these rules is to implement the provisions of chapter 19.27 RCW, which provides that the state building code council shall maintain the State Building Code in a status which is consistent with the purpose as set forth in RCW 19.27-.020. In maintaining the codes the council shall regularly review updated versions of the codes adopted under the act, and other pertinent information, and shall amend the codes as deemed appropriate by the council.

NEW SECTION

WAC 51-24-003 UNIFORM FIRE CODE. The 1991 edition of the Uniform Fire Code published by the International Conference of Building Officials and the Western Fire Chiefs Association is hereby adopted by reference with the following additions, deletions, and exceptions.

NEW SECTION

WAC 51-24-007 EXCEPTIONS. The exceptions and amendments to the Uniform Fire Code contained in the provisions of chapter 19.27 RCW shall apply in case of conflict with any of the provisions of these rules.

NEW SECTION

WAC 51-24-008 IMPLEMENTATION. The Uniform Fire Code adopted by chapter 51-24 WAC shall become effective in all counties and cities of this state on July 1, 1992, unless local amendments have been approved by the state building code council.

NEW SECTION

WAC 51-24-04000 ARTICLE 4. PERMITS.

NEW SECTION

WAC 51-24-04123 TABLE NO. 4.108-C, PERMIT AMOUNTS FOR HAZARDOUS MATERIALS.

TABLE NO. 4.108-C

PERMIT AMOUNTS FOR HAZARDOUS MATERIALS¹

TYPE OF MATERIAL	AMOUNT
Cellulose nitrate	See No. c.4
Combustible fiber	See No. c.5
Combustible liquids	See No. f.3
Corrosive gases	See No. c.7
Corrosive liquids	55 gallons
Cryogenics	See No. c.8
Explosives	See No. e.1
Flammable gases	See No. c.7
Flammable liquids	See No. f.3
Flammable solids	100 pounds
Highly toxic gases (including pesticides and fumigants)	See No. c.7
Highly toxic liquids and solids (including pesticides and fumigants)	Any amount
Liquified petroleum gases	See No. l.1
Magnesium	See No. m.1
Nitrate film	See No. c.3
Oxidizing gases	See No. c.7
Oxidizing liquids:	Class 4 Any amount
	Class 3 1 gallon
	Class 2 10 gallons
	Class 1 55 gallons
Oxidizing solids:	Class 4 Any amount
	Class 3 10 pounds
	Class 2 100 pounds
	Class 1 500 pounds
Organic peroxide liquids and solids:	Class I Any amount
	Class II Any amount
	Class III 10 pounds
	Class IV 20 pounds
Pyrophoric gases	See No. c.7
Pyrophoric liquids	Any amount
Pyrophoric solids	Any amount
Radioactive materials (including gases, liquids and solids)	See No. r.1
Toxic gases	See No. c.7
Toxic liquids	50 gallons
Toxic solids	500 pounds

TABLE NO. 4.108-C--PERMIT AMOUNTS FOR HAZARDOUS MATERIALS¹
(continued)

TYPE OF MATERIAL		AMOUNT
Unstable (reactive) gases		See No. c.7
		Any amount
Unstable (reactive) liquids:	Class 4	Any amount
	Class 3	Any amount
	Class 2	5 gallons
	Class 1	10 gallons
	Class 4	Any amount
Unstable (reactive) solids:	Class 3	Any amount
	Class 2	50 pounds
	Class 1	100 pounds
	Class 3	Any amount
	Class 2	5 gallons
Water-reactive liquids:	Class 1	10 gallons
	Class 3	Any amount
	Class 2	50 pounds
Water-reactive solids:	Class 3	Any amount
	Class 2	50 pounds
	Class 1	100 pounds

¹ See Article 80 for additional requirements and exceptions.

NEW SECTION

WAC 51-24-09000 ARTICLE 9. DEFINITIONS AND ABBREVIATIONS.

NEW SECTION

WAC 51-24-09105 SECTION 9.105. CARCINOGEN is a substance that causes the development of cancerous growths in living tissue. A chemical is considered to be a carcinogen if:

(a) It has been evaluated by the International Agency for Research on Cancer (IARC) and found to be a carcinogen or potential carcinogen, or

(b) It is listed as a carcinogen or potential carcinogen in the latest edition of the Annual Report on Carcinogens published by the National Toxicology Program, or

(c) It is regulated by OSHA as a carcinogen.

CARGO TANK is a container having a liquid capacity in excess of 110 gallons used for carrying flammable or combustible liquids, LP-gas, or hazardous chemicals and mounted permanently or otherwise upon a tank vehicle. The term "cargo tank" does not apply to containers solely for the purpose of supplying fuel for propulsion of the vehicle upon which it is mounted.

CARNIVAL is a mobile enterprise principally devoted to offering amusement or entertainment to the public in, upon or by means of portable amusement rides or devices or temporary structures in any number or combination, whether or not associated with other structures or forms of public attraction.

CEILING LIMIT is the maximum concentration of an airborne contaminant to which one may be exposed. The ceiling limits utilized are to be those published in 29 CFR 1910.1000.

CELLULOSE NITRATE PLASTICS (Pyroxylin) is a plastic substance, material or compound, other than cellulose nitrate film, covered by Article 33, or guncotton or other explosive covered by Article 77, having cellulose nitrate as a base, or whatever name known, when in the form of blocks, slabs, sheets, tubes or fabricated shapes. For requirements, see Article 27.

CENTRAL SUPPLY is that portion of system which normally supplies piping systems.

CGA is the Compressed Gas Association.

CFR is the Code of Federal Regulations of the United States Government.

CHEMICAL is any element, chemical compound or mixture of elements or compounds or both.

CHEMICAL NAME is the scientific designation of a chemical in accordance with the nomenclature system developed by the International Union of Pure and Applied Chemistry, the Chemical Abstracts Service rules of nomenclature, or a name which will clearly identify a chemical for the purpose of conducting an evaluation.

CHEMICAL PLANT is a plant or that portion of a plant other than a refinery or distillery where flammable or combustible liquids are produced by chemical reactions or used in chemical reactions.

CHIEF OR CHIEF OF THE FIRE DEPARTMENT is the chief officer of the fire department serving the jurisdiction or the chief officer's authorized representative.

CHIEF ENGINEER is the chief.

CHIEF OF THE POLICE or POLICE DEPARTMENT is the chief law enforcement officer of the jurisdiction or the chief law enforcement officer's authorized representative.

CHIEF OF THE BUREAU OF FIRE PREVENTION is the head of the fire prevention bureau.

CLASSIFIED PRODUCT is a product that has been evaluated with respect to (a) the properties of the product, (b) a limited spectrum of hazards to life or property, (c) suitability of the product for certain uses and (d) other conditions by a nationally recognized testing laboratory or approved organization.

CLOSED CONTAINER is a container sealed by means of a lid or other device such that liquid, vapor or dusts will not escape from it under ordinary conditions of use or handling.

COMBUSTIBLE FIBERS are readily ignitable and free-burning fibers, such as cotton, sisal, henequen, ixtle, jute, hemp, tow, cocoa fiber, oakum, baled waste, baled wastepaper, kapok, hay, straw, excelsior, Spanish moss or other like materials.

COMBUSTIBLE FIBER STORAGE BIN is a metal or metal-lined container with a capacity not exceeding 100 cubic feet and equipped with a self-closing cover.

COMBUSTIBLE FIBER STORAGE ROOM is a room with a capacity not exceeding 500 cubic feet separated from the remainder of a

building by not less than a one-hour occupancy separation constructed in accordance with the Building Code.

COMBUSTIBLE FIBER STORAGE VAULT, PROTECTED, is a room with a capacity exceeding 1,000 cubic feet separated from a remainder of a building by not less than a two-hour occupancy separation constructed in accordance with the Building Code and provided with an approved automatic sprinkler system.

COMBUSTIBLE FIBER STORAGE VAULT, UNPROTECTED, is a room with a capacity not exceeding 1,000 cubic feet separated from the remainder of the building by a two-hour occupancy separation constructed in accordance with the Building Code and provided with approved safety vents to the outside.

COMBUSTIBLE LIQUID is a liquid having a flash point at or above 100°F. Combustible liquids are subdivided as follows:

Class II liquids are those having flash points at or above 100°F and below 140°F.

Class III-A liquids are those having flash points at or above 140°F and below 200°F.

Class III-B liquids are those liquids having flash points at or above 200°F.

COMBUSTIBLE WASTE MATTER includes magazines; books; trimmings from lawns, trees or flower gardens; pasteboard boxes; rags; paper; straw; sawdust; packing material; shavings; boxes; rubbish; and refuse that will ignite through contact with flames of ordinary temperatures.

COMMODITY is a combination of products, packing materials and containers.

COMPRESSED GAS is (a) a gas or mixture of gases having an absolute pressure exceeding 40 psi at 70°F. in a container, or

(b) A gas or mixture of gases having an absolute pressure exceeding 104 psi in a container at 130°F., regardless of the pressure at 70°F., or

(c) A liquid having a vapor pressure exceeding 40 psi at 100°F. as determined by UFC Standard No. 9-5.

CONDENSATE TANK is a tank which is installed in the vapor-return piping of a vapor-recovery system to collect condensed gasoline and is capable of being emptied of liquids without opening.

CONGREGATE RESIDENCE is any building or portion thereof which contains facilities for living, sleeping and sanitation, as required by the Building Code, and may include facilities for eating and cooking, for occupancy by other than a family. A congregate residence may be a shelter, convent, monastery, dormitory, fraternity or sorority house but does not include jails, hospitals, nursing homes, hotels or lodging houses.

CONTAINER. See Articles 79 and 80.

CONTINUOUS GAS-DETECTION SYSTEM is a gas-detection system where the analytical instrument is maintained in continuous operation and sampling is performed without interruption. Analysis may be performed on a cyclical basis at intervals not to exceed 30 minutes.

OPTION 1

CONTROL AREA is a space within a building where the exempt amounts may be stored, dispensed, used or handled.

OPTION 2

CONTROL AREA is a space within a building where the exempt amounts may be stored, dispensed, used or handled. Storage or use of quantities in excess of those listed in the tables are required by UBC 901 to be rated as the appropriate Group H occupancy.

CONVERSION OIL BURNER is a burner for field installation in heating appliances such as boilers and furnaces. It may be furnished with or without a primary safety control. Under special circumstances, it may be installed for firing ovens, water heaters, ranges, special furnaces and the like. A burner of this type may be a pressure-atomizing gun type, a horizontal or vertical rotary type, or a mechanical or natural draft-vaporizing type.

CONVERSION RANGE OIL BURNER is an oil burner designed to burn kerosene, range oil or similar fuel. It is intended primarily for installation in a stove or range, a portion or all of which was originally designed to utilize solid fuel and to which a flue is connected.

CORROSIVE is a chemical that causes visible destruction of, or irreversible alterations in, living tissue by chemical action at the site of contact. A chemical is considered to be corrosive if, when tested on the intact skin of albino rabbits by the method described in Appendix A to CFR 49 Part 173, it destroys or changes irreversibly the structure of the tissue at the site of contact following an exposure period of four hours. This term does not refer to action on inanimate surfaces.

CORROSIVE LIQUID is a liquid which, when in contact with living tissue, will cause destruction or irreversible alteration of such tissue by chemical action. Examples include acidic, alkaline or caustic materials.

COVERED MALL BUILDING is a single building enclosing a number of tenants and occupancies such as retail stores, drinking and dining establishments, entertainment and amusement facilities, offices, and other similar uses wherein two or more tenants have a main entrance into one or more malls.

CRUDE PETROLEUM is a hydrocarbon mixture that has a flash point below 150°F. and which has not been processed in a refinery.

CRYOGENIC FLUID is a fluid that has a normal boiling point below 150°F.

CRYOGENIC IN-GROUND CONTAINER is a container in which the maximum liquid level is below the normal surrounding grade and is constructed essentially of natural materials such as earth and rock and dependent upon the freezing of water-saturated earth materials for its tightness or impervious nature.

CRYOGENIC VESSEL is a pressure vessel, low-pressure tank or atmospheric tank designed to contain a cryogenic fluid on which venting, insulation, refrigeration or a combination of these is used in order to maintain the operating pressure within the design pressure and the contents in a liquid phase.

CUT-OFF STORAGE is indoor storage which is separated from other building areas by not less than a two-hour fire-resistive occupancy separation.

CYLINDER is a pressure vessel designed for pressures higher than 40 pounds per square inch, absolute and having a circular cross section. It does not include a portable tank, multiunit tank car tank, cargo tank or tank car.

NEW SECTION

WAC 51-24-09107 SECTION 9.107. **ELECTRICAL BLASTING CAP** is a shell containing a charge of detonating compound designed to be fired by an electric current.

ELECTRICAL CODE is the National Electrical Code, promulgated by the National Fire Protection Association, as adopted by the Washington State Department of Labor and Industries, Electrical Section.

ELECTRICAL FIRING UNIT is the source of electrical current used to ignite electric matches. Generally, the firing unit will have switches to control the routing of the current to various firework items and will have a test circuit and warning indicators.

ELECTROSTATIC FLUIDIZED BED is a container holding powder coating material which is aerated from below so as to form an air-supported expanded cloud of such material which is electrically charged with a charge opposite to the charge of the object to be coated. Such object is transported through the container immediately above the charged and aerated materials in order to be coated.

ENCAPSULATED is a method of packaging consisting of a plastic sheet completely enclosing the sides and top of a pallet load. The term encapsulated does not apply to banding or individual plastic-enclosed items inside a large nonplastic-enclosed container.

EXCESS FLOW CONTROL is a fail-safe system designed to shut off flow due to a rupture in pressurized piping systems.

EXCESS FLOW VALVE is a valve inserted into a compressed gas cylinder, portable tank or stationary tank that is designed to positively shut off the flow of gas in the event that its predetermined flow is exceeded.

EXECUTIVE BODY is the governing body of the jurisdiction adopting this code.

EXIT is a continuous and unobstructed means of egress to a public way, and shall include aisles, doors, doorways, gates, corridors, exterior exit balconies, ramps, stairways, smokeproof enclosures, horizontal exits, exit passageways, exit courts and yards.

EXIT COURT is a yard or court providing egress to a public way for one or more required exits.

EXIT PASSAGEWAY is an enclosed means of egress connecting a required exit or exit court with a public way.

EXPLOSION is an effect produced by the sudden violent expansion of gases, which may be accompanied by a shock wave or disruption, or both, of enclosing materials or structures. An explosion may result from (a) chemical changes such as rapid oxidation, deflagration or detonation, decomposition of molecules and runaway polymerization (usually detonations); (b) physical changes such as pressure tank ruptures; or (c) atomic changes (nuclear fission or fusion).

EXPLOSIVE is (a) a chemical that causes a sudden, almost instantaneous release of pressure, gas and heat when subjected to sudden shock, pressure, or high temperatures or (b) a material or chemical, other than a blasting agent, that is commonly used or intended to be used for the purpose of producing an explosive effect and is regulated by Article 77.

EXPLOSIVE MATERIALS are explosives, blasting agents and detonators including, but not limited to, dynamite and other high explosives; slurries, emulsions and water gels; black powder and pellet powder; initiating explosives; detonators or blasting caps; safety fuses; squibs; detonating cord; igniter cord; igniters and Class B special fireworks.

EXTENSION CORD and **PORTABLE FLEXIBLE CORD** is flexible cord of any length which has one male connector on one end and one or more female connectors on the other, and no built-in over-current protection.

NEW SECTION

WAC 51-24-09110 SECTION 9.110. HANDLING is the deliberate transport of material by any means to a point of storage or use.

HAZARDOUS CHEMICAL REACTION is a reaction which generates pressure or byproducts which may cause injury, illness or harm to humans, domestic animals, livestock or wildlife.

HAZARDOUS FIRE AREA is land which is covered with grass, grain brush or forest, whether privately or publicly owned, which is so situated or is of such inaccessible location that a fire originating upon such land would present an abnormally difficult job of suppression or would result in great and unusual damage through fire or resulting erosion. Such areas are designated by the chief on a map maintained in the office of the chief.

HAZARDOUS MATERIALS are those chemicals or substances which are physical hazards or health hazards as defined and classified in Article 80 whether the materials are in usable or waste condition.

HAZARDOUS PRODUCTION MATERIAL (HPM) is a solid, liquid or gas that has a degree-of-hazard rating in health, flammability or reactivity of Class 3 or 4 as ranked by UFC Standard No. 79-3 and which is used directly in research, laboratory or production processes which have as their end product materials which are not hazardous.

HAZARDOUS WATERSHED FIRE AREA is a location within 500 feet of a forest or brush-, grass- or grain-covered land, exclusive of small individual lots or parcels of land located outside of a brush, forest or grass-covered area.

HEALTH HAZARD is a classification of a chemical for which there is statistically significant evidence based on at least one reproducible study conducted in accordance with established scientific principles that acute health effects may occur in exposed persons. The term "health hazard" includes chemicals which are toxic or highly toxic agents, irritants, corrosives, hepatotoxins, nephrotoxins, neurotoxins, agents which can have an acute effect on the hematopoietic system, and agents that have acute effects on the lungs, skin, eyes or mucous membranes.

HEATING AND COOKING APPLIANCE is an electric, gas or oil-fired appliance not intended for central heating.

HIGH EXPLOSIVE is explosive material, such as dynamite, which can be caused to detonate by means of a No. 8 test blasting cap when unconfined.

HIGHLY TOXIC MATERIAL is a material which produces a lethal dose or lethal concentration which falls within any of the following categories:

(a) A chemical that has a median lethal dose (LD₅₀) of 50 milligrams or less per kilogram of body weight when administered orally to albino rats weighing between 200 and 300 grams each.

(b) A chemical that has a median lethal dose (LD₅₀) of 200 milligrams or less per kilogram of body weight when administered by continuous contact for 24 hours, or less if death occurs within 24 hours, with the bare skin of albino rabbits weighing between 2 and 3 kilograms each.

(c) A chemical that has a median lethal concentration (LC₅₀) in air of 200 parts per million by volume or less of gas or vapor, or 2 milligrams per liter or less of mist, fume or dust, when administered by continuous inhalation for one hour, or less if death occurs within one hour, to albino rats weighing between 200 and 300 grams each.

Mixtures of these materials with ordinary materials, such as water, may not warrant classification as highly toxic. While this system is basically simple in application, any hazard evaluation which is required for the precise categorization of this type of material shall be performed by experienced, technically competent persons.

HIGHLY TOXIC PESTICIDE is a pesticide which is required by federal regulation to bear a skull and crossbones and be labeled with the word "poison."

HIGHLY VOLATILE LIQUID is a liquid with a boiling point of less than 68°F.

HIGH-PILED COMBUSTIBLE STORAGE is combustible materials in closely packed piles more than 15 feet in height or combustible materials on pallets or in racks more than 12 feet in height. For certain special-hazard commodities such as rubber tires, plastics, some flammable liquids, idle pallets, etc., the critical pile height may be as low as 6 feet.

HIGH-RACK STORAGE SYSTEM is a system located in an area having no occupant load that has storage over 40 feet in height, racks placed such that aisles are not provided as required by Section 81.108, and automated stock handling.

HIGHWAY is a public street or public road.

HORIZONTAL EXIT is an exit from one building into another building on approximately the same level, or through or around a wall constructed as required in the Building Code for a two-hour occupancy separation and which completely divides a floor into two or more separate areas so as to establish an area of refuge affording safety from fire or smoke coming from the area from which escape is made.

HOTEL is any building containing six or more guest rooms intended or designed to be used, or which are used, rented or hired out to be occupied, or which are occupied for sleeping purposes by guests.

HPM FLAMMABLE LIQUID is an HPM liquid that is defined as being either a flammable or combustible liquid.

HPM STORAGE ROOM is a room used for the storage or dispensing of HPM and which is classified as a Group H, Division 2, 3 or 7 Occupancy.

HYPERGOLIC MATERIAL is a material which is capable of igniting spontaneously upon contact with another substance.

NEW SECTION

WAC 51-24-09117 SECTION 9.117. OCCUPANCY is the purpose for which a building or part thereof is used or intended to be used.

OCCUPANCY CLASSIFICATION. For the purpose of this code, certain occupancies are defined as follows:

Group A Occupancies:

Division 1. Any assembly building or portion of a building with a legitimate stage and an occupant load of 1,000 or more.

Division 2. Any building or portion of a building having an assembly room with an occupant load of less than 1,000 and a legitimate stage.

Division 2.1. Any building or portion of a building having an assembly room with an occupant load of 300 or more without a legitimate stage, including such buildings used for educational purposes and not classed as a Group E or Group B, Division 2 Occupancy.

Division 3. Any building or portion of a building having an assembly room with an occupant load of less than 300 without a legitimate stage, including such buildings used for educational purposes and not classed as a Group E or Group B, Division 2 Occupancy.

Division 4. Stadiums, reviewing stands and amusement park structures not included within other Group A Occupancies.

For amusement buildings, see Building Code requirements for Group A Occupancies.

Group B Occupancies:

Division 1. Repair garages where work is limited to exchange of parts and maintenance requiring no open flame, welding or use Class I, II or III-A liquids, motor vehicle fuel-dispensing stations and parking garages not classified as Group B, Division 3 open parking garages or Group M, Division 1 private garages.

Division 2. Drinking and dining establishments having an occupant load of less than 50, wholesale and retail stores, office buildings, printing plants, police and fire stations, factories and workshops using materials not highly flammable or combustible, storage and sales rooms for combustible goods, paint stores without bulk handling. Building or portions of buildings having rooms used for educational purposes beyond the 12th grade with less than 50 occupants in any room.

Division 3. Aircraft hangars where no repair work is done except exchange of parts and maintenance requiring no open flame welding or the use of Class I or II flammable liquids.

Open parking garages.

Helistops.

Division 4. Ice plants, power plants, pumping plants, cold storage, creameries.

Factories and workshops using noncombustible and nonexplosive materials.

Storage and sales rooms containing only noncombustible and nonexplosive materials that are not packaged or crated in or supported by combustible material.

Group E Occupancies:

Division 1. Any building used for educational purposes through the 12th grade by 50 or more persons for more than 12 hours per week or four hours in any one day.

Division 2. Any building used for educational purposes through the 12th grade by less than 50 persons for more than 12 hours per week or four hours in any one day.

Division 3. Any building or portion thereof used for day-care purposes for more than six children.

EXCEPTION: Family child day-care homes shall be considered Group R, Division 3 Occupancies.

Group H Occupancies:

Division 1. Occupancies with quantity of material in the building in excess of the exempt amounts listed in the Building Code (see UBC Table No. 9-A) which present a high explosion hazard, including but not limited to:

- (a) Explosives, blasting agents, fireworks and black powder.

EXCEPTION: Storage and the use of pyrotechnic special effect materials in motion picture, television, theatrical and group entertainment production when under permit as required in the Fire Code. The time period for storage shall not exceed 90 days.

- (b) Unclassified detonatable organic peroxides.
- (c) Class 4 oxidizers.
- (d) Class 3 or 4 detonatable unstable (reactive) materials.

Division 2. Occupancies with quantity of material in the building in excess of the exempt amounts listed in the Building Code (see UBC Table No. 9-A) which present a moderate explosion hazard or a hazard from accelerated burning, including but not limited to:

- (a) Class I organic peroxides.
- (b) Class 3 nondetonatable unstable (reactive) materials.
- (c) Pyrophoric gases.
- (d) Flammable or oxidizing gases.

(e) Class I, II or III-A flammable or combustible liquids which are used in normally open containers or systems or in closed containers pressurized at more than 15-pounds-per-square-inch gage.

EXCEPTION: Aerosols.

(f) Combustible dusts in suspension or capable of being put into suspension in the atmosphere of the room or area.

EXCEPTIONS: 1. Rooms or areas used for woodworking where no more than three fixed in-place woodworking appliances are utilized may be classified as a Group B, Division 2 Occupancy, provided the appliances are equipped with dust collectors sufficient to remove dust generated by the appliances.
2. Lumberyards and similar retail stores utilizing only power saws may be classified as Group B, Division 2 Occupancies.

The building official may revoke the use of these exceptions for due cause.

(g) Class 3 oxidizers.

Division 3. Occupancies with quantity of material in the building in excess of the exempt amounts listed in the Building Code (see UBC Table No. 9-A) which present a high fire or physical hazard, including but not limited to:

(a) Class II, III or IV organic peroxides.

(b) Class 1 or 2 oxidizers.

(c) Class I, II or III-A flammable liquids or combustible liquids which are utilized or stored in normally closed containers or systems and containers pressurized at 15-pounds-per-square-inch gage or less and aerosols.

(d) Class III-B combustible liquids.

(e) Pyrophoric liquids or solids.

(f) Water reactives.

(g) Flammable solids, including combustible fibers or dusts, except for dusts included in Division 2.

(h) Flammable or oxidizing cryogenic fluids (other than inert).

(i) Class 1 unstable (reactive) gas or Class 2 unstable (reactive) materials.

Division 4. Repair garages not classified as a Group B, Division 1.

Division 5. Aircraft repair hangars and heliports not classified as Group B, Division 3.

Division 6. Semiconductor fabrication facilities and comparable research and development areas when the facilities in which hazardous production materials (HPM) are used and the aggregate quantity of materials are in excess of the exempt amounts listed in the Building Code (see UBC Table No. 9-A or 9-B). Such facilities and areas shall be designed and constructed in accordance with the Building Code. See UBC Section 911.

Division 7. Occupancies having quantities of materials in excess of those listed in Table No. 9-B that are health hazards, including:

- (a) Corrosives.
- (b) Highly toxic materials.
- (c) Irritants.

Group I Occupancies:

Division 1.1. Nurseries for the full-time care of children under the age of six (each accommodating more than five persons). Hospitals, sanitariums, nursing homes with nonambulatory patients and similar buildings (each accommodating more than five persons).

Division 1.2. Health-care centers for ambulatory patients receiving outpatient medical care which may render the patient incapable of unassisted self-preservation. (Each tenant space accommodating more than five persons).

Division 2. Nursing homes for ambulatory patients, homes for children six years of age or over (each accommodating more than five person).

Division 3. Mental hospitals, mental sanitariums, jails, reformatories and buildings where personal liberties of inmates are similarly restrained.

EXCEPTION: Group I Occupancies shall not include buildings used only for private residential purposes or for a family group.

Group M Occupancies:

Division 1. Private garages, sheds and agricultural buildings when not over 1,000 square feet in area.

Division 2. Fences, tanks and towers.

Group R Occupancies:

Division 1. Hotels and apartments. Congregate residences (each accommodating more than 10 persons).

Division 2. Not used.

Division 3. Dwellings, family child day care homes and lodging houses. Congregate residences (each accommodating 10 persons or less).

OIL-BURNING EQUIPMENT is an oil burner of any type together with its tank, piping, wiring, controls and related devices. Oil-

burning equipment includes oil burners, oil-fired units and heating and cooking appliances but does not include equipment exempted by Section 61.101.

OIL-FIRED UNIT is a heating appliance equipped with one or more oil burners and the necessary safety controls, electrical equipment and related equipment manufactured for assembly as a complete unit. Oil-fired unit does not include kerosene stoves or oil stoves.

OPEN-AIR GRANDSTANDS and **BLEACHERS** are seating facilities which are located so that the side toward which the audience faces is unroofed and without an enclosing wall.

OPEN BURNING is the burning of a bonfire, rubbish fire or other fire in an outdoor location where fuel being burned is not contained in an incinerator, outdoor fireplace or barbecue pit.

OPERATING LINE is a group of separated operating buildings of specific arrangement used in the assembly, modification, reconditioning, renovation, maintenance, inspection, surveillance, testing or manufacturing of explosives.

ORGANIC COATING is a liquid mixture of binders, such as alkyl, nitrocellulose, acrylic or oil and flammable and combustible solvents such as hydrocarbon, ester, ketone or alcohol, which when spread in a thin film converts to a durable protective and decorative finish.

ORGANIC PEROXIDE is an organic compound that contains the bivalent -O-O- structure and which may be considered to be a structural derivative of hydrogen peroxide where one or both of the hydrogen atoms have been replaced by an organic radical. Organic peroxides may present an explosion hazard (detonation or deflagration) or they may be shock sensitive. They may also decompose into various unstable compounds over an extended period of time.

OSHA is the Occupational Safety and Health Administration.

OWNER includes persons having vested or contingent interest in the property in question and their duly authorized agents or attorneys, purchasers, devisees and fiduciaries.

OXIDIZER is a chemical other than a blasting agent or explosive that initiates or promotes combustion in other materials, thereby causing fire either of itself or through the release of oxygen or other gases.

NEW SECTION

WAC 51-24-10000 ARTICLE 10. FIRE PROTECTION.

DIVISION II FIRE APPARATUS ACCESS ROADS

NEW SECTION

WAC 51-24-10201 SECTION 10.201. GENERAL. Fire apparatus access roads shall be provided and maintained in accordance with locally adopted street, road, and access standards.

Delete Sections 10.202, 10.203, 10.204, 10.205, and 10.206 entirely.

NEW SECTION

WAC 51-24-10507 REQUIRED INSTALLATIONS OF AUTOMATIC FIRE-EXTINGUISHING SYSTEMS. SECTION 10.507. (a) General. An automatic fire-extinguishing system shall be installed in the occupancies and locations as set forth in this section.

For provisions on special hazards and hazardous materials, see Sections 10.501 and Articles 45, 48, 49 and 80.

(b) All Occupancies except Group R, Division 3 and Group M. Except for Group R, Division 3 and Group M Occupancies, an automatic sprinkler system shall be installed:

1. In every story or basement of all buildings when the floor area exceeds 1,500 square feet and there is not provided at least 20 square feet of opening entirely above the adjoining ground level in each 50 lineal feet or fraction thereof of exterior wall in the story or basement on at least one side of the building. Openings shall have a minimum dimension of not less than 30 inches. Such openings shall be accessible to the fire department from the exterior and shall not be obstructed in a manner that firefighting or rescue cannot be accomplished from the exterior.

When openings in a story are provided on only one side and the opposite wall of such story is more than 75 feet from such openings, the story shall be provided with an approved automatic sprinkler system, or openings as specified above shall be provided on at least two sides of an exterior wall of the story.

If any portion of a basement is located more than 75 feet from openings required in this section, the basement shall be provided with an approved automatic sprinkler system.

2. At the top of rubbish and linen chutes and in their terminal rooms. Chutes extending through three or more floors shall have additional sprinkler heads installed within such chutes at alternate floors. Sprinkler heads shall be accessible for servicing.

3. In rooms where nitrate film is stored or handled.

4. In protected combustible fiber storage vaults as defined in this code.

(c) Group A Occupancies. 1. Drinking establishments. An automatic sprinkler system shall be installed in rooms used by the occupants for the consumption of alcoholic beverages and unseparated accessory uses where the total area of such unseparated rooms and assembly uses exceeds 5,000 square feet. For uses to be considered as separated, the separation shall not be less than as required for a one-hour occupancy separation. The area of other uses shall be included unless separated by at least a one-hour occupancy separation.

2. Basements. An automatic sprinkler system shall be installed in basements classified as a Group A Occupancy when the basement is larger than 1,500 square feet in floor area.

3. Exhibition and display rooms. An automatic sprinkler system shall be installed in Group A Occupancies which have more than 12,000 square feet of floor area which can be used for exhibition or display purposes.

4. Stairs. An automatic sprinkler system shall be installed in enclosed usable space below or over a stairway in Group A, Divisions 2, 2.1, 3 and 4 Occupancies.

5. Multitheater Complexes. Every building containing a multitheater complex.

6. Amusement buildings. An automatic sprinkler system shall be installed in all amusement buildings. The main water-flow switch shall be electrically supervised. The sprinkler main cutoff valve shall be supervised. When the amusement building is temporary, the sprinkler water-supply may be of an approved temporary type.

EXCEPTION: An automatic sprinkler system need not be provided when the floor area of a temporary amusement building is less than 1,000 square feet and the exit travel distance from any point is less than 50 feet.

7. Other areas. An automatic sprinkler system shall be installed under the roof and gridiron, in the tie and fly galleries, and in all places behind the proscenium wall of stages; over and within permanent platforms in excess of 500 square feet in area; and in dressing rooms, workshops and storerooms accessory to such stages or permanent platforms.

EXCEPTIONS: 1. Stages or platforms open to the auditorium room on three or more sides.

2. Altars, pulpits or similar platforms and their accessory rooms.

3. Stage gridirons when side-wall sprinklers with 135°F. rated heads with heat-baffle plates are installed around the entire perimeter of the stage except for the proscenium opening at points not more than 30 inches below the gridiron or more than 6 inches below the baffle plate.

4. Under stage or under platform areas less than 4 feet in clear height used exclusively for chair or table storage and lined on the inside with materials approved for one-hour fire-resistant construction.

(d) Group B, Division 2 Occupancies. An automatic sprinkler system shall be installed in retail sales rooms classified as Group B, Division 2 Occupancies where the floor area exceeds 12,000 square feet on any floor or 24,000 square feet on all floors or in Group B, Division 2 retail sales occupancies more than three stories in height. The area of mezzanines shall be included in determining the areas where sprinklers are required.

(e) Group E Occupancies. 1. Basements. An automatic sprinkler system shall be installed in basements classified as a Group E Occupancy when the basement is larger than 1,500 square feet in floor area.

2. Stairs. An automatic sprinkler system shall be installed in enclosed usable space below or over a stairway in Group E Occupancies.

OPTION

3. Division 1. An automatic fire-extinguishing system shall be installed in all buildings classified as E-1 Occupancies.

EXCEPTION: Portable school classrooms, provided:
 A. Aggregate area of clusters of portable school classrooms does not exceed 9,100 square feet; and
 B. Clusters of portable school classrooms shall be separated as required in Chapter 5.

When not required by other provisions of this chapter, a fire-extinguishing system installed in accordance with UBC Standard No. 38-1 may be used for increases allowed in Chapter 5. Reductions in required fire flow shall be in accordance with the Fire Code.

(f) Group H Occupancies. 1. Divisions 1, 2, 3 and 7. An automatic fire-extinguishing system shall be installed in Group H, Divisions 1, 2, 3 and 7 Occupancies.

2. Division 4. An automatic fire-extinguishing system shall be installed in Group H, Division 4 Occupancies having a floor area of more than 3,000 square feet.

3. Division 6. An automatic fire-extinguishing system shall be installed throughout buildings containing Group H, Division 6 Occupancies. The design of the sprinkler system shall not be less than that required by the Building Code for the occupancy hazard classifications as follows:

LOCATION	OCCUPANCY HAZARD CLASSIFICATION
Fabrication areas	Ordinary Hazard Group 3
Service corridors	Ordinary Hazard Group 3
Storage rooms without dispensing	Ordinary Hazard Group 3
Storage rooms with dispensing	Extra Hazard Group 2
Exit corridors	Ordinary Hazard Group 3 ¹

¹ When the design area of the sprinkler system consists of a corridor protected by one row of sprinklers, the maximum number of sprinklers that need to be calculated is 13.

(g) Group I Occupancies. An automatic sprinkler system shall be installed in Group I Occupancies.

EXCEPTION: In jails, prisons and reformatories, the piping system may be dry, provided a manually operated valve is installed at a continuously monitored location. Opening of the valve will cause the piping system to be charged. Sprinkler heads in such systems shall be equipped with fusible elements or the system shall be designed as required for deluge systems by the Building Code. See UBC Standard No. 38-1.

(h) Group R, Division 1 Occupancies. An automatic sprinkler system shall be installed throughout apartment houses three or more stories in height or containing 16 or more dwelling units, in congregate residences three or more stories in height and having an occupant load of 50 or more, and in hotels three or more stories in height or containing 20 or more guest rooms.

Residential or quick-response standard sprinkler heads shall be used in the dwelling units and guest room portions of the building.

NEW SECTION

WAC 51-24-25000 ARTICLE 25 PLACES OF ASSEMBLY.

NEW SECTION

WAC 51-24-25107 AISLES. SECTION 25.107. (a) General. Aisles leading to required exits shall be provided from all portions of buildings. Aisles located within an accessible route of travel shall also comply with the Building Code for accessibility.

(b) Width in Occupancies without Fixed Seats. The width of aisles in occupancies without fixed seats shall comply with this section. Aisle widths shall be provided in accordance with the following:

1. In areas serving employees only, the minimum aisle width may be 24 inches but not less than the width required by the number of employees served.

2. In public areas of Group B, Division 2 Occupancies, and in assembly occupancies without fixed seats, the minimum clear aisle width shall be 36 inches where tables, counters, furnishings, merchandise or other similar obstructions are placed on one side of the aisle only and 44 inches when such obstructions are placed on both sides of the aisle.

(c) Width in Assembly Occupancies with Fixed Seats. Aisles in assembly occupancies with fixed seats shall comply with this section. The

clear width of aisles shall be based on the number of occupants within the portion of the seating areas served by the aisle.

The clear width of an aisle in inches shall not be less than the occupant load served by the aisle multiplied by 0.3 for aisles with slopes greater than 1 vertical to 8 horizontal and not less than 0.2 for aisles with slopes of 1 vertical to 8 horizontal or less. In addition, when the rise of steps in aisles exceeds 7 inches, the aisle clear width shall be increased by 1 1/4 inches for each 100 occupants or fraction thereof served for each 1/4 inch of riser height above 7 inches.

Where exiting is possible in two directions, the width of such aisles shall be uniform throughout their length.

When aisles converge to form a single path of exit travel, the aisle width shall not be less than the combined required width of the converging aisle.

In assembly rooms with fixed seats arranged in rows, the clear width of aisles shall not be less than set forth above and not less than the following:

- 48 inches for stairs having seating on both sides.
- 36 inches for stairs having seating on one side.
- 23 inches between a stair handrail and seating when the aisles are subdivided by the handrail.
- 42 inches for level or ramped aisles having seating on both sides.
- 36 inches for level or ramped aisles having seating on one side.
- 23 inches between a stair handrail and seating when an aisle does not serve more than five rows on one side.

(d) Aisle Termination. Aisles shall terminate at a cross aisle, foyer, doorway or vomitory. Aisles shall not have a dead end greater than 20 feet in length.

EXCEPTION: A longer dead-end aisle is permitted when seats served by the dead-end aisle are not more than 24 seats from another aisle measured along a row of seats having a minimum clear width of 12 inches plus 0.6 inch for each additional seat above seven in a row.

Each end of a cross aisle shall terminate at an aisle, foyer, doorway or vomitory.

OPTION 1

(e) Ramp Slope. The slope of ramped aisles shall not be more than 1 vertical in 8 horizontal. Ramped aisles shall have a slip-resistant surface.

OPTION 2

(e) Ramp Slope. The slope of ramped aisles shall not be more than 1 vertical in 8 horizontal. Ramped aisles shall have a slip-resistant surface.

EXCEPTION: When provided with fixed seating, theaters may have a slope not steeper than 1 vertical to 5 horizontal.

OPTION 1

(f) Aisle Steps. 1. When prohibited. Steps shall not be used in aisles having a slope of 1 vertical to 8 horizontal or less.

2. When required. Aisles with a slope steeper than 1 vertical to 8 horizontal shall consist of a series of risers and treads extending across the entire width of the aisle.

The height of risers shall not be more than 7 inches and not less than 4 inches and the tread run shall not be less than 11 inches. The riser height shall be uniform within each flight and the tread run shall be uniform throughout the aisle. Variations in run or height between adjacent treads or risers shall not exceed 3/16 inch. A contrasting marking stripe or other approved marking shall be provided on each tread at the nosing or leading edge such that the location of each tread is readily apparent when viewed in descent. Such stripe shall be a minimum of 1 inch wide and a maximum of 2 inches wide.

EXCEPTION: When the slope of aisle steps and the adjoining seating area is the same, the riser heights may be increased to a maximum of 9 inches and may be nonuniform but only to the extent necessitated by changes in the slope of the adjoining seating area to maintain adequate sightlines. Variations may exceed 3/16 inch between adjacent risers provided the exact location or such variations is identified with a marking stripe on each tread at the nosing or leading edge adjacent to the nonuniform riser. The marking stripe shall be distinctively different from the contrasting marking stripe.

OPTION 2

(f) Aisle Steps. 1. When prohibited. Steps shall not be used in aisles having a slope of 1 vertical to 8 horizontal or less.

2. When required. Aisles with a slope steeper than 1 vertical to 8 horizontal shall consist of a series of risers and treads extending across the entire width of the aisle, except as provided in subsection (e).

The height of risers shall not be more than 7 inches and not less than 4 inches and the tread run shall not be less than 11 inches. The riser height shall be uniform within each flight and the tread run shall be uniform throughout the aisle. Variations in run or height between adjacent treads or risers shall not exceed 3/16 inch. A contrasting marking stripe or other approved marking shall be provided on each tread at the nosing or leading edge such that the location of each tread is readily apparent when viewed in descent. Such stripe shall be a minimum of 1 inch wide and a maximum of 2 inches wide.

EXCEPTION: When the slope of aisle steps and the adjoining seating area is the same, the riser heights may be increased to a maximum of 9 inches and may be nonuniform but only to the extent necessitated by changes in the slope of the adjoining seating area to maintain adequate sightlines. Variations may exceed 3/16 inch between adjacent risers provided the exact location or such variations is identified with a marking stripe on each tread at the nosing or leading edge adjacent to the nonuniform riser. The marking stripe shall be distinctively different from the contrasting marking stripe.

(g) Handrails. Handrails shall comply with the height, size and shape dimensions set forth in the Building Code [See UBC Section 3306(i)] and shall have rounded terminations or bends. Ramped aisles having a slope steeper than 1 vertical to 15 horizontal and aisle stairs (two or more adjacent steps) shall have handrails located either at the side or within the aisle width. Handrails may project into the required aisle width a distance of 3 1/2 inches.

EXCEPTIONS: 1. Handrails may be omitted on ramped aisles having a slope not greater than 1 vertical in 8 horizontal when fixed seating is on both sides of the aisle.
2. Handrails may be omitted when a guardrail is at the side of an aisle which conforms to the size and shape requirements for handrails.

Handrails located within the aisle width shall be discontinuous with gaps or breaks at intervals not to exceed five rows. These gaps or breaks shall have a clear width of not less than 22 inches and not more than 36 inches measured horizontally. Such handrails shall have an additional intermediate handrail located 12 inches below the main handrail.

NEW SECTION

WAC 51-24-45000 ARTICLE 45. APPLICATION OF FLAMMABLE FINISHES.

NEW SECTION

WAC 51-24-45211 DRYING APPARATUS: SECTION 45.211. (a) General. Drying apparatus shall be in accordance with this section and Article 62.

(b) Spray Booths and Spraying Rooms. 1. General. Spray booths and spraying rooms shall not be alternately used for the purpose of drying by arrangements which could cause a material increase in the surface temperature of the spray booth or spraying room unless such spray booths or spraying rooms are used for automobile refinishing in accordance with Section 45.211(b) 2.

2. Automobile refinishing. A. General. Spray booths and spraying rooms which are used for automobile refinishing with drying conducted therein using drying apparatus shall be in accordance with this subsection.

B. Drying apparatus. Drying apparatus used in spraying rooms shall be of the portable infrared type.

Drying apparatus used in spray booths shall be of the portable infrared type, or if other types of drying apparatus are used, the spray booth, including drying apparatus, shall be listed and approved for use with flammable vapors and combustible residues and shall be provided with explosion control.

OPTION 1

C. Spraying procedure. The spraying procedure shall use low-volume spray application.

OPTION 2

C. Spraying procedure. The procedure shall be restricted to low-volume, occasional spray application.

D. Housekeeping. The interior of the spray booth or spraying room shall be kept free of overspray deposits.

E. Interlocks. The spraying apparatus, drying apparatus and ventilating system for the spray booth or spraying room shall be equipped with suitable interlocks arranged to:

(i) Prevent operation of spraying apparatus while drying operations are in progress,

(ii) Purge spray vapors from the spray booth or spraying room for a period of not less than three minutes before drying apparatus can be operated.

(iii) Have the ventilating system maintain a safe atmosphere within the spray booth or spraying room during the drying process and automatically shut off drying apparatus in the event of a failure of the ventilating system, and

(iv) Automatically shut off the drying apparatus if the air temperature exceeds 125°F. when other than portable infrared drying apparatus is used.

F. Portable infrared apparatus. When portable infrared drying apparatus is used, electrical wiring and portable infrared drying equipment shall comply with this article and the Electrical Code. Electrical equipment located within 18 inches of floor level shall be approved for Class I, Division 2 hazardous locations. Metallic parts of drying apparatus shall be properly electrically bonded and grounded.

During spraying operations, portable drying apparatus and electrical connections and wiring thereto shall not be located within spray booths, spraying rooms or other areas where spray residue could be deposited thereon.

(c) Spraying areas. Drying or baking units using a heating system having open flames or which could produce sparks shall not be installed in a spraying area.

When such units are installed adjacent to a spraying area, they shall be equipped with an interlocked ventilating system arranged to:

1. Thoroughly ventilate the drying space before the heating system can be started,

2. Maintain a safe atmosphere at any source of ignition, and

3. Automatically shut down the heating system in the event of a failure of the ventilating system.

NEW SECTION

WAC 51-24-79000 ARTICLE 79. FLAMMABLE AND COMBUSTIBLE LIQUIDS.

NEW SECTION

WAC 51-24-79601 GENERAL. SECTION 79.601. (a) Location. Flammable and combustible liquid storage tanks located underground, outside of or under buildings, shall be in accordance with this section. Tanks shall be located with respect to existing foundations and supports such that the loads carried by the latter cannot be transmitted to the tank. The distance from any part of a tank storing liquids to the nearest wall of a basement, pit, cellar or property line shall not be less than 3 feet. A minimum distance of 1 foot, shell to shell, shall be maintained between underground tanks.

(b) Depth and Cover. Excavation for underground storage tanks shall be made with due care to avoid undermining of foundations of existing structures. Underground tanks shall be set on firm foundations and surrounded with at least 6 inches of noncorrosive inert material such as clean sand or gravel well-tamped in place or in accordance with the manufacturer's installation instructions. Tanks shall be covered with a minimum of 2 feet of earth or shall be covered by not less than 1 foot of earth, on top of which shall be placed a slab of reinforced concrete not less than 4 inches thick. When underground tanks are or are likely to be subjected to traffic, they shall be protected against damage from vehicles passing over them by at least 3 feet of earth cover, or 18 inches of well-tamped earth plus 6 inches of reinforced concrete, or 8 inches of asphaltic concrete. When asphaltic or reinforced concrete paving is used as part of the protection, it shall extend at least 1 foot horizontally beyond the outline of the tank in all directions.

For tanks built in accordance with Section 79.106, the burial depth and the height of the vent line shall be such that the static head imposed at the bottom of the tank will not exceed 10 psig if the fill or vent pipe is filled with liquid.

If the depth of cover exceeds 7 feet or the manufacturer's specifications, reinforcements shall be provided in accordance with the tank manufacturer's recommendations.

Nonmetallic underground tanks shall be installed in accordance with manufacturer's instructions. The minimum depth of cover shall be as specified in this subsection.

(c) Locations Subject to Flooding. Where a tank could become buoyant due to a rise in the level of the water table or due to location in an area that is subject to flooding, the tank shall be anchored in place. See Appendix II-B or manufacturer's installation instructions.

(d) Leaking Tanks. Leaking tanks shall be handled in accordance with WAC 173-360-325.

(e) Used Tanks. Reinstallation of used tanks is allowed when such tanks comply with the requirements of Sections 79.106 and 79.603. See Section 2.304(b).

(f) Tank Lining. Steel tanks are allowed to be lined only for the purpose of protecting the interior from corrosion or providing compatibility with a material to be stored. Only those liquids tested for compatibility with the lining material are allowed to be stored in lined tanks. Lining of leaking underground storage tanks shall be done in accordance with the provisions of WAC 173-360-325.

Tank opening, cleaning, preparation, inspection, lining, closing and testing shall be in accordance with UFC Standard No. 79-6.

For permits to alter a tank, see Section 4.108.

Interior-lined underground tanks shall be protected from corrosion in accordance with Section 79.603.

NEW SECTION

WAC 51-24-79603 CORROSION PROTECTION. SECTION 79.603. Underground tanks and piping shall be properly designed, installed and maintained, and protected from corrosion by either of the following methods:

(a) Through the use of cathodic protection systems in accordance with recognized standards of design. See Section 2.304(b), WAC 173-360-320, or

(b) Through the use of approved corrosion-resistant materials of construction such as special alloys; nonmetallic, reinforced plastic coatings; composites; or equivalent systems.

If conditions, based on adequate proof, warrant the deletion of the corrosion-protection requirements, the chief may waive the corrosion-protection requirements.

New underground steel tanks and piping shall be tested by the structure-to-soil-potential method after the system is in operation. The tank manufacturer shall provide a structure lead and a test station. The criteria for adequate corrosion protection shall be in accordance with recognized standards. Testing shall be done at installation and not less than once every five years thereafter by qualified persons approved by the chief.

EXCEPTION: Approved and listed composite fiberglass-reinforced plastic tanks.

NEW SECTION

WAC 51-24-80000 ARTICLE 80. HAZARDOUS MATERIALS.

NEW SECTION

WAC 51-24-80101 SCOPE. SECTION 80.101. (a) General. Prevention, control and mitigation of physical hazards and health hazards related to storage, dispensing, use and handling of hazardous materials and information needed by emergency response personnel shall be in accordance with this article.

- EXCEPTIONS:
1. Off-site hazardous materials transportation in accordance DOT requirements.
 2. The quantities of alcoholic beverages, medicines, foodstuffs and cosmetics, containing not more than 50 percent by volume of water-miscible liquids and with the remainder of the solutions not being flammable, in retail sales occupancies are unlimited when packaged in individual containers not exceeding 4 liters.

(b) Material Classification. Hazardous materials are those chemicals or substances defined as such in Article 9. See Appendix VI-A for the classification of hazard categories and hazard evaluations.

EXCEPTION: For the purpose of this article, carcinogens, irritants and sensitizers do not include commonly used building materials and consumer products which are not otherwise regulated by this code.

The classification system referenced in Division II shall apply to all hazardous materials, including those materials regulated elsewhere in this code.

(c) Application. Division I shall apply to all hazardous materials, including those materials regulated elsewhere in this code, except that when specific requirements are provided in other articles, those specific requirements shall apply.

When a material has multiple hazards, all hazards shall be addressed.

The provisions of this article are waived when such provisions are preempted by other codes, statutes or ordinances. The details of any action granting any such waiver shall be recorded and entered in the files of the code enforcement agency.

(d) Existing Buildings. For existing buildings, see Section 1.103(b).

(e) Retail Sales and Display. For retail display of nonflammable solid and nonflammable or noncombustible liquid hazardous materials in Group B, Division 2 retail sales occupancies, see Section 80.112.

(f) Notwithstanding any other language to the contrary, Article 80 is adopted in the State of Washington for the purpose to provide requirements for the prevention, control and mitigation of physical hazards and health hazards only.

NEW SECTION

WAC 51-24-80103 PERMITS. SECTION 80.103. (a) General. Where required by the chief:

1. Permits are required to store, dispense, use or handle hazardous material in excess of quantities specified in Section 4.108.

2. A permit is required when a material is classified as having more than one hazard category if the quantity limits are exceeded in any category.

3. Permits are required to install, repair, abandon, remove, place temporarily out of service, close or substantially modify a storage facility or other area regulated by this article. See also Sections 80.110 and 80.111.

- EXCEPTIONS:
1. Routine maintenance.
 2. For emergency repair work performed on an emergency basis, application for permit shall be made within two working days of commencement of work.

Permittee shall apply for approval to close storage, use or handling facilities at least 30 days prior to the termination of the storage, use or handling of hazardous materials. Such application shall include any change or alteration of the facility closure plan filed pursuant to Section 80.110. This 30-day period may be waived by the chief if there are special circumstances requiring such waiver.

OPTION 1

(b) Hazardous Materials Management Plan. When required by the chief, each application for a permit shall include a Hazardous Materials Management Plan (HMMP). See Appendix II-E.

OPTION 2

(b) Hazardous Materials Management Plan. When required by the chief, each application for a permit pursuant to this article shall include a Hazardous Materials Management Plan (HMMP) in accordance with Appendix II-E.

EXCEPTION: Compliance with requirements of 40 CFR "Hazardous Chemical Reporting and Community Right-To-Know Regulations" under Title III of the Superfund Amendments and Reauthorization Act of 1986 (SARA) will satisfy the requirement of this subsection.

OPTION 1

(c) Hazardous Materials Inventory Statement. When required by the chief, each application for a permit shall include a Hazardous Materials Inventory Statement (HMIS). See Appendix II-E.

OPTION 2

(c) Hazardous Materials Inventory Statement. When required by the chief, each application for a permit pursuant to this article shall include a Hazardous Materials Inventory Statement (HMIS) in accordance with Appendix II-E.

EXCEPTION: Compliance with requirements of 40 CFR "Hazardous Chemical Reporting and Community Right-To-Know Regulations" under Title III of the Superfund Amendments and Reauthorization Act of 1986 (SARA) will satisfy the requirement of this subsection.

NEW SECTION

WAC 51-24-80108 CONSTRUCTION REQUIREMENTS. SECTION 80.108. (a) General. Buildings or portions thereof, in which hazardous materials are stored, handled or used shall be constructed in accordance with the Building Code, as specified in U.B.C. Chapter 9.

(b) Control Areas. 1. Boundaries. Boundaries of a control area shall be formed by one or more of the following:

A. An occupancy separation with a minimum one-hour fire-resistive rating, or

B. The exterior wall, roof or foundation of the building.

2. Number. The number of control areas in buildings or portions of buildings used for retail sales shall not exceed two. The number of control areas in buildings used for other than retail sales shall not exceed four.

NEW SECTION

WAC 51-24-80109 PERSONNEL TRAINING AND WRITTEN PROCEDURES. SECTION 80.109. Persons responsible for the operation of areas in which hazardous materials are stored, dispensed, handled or used shall be familiar with the chemical nature of the materials and the appropriate mitigating actions necessary in the event of fire, leak or spill.

Responsible persons shall be designated and trained to be liaison personnel for the fire department. These persons shall aid the fire department in preplanning emergency responses and identification of the locations where hazardous materials are located and shall have access to Material Safety Data Sheets and be knowledgeable in the site emergency response procedures.

OPTIONAL

EXCEPTION: Compliance with requirements of 40 CFR "Hazardous Chemical Reporting and Community Right-To-Know Regulations" under Title III of the Superfund Amendments and Reauthorization Act of 1986 (SARA) will satisfy the requirements of this section.

NEW SECTION

WAC 51-24-80110 SECTION 80.110.

OPTION 1

Facility Closure Plan. Section 80.110. The permit holder or applicant shall submit a plan to the fire department to terminate storage, dispensing, handling or use of hazardous materials at least 30 days prior to facility closure. The plan shall demonstrate that hazardous materials which were stored, dispensed, handled or used in the facility have been transported, disposed of or reused in a manner that eliminates the need for further maintenance and any threat to public health and safety. Such plan shall be submitted in accordance with Section 80.103.

OPTION 2

Facility Closure or Placement Out of Service Notification. Section 80.110. The permit holder or applicant shall notify the fire department of its intent to terminate storage, dispensing, handling or use of hazardous materials at least 30 days prior to facility closure or placing facility out of service.

NEW SECTION

WAC 51-24-80111 SECTION 80.111.

OPTION 1

Out-of-Service Facilities. Section 80.111. Facilities placed out of service shall be in accordance with this section.

(a) Temporarily Out-of-Service Facilities. Facilities which are temporarily out of service shall continue to be permitted, monitored and inspected.

(b) Permanently Out-of-Service Facilities. Facilities for which a permit is not kept current or is not monitored and inspected on a regular basis shall be deemed to be permanently out of service and shall be closed in accordance with Section 80.110.

See also Section 80.103.

OPTION 2

Delete Section 80.111 Out-of-Service Facilities entirely.

NEW SECTION

WAC 51-24-80113 SECTION 80.113. Notwithstanding Section 1.103(b) conditions in existence at the time of the adoption of this article may continue if such condition was legal at the time of the adoption of this code, provided such condition is not dangerous to life or does not present a distinct and substantial hazard to property.

NEW SECTION

WAC 51-24-80114 SECTION 80.114.

OPTIONAL

Section 80.114. The intent of this article is to promote compliance with nationally recognized standards, including those identified in Appendix V-A and any guidance or directives from nationally recognized standards development organizations. Compliance with such standards shall be considered by the chief in judging compliance with the intent of this article.

NEW SECTION

WAC 51-24-80120 TABLE NO. 80.112-A

TABLE NO. 80.112-A
DENSITY FACTORS FOR EXEMPT AMOUNTS IN RETAIL SALES

HAZARD CATEGORIES ¹	CLASS	DENSITY FACTOR (p)
Physical Hazards: Oxidizers; unstable (reactive) materials; water-reactive materials	Class 4	N.P.
	Class 3	0.075
	Class 2	0.006
	Class 1	0.003
Health Hazards: Highly toxic solids and liquids; corrosives; other health hazard solids, liquids and gases	All	0.0013

NP = Not permitted

¹ Hazard categories are as specified in Division II. Density factors shall not apply to categories other than those listed.

NEW SECTION

WAC 51-24-80202 HAZARD CATEGORIES. SECTION 80.202. (a) Physical Hazards. The materials listed in this subsection are classified as physical hazards. A material with a primary classification as a physical hazard can also present a health hazard.

1. Explosives and blasting agents, regulated elsewhere in this code.
2. Compressed gases, regulated in this article and elsewhere in this code.
3. Flammable and combustible liquids regulated elsewhere in this code.
4. Flammable solids.
5. Organic peroxides.
6. Oxidizers.
7. Pyrophoric materials.
8. Unstable (reactive) materials.
9. Water-reactive solids and liquids.
10. Cryogenic fluids, regulated under this article and elsewhere in this code.

(b) Health Hazards. The materials listed in this subsection are classified as health hazards. A material with a primary classification as a health hazard can also present a physical hazard.

1. Highly toxic or toxic materials, including highly toxic or toxic compressed gases.
2. Radioactive materials.
3. Corrosives.

NEW SECTION

WAC 51-24-80301 GENERAL. SECTION 80.301. (a) Applicability. 1. General. Application of this division shall be in accordance with this subsection.

2. Quantities exceeding exempt amounts. Storage of hazardous materials, in containers, cylinders and tanks, in excess of the exempt amounts specified in Sections 80.302 through 80.314 shall be in accordance with this division.

3. Quantities not exceeding exempt amounts. A. General. Storage of hazardous materials, in containers, cylinders and tanks, not exceeding the exempt amounts specified in Sections 80.302 through 80.314 is not required to be in accordance with this division except as provided in this subsection.

B. Storage conditions. Storage conditions for liquid and solid oxidizers, organic peroxides, and unstable (reactive) and water-reactive materials shall be as set forth in Sections 80.306(a)2, 80.307(a)2, 80.309(a)2 and 80.310(a)2.

C. Contamination prevention. Contamination prevention for organic peroxides shall be as set forth in Section 80.307(a)2.

D. Separation. Separation of incompatible hazardous materials shall be in accordance with Section 80.301(n).

4. Materials regulated by other articles. Hazardous materials regulated by other articles are not required to be in accordance with this division unless specifically indicated in this division.

(b) Containers and Tanks. 1. Design and construction. Containers and tanks shall be designed and constructed in accordance with nationally recognized standards. See Section 2.304(b).

2. Tanks out-of-service for 90 days. Stationary tanks not used for a period of 90 days shall be properly safeguarded or removed in a manner approved by the chief. Such tanks shall have the fill line, gauge opening and pump connection secured against tampering. Vent lines shall be properly maintained.

Tanks which are to be placed back in service shall be tested in a manner approved by the chief.

3. Defective containers and tanks. Defective containers and tanks shall be removed from service, repaired, or disposed of in accordance with nationally recognized standards of good practice such as the American Petroleum Institute (API) or American Society of Mechanical Engineers (ASME). See Section 2.304(b).

4. Empty containers and tanks. Empty containers and tanks previously used for the storage of hazardous materials shall be free from residual material and vapor as defined by DOT, the Resource Conservation and Recovery Act (RCRA) or other regulating authority or maintained as specified for the storage of the hazardous material.

5. Underground tanks. Underground tanks not otherwise excepted by this section used for the storage of hazardous materials shall be located and protected in accordance with Sections 79.601 and 79.603 of this code. Secondary containment shall be provided for all new installations of underground tanks.

EXCEPTION: Underground storage tanks regulated by 40 CFR 280 or state law.

6. Aboveground tanks. Aboveground stationary tanks used for the storage of hazardous materials shall be located and protected in accordance with the provisions for exterior storage of the particular material involved and shall be marked as required by Section 80.301(d).

(c) Piping, Valves and Fittings. Piping, valves, fittings and related components appurtenant to or intended for the storage of hazardous materials shall be designed and fabricated from materials compatible with the material to be contained and shall be of adequate strength and durability to withstand the pressure, structural and seismic stress, and exposure to which they could be subjected.

(d) Signage. In addition to the hazard identification signs required by Section 80.107, stationary aboveground tanks shall be placarded with hazard identification signs as specified in U.F.C. Standard No. 79-3 for the specific material contained.

Signs prohibiting smoking shall be provided in storage areas and within 25 feet of outdoor storage areas.

Signs shall not be obscured or removed.

Signs shall be in English as a primary language or in symbols allowed by this code.

Signs shall be durable. The size, color and lettering shall be in accordance with nationally recognized standards.

(e) Security. The storage of hazardous materials shall be protected against tampering or trespassers by fencing or other control measures.

(f) Ignition Sources. Smoking, use of open flames or high-temperature devices in a manner which creates a hazardous condition shall not be permitted.

EXCEPTION: Energy-consuming equipment listed for use with the hazardous material stored.

(g) Protection from Light. Materials which are sensitive to light shall be stored in containers designed to protect them from such exposure.

(h) Shock Padding. Materials which are shock sensitive shall be padded, suspended or otherwise protected against accidental dislodgement and dislodgement during seismic activity. For seismic requirements and the seismic zone in which the material is located, see the Building Code.

(i) Shelf Storage. Shelving shall be of substantial construction, adequately braced and anchored. For seismic requirements and the seismic zone in which the material is located, see the Building Code.

Shelves shall be provided with a lip or guard when used for the storage of individual containers.

EXCEPTION: Storage in hazardous materials storage cabinets or laboratory furniture specifically designed for such use.

Shelf storage of hazardous materials shall be maintained in an orderly manner.

(j) Maximum Quantity on Site. The storage of hazardous materials shall be in accordance with the local zoning ordinance.

OPTION 1

(k) Storage Plan. A storage plan shall be provided for all storage facilities. The plan shall indicate the intended storage arrangement, including the location and dimensions of aisles.

OPTION 2

(k) Storage Plan. A storage plan shall be provided for all storage facilities. The plan shall indicate the intended storage arrangement, including the location and dimensions of aisles. Compliance with requirements of 40 CFR "Hazardous Chemical Reporting and Community Right-To-Know Regulations" under Title III of the Superfund Amendments and Reauthorization Act of 1986 (SARA) will satisfy the requirements of this subsection.

(l) Spill Control, Drainage Control and Secondary Containment. 1. General. Unless exempted or otherwise provided for in Sections 80.302 through 80.314, rooms, buildings or areas used for the storage of solid and liquid hazardous materials shall be provided with a means to control spillage and to contain or drain off spillage and fire-protection water discharged in the storage area in accordance with this subsection.

2. Spill control. Floors shall be recessed a minimum of 4 inches or shall be provided with liquid-tight raised sill to a minimum height of 4 inches so as to prevent the flow of liquid to adjoining areas. When liquid-tight sills are provided, they are not required at door openings

which are provided with an open-grate trench which connects to the room drainage system.

3. Drainage control. A. General. The room, building or area shall be provided with a drainage system to direct the flow of liquids to an approved location, or, when required in Sections 80.302 through 80.314, the room, building or area shall be designed to provide secondary containment for the hazardous materials and fire-protection water.

B. Slope. A slope to drain not less than 1 percent shall be provided.

C. Capacity for fire-extinguishing water. Drains from the area shall be sized to carry the automatic fire-extinguishing system design flow rate over the system design area.

D. Materials. Materials of construction for the drainage system shall be compatible with the stored materials.

E. Incompatible materials. Incompatible materials shall be separated from each other in drain systems. They may be combined when they have been rendered acceptable by an approved means for discharge into the public sewer.

F. Termination. Flow from the drainage system shall be directed to an approved location.

Drainage of spillage and fire-protection water may be directed to a neutralizer or treatment system which complies with the following:

(i) The system shall be designed to handle the maximum worst case spill from the single largest container plus the volume of fire-protection water from the system over the minimum design area for a period of 20 minutes, and

(ii) The system shall be designed to overflow from the neutralizer or treatment system so that liquid leakage and fire-protection water is directed to a safe location away from the building, valves, means of egress, adjoining property and fire department access roadways.

4. Secondary containment. When required in Sections 80.302 through 80.314, drains shall be directed to a containment system or other location designed as secondary containment for the hazardous materials liquids and fire-protection water, or the building, room or area shall be designed to provide secondary containment of hazardous material liquids and fire-protection water through the use of recessed floors or liquid-tight raised sills.

EXCEPTION: The provisions of this subsection may be waived when the chief has determined that such enforcement is preempted by other codes, statutes or ordinances. See Section 80.101.

Secondary containment shall be designed to retain the spill from the largest single container plus the design flow rate of the automatic fire-extinguishing system for the area of the room or area in which the storage is located or the system design area, whichever is smaller. The containment capacity shall be capable of containing the flow for a period of 20 minutes.

Overflow from the secondary containment system shall be provided to direct liquid leakage and fire-protection water to a safe location away from the building, valves, means of egress, fire access roadway, adjoining property or storm drains.

If the storage area is open to rainfall, the secondary containment shall be designed to accommodate the volume of a 24-hour rainfall as determined by a 25-year storm. When curbs are used, provisions shall be made for draining accumulations of groundwater or rainwater.

When secondary containment is required, a monitoring method capable of detecting hazardous material leakage from the primary containment into the secondary containment shall be provided. Visual inspection of the primary containment is the preferred method; however, other means of monitoring is approved by the chief. Where secondary containment is subject to the intrusion of water, a monitoring method for such water shall be provided. When monitoring devices are provided, they shall be connected to distinct visual or audible alarms.

(m) Ventilation. Unless exempted or otherwise provided for in Sections 80.302 through 80.314, indoor storage areas and storage buildings shall be provided with mechanical exhaust ventilation. Threshold Limit Values (TLV) as established by the American Conference of Governmental and Industrial Hygienists (ACGIH), OSHA or Washington Industrial Safety and Health Act - Chapter 296-62 WAC will be utilized for establishing minimum standards where ventilation is required.

EXCEPTION: Where natural ventilation can be shown to be acceptable for the materials as stored.

Exhaust ventilation systems shall comply with the following:

1. Installation shall be in accordance with the provisions of the Mechanical Code.

2. Mechanical ventilation shall be at a rate of not less than 1 cubic foot per minute per square foot of floor area over the storage area.

3. Systems shall operate continuously. Alternate designs may be approved by the chief.

4. A manual shutoff control shall be provided outside the room adjacent to the access door into the room or in a location approved by the chief. The switch shall be of the break-glass type and shall be labeled "Ventilation System Emergency Shutoff."

5. Exhaust ventilation shall be arranged to consider the density of the potential fumes or vapors released. For fumes or vapors that are heavier than air, exhaust shall be taken from a point within 12 inches of the floor.

6. The location of both the exhaust and inlet air openings shall be arranged to provide air movement across all portions of the floor or room to prevent the accumulation of vapors.

7. Exhaust ventilation shall not be recirculated within the room or building if the materials stored are capable of emitting hazardous vapors.

(n) Separation of Incompatible Hazardous Materials. Storage of incompatible hazardous materials shall be separated.

EXCEPTION: Containers of solids or liquids having a capacity of less than 5 pounds or 1/2 gallon when stored in quantities not exceeding exempt amounts.

Separation shall be accomplished by:

1. Segregating incompatible hazardous materials storage by a distance of not less than 20 feet,

2. Isolating incompatible hazardous materials storage by a noncombustible partition extending not less than 18 inches above and to the sides of the stored material, or

3. Storing in hazardous materials storage cabinets or gas cabinets. Materials which are incompatible shall not be stored within the same cabinet.

(o) Hazardous Materials Storage Cabinets. 1. General. When storage cabinets are used to comply with this article, such cabinets shall be in accordance with this subsection.

EXCEPTION: Compressed gases shall be stored in cabinets designed in accordance with Section 80.303.

Cabinets shall be conspicuously labeled in red letters on contrasting background "Hazardous—Keep Fire Away."

2. Construction. The interior of cabinets shall be treated, coated or constructed of materials that are nonreactive with the hazardous material stored. Such treatment, coating or construction shall include the entire interior of the cabinet. Cabinets shall either be listed as suitable for the intended storage or constructed in accordance with the following:

A. Cabinets shall be of steel having a thickness of not less than 0.044 inch (18 gage). The cabinet, including the door, shall be double walled with 1 1/2-inch airspace between the walls. Joints shall be riveted or welded and shall be tight-fitting. Doors shall be well fitted, self-closing and equipped with a self-latching device.

B. The bottoms of cabinets utilized for the storage of liquids shall be liquid-tight to a minimum height of 2 inches.

For requirements regarding electrical equipment and devices within cabinets used for the storage of hazardous gases or liquids, see the Electrical Code.

(p) Fire-extinguishing Systems. Unless exempted or otherwise provided for in Sections 80.302 through 80.314, indoor storage areas and storage buildings shall be protected by an automatic sprinkler system. The design of the sprinkler system shall not be less than that required by the Building Code for Ordinary Hazard Group 3 with a minimum design area of 3,000 square feet. See UBC Standard No. 38-1. Where the materials or storage arrangement require a higher level of sprinkler system protection in accordance with nationally recognized standards, the higher level of sprinkler system protection shall be provided.

EXCEPTION: Approved alternate automatic fire-extinguishing systems are allowed.

(q) Explosion Control. Unless exempted or otherwise provided for in Sections 80.302 through 80.314, indoor storage areas and storage buildings shall be provided with explosion control in accordance with the Building Code.

(r) Electrical Wiring and Equipment. Electrical wiring and equipment shall be installed in accordance with the Washington State Electrical Code Chapter 296-46 WAC.

(s) **Standby Power.** When mechanical ventilation, treatment systems, temperature control, alarm, detection or other electrically operated systems are required, such systems shall be connected to a secondary source of power to automatically supply electrical power in the event of loss of power from the primary source. See the Washington State Electrical Code Chapter 296-46 WAC.

(t) **Limit Controls.** 1. **General.** Unless exempted or otherwise provided for in Sections 80.302 through 80.314, limit controls shall be provided in accordance with this subsection.

2. **Liquid-level limit control.** Atmospheric tanks with a capacity exceeding 500 gallons used for the storage of hazardous materials liquids shall be equipped with a liquid-level limit control to prevent overfilling of the tank.

EXCEPTION: Tanks monitored by a system which will limit net contents by weight.

3. **Temperature control.** Materials which must be stored at temperatures other than normal ambient temperatures to prevent a hazardous reaction shall be stored in an area provided with a means to maintain the temperature within a safe range. Redundant temperature control equipment which will operate upon failure of the primary temperature control system shall be provided. Alternate means which prevent a hazardous reaction are allowed.

4. **Pressure control.** Stationary tanks used for the storage of hazardous materials liquids which can generate pressures exceeding the tank design limits due to exposure fires or internal reaction shall have some form of construction or device that will relieve excessive internal pressure. Such relief devices shall vent to an approved location or to an exhaust scrubber or treatment system when specified in Sections 80.302 through 80.314.

(u) **Emergency Alarm.** An approved emergency alarm system shall be provided in buildings, rooms or areas used for the storage of hazardous materials. Emergency alarm signal devices shall be installed outside of each interior exit door of storage buildings, rooms or areas. Activation of the emergency alarm-initiating device shall sound a local alarm to alert occupants of an emergency situation involving hazardous materials.

(v) **Supervision.** When emergency alarm, detection or automatic fire-extinguishing systems are required in Sections 80.302 through 80.314, such systems shall be supervised by an approved central, proprietary or remote station service or shall initiate an audible and visual signal at a constantly attended on-site location.

(w) **Protection from Vehicles.** Guard posts or other means shall be provided to protect exterior storage tanks from vehicular damage. When guard posts are installed, the posts shall be:

1. Constructed of steel not less than 4 inches in diameter and concrete filled,

2. Spaced not more than 4 feet between posts on center,

3. Set not less than 3 feet deep in a concrete footing of not less than a 15-inch diameter,

4. Set with the top of the posts not less than 3 feet above ground, and

5. Located not less than 5 feet from the tank.

(x) **Clearance from Combustibles.** The area surrounding an exterior storage area or tank shall be kept clear of combustible materials and vegetation for a minimum distance of 30 feet.

(y) **Noncombustible Floor.** Except for surfacing, floors of storage areas shall be of noncombustible construction.

(z) **Professional Engineer.** The chief is authorized to require design submittals to bear the stamp of a professional engineer.

(aa) **Weather Protection.** When overhead noncombustible construction is provided for sheltering exterior hazardous material storage areas, such storage shall not be considered indoor storage when all of the following conditions are met:

1. Supports shall be of noncombustible construction.

2. Supports and walls shall not obstruct more than 25 percent of the perimeter of the storage area.

3. The distance to buildings, property lines, streets, alleys, public ways or exits to a public way shall not be less than the distance required for an exterior hazardous material storage area without weather protection.

NEW SECTION

WAC 51-24-80303 TOXIC AND HIGHLY TOXIC COMPRESSED GASES. SECTION 80.303. (a) **Indoor Storage.** 1. **General.** Indoor storage of toxic and highly toxic compressed gases shall be in accordance with this subsection, and Sections 80.301 and 80.303(c).

2. **Exempt amounts.** When the amount of highly toxic or toxic compressed gases stored in one control area exceeds that specified in Table No. 80.303-A, such storage shall be within a room or building conforming with the Building Code requirements for a Group H, Division 7 Occupancy.

3. **Fire-extinguishing system.** In addition to Section 80.301(p), the following requirements shall apply:

A. Gas cabinets or exhausted enclosures for the storage of cylinders shall be internally sprinklered.

B. Alternate fire-extinguishing systems shall not be used for either storage areas, gas cabinets or exhausted enclosures.

EXCEPTION: Where water is incompatible with the hazardous material stored, the chief may approve alternate fire suppression methods to an automatic sprinkler system.

4. **Explosion venting or suppression.** When flammable gases which are toxic or highly toxic are stored in rooms outside of gas cabinets or exhausted enclosures, the storage rooms shall be provided with explosion venting or suppression in accordance with the provisions of Section 80.301(q).

5. **Spill control, drainage control and secondary containment.** Spill control, drainage control and secondary containment are not required for the storage of highly toxic or toxic compressed gases.

6. **Ventilation and storage arrangement.** A. **Ventilated area.** Storage of cylinders shall be within ventilated gas cabinets, exhausted enclosures or within a ventilated separate gas storage room. Storage of portable and stationary tanks shall be within a separate ventilated room without other occupancy or use. If gas cabinets are provided, the room or area in which they are located shall have independent exhaust ventilation.

B. **Gas cabinets.** When gas cabinets are provided they shall be:

(i) Operated at negative pressure in relation to the surrounding area,

(ii) Provided with self-closing limited access ports or noncombustible windows to give access to equipment controls. The average velocity of ventilation at the face of access ports or windows shall be not less than 200 feet per minute with a minimum of 150 feet per minute at any point of the access port or window,

(iii) Connected to an exhaust system,

(iv) Provided with self-closing doors, and

(v) Constructed of not less than 0.097-inch (12 gage) steel.

C. **Separate gas storage rooms.** When separate gas storage rooms are provided, they shall be designed to:

(i) Operate at a negative pressure in relation to the surrounding area, and

(ii) Direct the exhaust ventilation to an exhaust system.

D. **Treatment systems.** (i) **General.** Treatment systems shall be utilized to handle the accidental release of gas. Treatment systems shall be utilized to process all exhaust ventilation to be discharged from gas cabinets, exhausted enclosures or separate gas storage rooms.

(ii) **Design.** Treatment systems shall be capable of diluting, adsorbing, absorbing, containing, neutralizing, burning or otherwise processing the entire contents of the largest single tank or cylinder of gas stored or used. When a total containment system is utilized, the system shall be designed to handle the maximum anticipated pressure of release to the system when it reaches equilibrium.

(iii) **Performance.** Treatment systems shall be designed to reduce the maximum allowable discharge concentration of the gas to one-half IDLH at the point of discharge to the atmosphere. When more than one gas is emitted to the treatment system, the treatment system shall be designed to handle the worst-case release based on the release rate, the quantity and the IDLH for all the gases stored or used.

(iv) **Sizing.** Treatment systems shall be sized to process the maximum worst-case release of gas based on the maximum flow rate of release from the largest cylinder or tank utilized. The entire contents of tanks and cylinders shall be considered.

(v) **Stationary tanks.** Stationary tanks shall be labeled with the maximum rate of release for the gas contained based on valves or fittings that are inserted directly into the tank. If multiple valves or fittings are provided, the maximum flow rate of release for the valve or fitting with the highest flow rate shall be indicated. If liquefied gases are in contact with valves or fittings, the liquid flow rate shall be utilized for purposes of computation. Flow rates indicated on the label shall be converted to cubic feet per minute of gas at normal temperature and pressure.

(vi) **Portable tanks and cylinders.** For portable tanks and cylinders, the maximum flow rate of release shall be calculated based on assuming the total release from the cylinder or tank within the time specified in Table No. 80.303-B. When portable tanks or cylinders are equipped

with approved excess flow or reduced flow valves, the worst-case release will be determined by the maximum achievable flow from the valve as determined by the valve manufacturer or the gas supplier. Reduced flow and excess flow valves shall be permanently marked by the manufacturer to indicate the maximum design flow rate. Such markings shall indicate the flow rate for air under standard conditions.

7. Emergency power. Emergency power shall be provided in lieu of standby power for:

- A. Exhaust ventilation, including the power supply for treatment systems,
- B. Gas-detection systems,
- C. Emergency alarm systems, and
- D. Temperature-control systems.

8. Limit controls. In addition to the limit controls required by Section 80.301(t), excess flow control shall be provided for stationary tanks which are piped for filling or dispensing.

9. Gas detection. A continuous gas-detection system shall be provided to detect the presence of gas at or below the permissible exposure limit or ceiling limit. The detection system shall initiate a local alarm and transmit a signal to a constantly attended control station. The alarm shall be both visual and audible and shall be designed to provide warning both inside and outside of the storage area. The audible alarm shall be distinct from all other alarms.

EXCEPTIONS:

1. Signal transmission to a constantly attended control station need not be provided when not more than one cylinder is stored.
2. A continuous gas-detection system need not be provided for toxic gases when the physiological warning properties for the gas are at a level below the accepted permissible exposure limit for the gas.

The gas-detection system shall be capable of monitoring the room or area in which the gas is stored at or below the permissible exposure limit or ceiling limit and the discharge from the treatment system at or below one-half the IDLH limit.

10. Smoke detection. An approved supervised smoke-detection system shall be provided in rooms or areas where highly toxic compressed gases are stored indoors. Activation of the detection systems shall sound a local alarm.

11. Storage conditions. The number of cylinders contained in a single gas cabinet shall not exceed three.

EXCEPTION: Cabinets containing cylinders not exceeding 1 pound net contents each shall be limited to a maximum of 100 cylinders.

(b) Exterior Storage. 1. General. Exterior storage of highly toxic or toxic compressed gases shall be in accordance with this subsection and Section 80.301 and 80.303(c).

2. Distance from storage to exposures. Exterior storage of highly toxic or toxic compressed gases shall comply with the Building Code and the following:

A. Distance limitation to exposures. The exterior storage of highly toxic or toxic compressed gases shall not be within 75 feet of a building, property line, street, alley, public way or exit to a public way unless the storage is shielded by a structure having a minimum fire-resistant rating of two hours and which interrupts the line of sight between the storage and the exposure. The protective structure shall be at least 5 feet from exposures. The protective structure shall not have more than two sides at approximately 90-degree directions, or three sides with connecting angles of approximately 135 degrees.

B. Openings in exposure buildings. When the storage area is located closer than 75 feet to a building, openings into a building other than piping shall not be above the height of the top of the shielding structure or within 50 feet horizontally from the storage area whether or not shielded by a protective structure.

C. Air intakes. The storage area shall not be within 75 feet of air intakes.

3. Canopies. Portable tanks and cylinders stored outside of buildings shall be stored under a canopy of noncombustible construction. Such storage shall not be considered indoor storage.

EXCEPTION: Portable tanks and cylinders used for storing anhydrous ammonia (fertilizer grade).

An automatic fire-sprinkler system shall be provided for canopies provided for the storage of highly toxic or toxic compressed gases.

EXCEPTION: Where water is incompatible with the hazardous material stored, the chief may approve alternate fire suppression methods to an automatic sprinkler system.

4. Piping and controls. In addition to the requirements of Section 80.301(c), piping and controls on stationary tanks shall be in accordance with the following:

A. Pressure-relief devices shall be vented to a treatment system designed in accordance with Section 80.303(a) 6 D.

B. Where filling or dispensing connections are provided, they shall be provided with a means of local exhaust. Such exhaust shall be designed to capture fumes and vapors. The exhaust shall be directed to a treatment system designed in accordance with Section 80.303(a) 6 D.

C. Stationary tanks shall be provided with a means of excess flow control on tank inlet and outlet connections.

EXCEPTIONS:

1. Inlet connections that are designed to preclude backflow.
2. Pressure-relief devices.

5. Spill control, drainage control and secondary containment. Spill control, drainage control and secondary containment are not required for the exterior storage of highly toxic or toxic compressed gases.

(c) Special Provisions. 1. Seismic protection. Stationary tanks and associated piping systems shall be seismically braced in accordance with the Building Code.

2. Security. Storage areas shall be secured against unauthorized entry.

3. Gas cabinets for leaking cylinders. At least one gas cabinet or exhausted enclosure shall be provided for the handling of leaking cylinders.

EXCEPTIONS:

1. A cabinet or exhausted enclosure need not be provided for leaking cylinders if all cylinders are stored within gas cabinets or exhausted enclosures.
2. A cabinet or exhausted enclosure need not be provided for leaking cylinders if a U.S. DOT approved cylinder containment vessel is provided.

The cabinet or enclosure shall be located as follows:

- A. Within or adjacent to exterior storage areas, or
- B. Within separate gas storage rooms used for cylinders.

The gas cabinet or exhausted enclosure shall be connected to an exhaust system. See Section 80.303(a) 6 D.

4. Local exhaust for leaking portable tanks. A means of local exhaust shall be provided to capture leaks from portable tanks. Portable ducts or collection systems designed to be applied to the site of a leak in a valve or fitting on the tank are acceptable. The local exhaust system shall be connected to a treatment system as specified in Section 80.303(a) 6 D. The local exhaust system shall be provided:

- A. Within or immediately adjacent to exterior storage areas, or
- B. Within separate gas storage rooms used for portable or stationary tanks.

NEW SECTION

WAC 51-24-80305 FLAMMABLE SOLIDS AND COMBUSTIBLE DUSTS. SECTION 80.305. (a) Indoor Storage. 1. General. Indoor storage of flammable solids shall be in accordance with this subsection and Section 80.301. Storage of combustible fibers shall be in accordance with Article 28.

2. Exempt amounts. When the amount of flammable solids stored in one control area exceeds that specified in Table No. 80.305-A, such storage shall be within a room or building conforming to the Building Code requirements for a Group H, Division 3 Occupancy, or a Group H, Division 2 Occupancy when combustible dusts are stored in piles or within open containers.

3. Spill control, drainage control and secondary containment. Spill control, drainage control and secondary containment are not required for the storage of flammable solids.

4. Explosion venting or suppression. Rooms, buildings or equipment used for the storage of combustible dusts shall be provided with explosion venting, equivalent protective devices or suppression in accordance with the provisions of Section 80.301(q).

5. Ventilation. Mechanical exhaust ventilation is not required.

6. Storage conditions. Flammable solids stored in quantities greater than 1,000 cubic feet shall be separated into piles each not larger than 1,000 cubic feet. Aisle widths between piles shall be equal to not less than the height of the piles or 4 feet, whichever is greater.

Flammable solids shall not be stored in basements.

(b) Exterior Storage. 1. General. Exterior storage of flammable solids shall be in accordance with this subsection and Section 80.301. Storage of combustible fibers shall be in accordance with Article 28.

2. Distance from storage to exposures. Exterior storage of flammable solids shall not be within 20 feet of any building, property line, street,

alley, public way, or exit to a public way. An unpierced two-hour fire-resistant wall extending not less than 30 inches above and to the sides of the storage area is allowed in lieu of such distance.

3. Spill control, drainage control and secondary containment. Spill control, drainage control and secondary containment are not required for exterior storage of flammable solids.

4. Storage conditions. Exterior storage of flammable solids shall be separated into piles not larger than 5,000 cubic feet each. Aisle widths between piles shall be not less than one-half the height of the piles or 10 feet, whichever is greater.

NEW SECTION

WAC 51-24-80315 DELETE SECTION 80.315 CARCINOGENS, IRRITANTS, SENSITIZERS AND OTHER HEALTH HAZARD SOLIDS, LIQUIDS AND GASES ENTIRELY.

NEW SECTION

WAC 51-24-80401 SECTION 80.401. General. (a) Applicability. Dispensing, use and handling of hazardous materials in excess of the exempt amounts specified in Tables Nos. 80.402-A and 80.402-B shall be in accordance with this division.

EXCEPTIONS: 1. Hazardous materials regulated by other articles in this code.
2. Underground storage tanks regulated by 40 CFR 280 or state law.

The provisions for toxic compressed gases shall apply only after consideration of the hazard potential, alternatives for controlling the hazard, and the cost and benefits of the alternatives.

(b) Containers, Cylinders and Tanks. 1. General. Containers, cylinders and tanks utilized for the dispensing, use or handling of hazardous materials shall be in accordance with this subsection.

2. Design and construction. Containers, cylinders and tanks shall be designed and constructed in accordance with nationally recognized standards. See Section 2.304(b).

3. Tanks out of service for 90 days. Stationary tanks not used for a period of 90 days shall be properly safeguarded or removed in a manner approved by the chief. Such tanks shall have the fill line, gage opening and pump connection secured against tampering. Vent lines shall be properly maintained.

4. Defective containers, cylinders and tanks. Defective containers, cylinders and tanks shall be removed from service, repaired, or disposed of in accordance with nationally recognized standards of good practice.

5. Empty containers, cylinders and tanks. Empty containers, cylinders and tanks previously containing hazardous materials shall be free from residual material and vapor or stored as specified for the storage of hazardous material in accordance with Division III.

6. Underground tanks. Underground tanks not otherwise excepted by this section containing hazardous materials shall be located and protected in accordance with Sections 79.601 and 79.603 of this code. Secondary containment shall be provided for all new underground tanks.

7. Aboveground tanks. Aboveground tanks containing hazardous materials shall be located and protected in accordance with the provisions for exterior storage of the particular materials as specified in Division III. Such tanks shall be marked as required by Section 80.401(n).

(c) Piping, Tubing, Valves and Fittings. 1. General. Piping, tubing, valves and fittings conveying hazardous materials shall be installed in accordance with approved standards and shall be in accordance with this subsection.

2. Design and Construction. Piping, tubing, valves, fittings and related components used for hazardous materials shall be in accordance with the following:

A. Piping, tubing, valves, fittings and related components shall be designed and fabricated from materials compatible with the material to be contained and shall be of adequate strength and durability to withstand the pressure, structural and seismic stress and exposure to which they are subject.

B. Piping and tubing shall be identified in accordance with nationally recognized standards to indicate the material conveyed.

C. Emergency shutoff valves shall be identified and the location shall be clearly visible and indicated by means of a sign, and

D. Backflow-prevention or check valves shall be provided when the backflow of hazardous materials could create a hazardous condition or cause the unauthorized discharge of hazardous materials.

3. Supply piping. Supply piping and tubing for gases and liquids having a health hazard ranking of 3 or 4 in accordance with UFC Standard No. 79-3 shall also be in accordance with the following:

A. Piping and tubing utilized for the transmission of highly toxic or toxic materials shall have welded or brazed connections throughout unless an exhausted enclosure is provided if the material is a gas, or the piping is provided with a receptor for containment if the material is a liquid,

EXCEPTIONS: 1. Nonmetallic piping with approved connections.
2. Nationally recognized standards shall be deemed to be in compliance with this section.

B. Piping and tubing shall not be located within exit corridors, within any portion of an exit required to be enclosed in fire-resistant construction, or above areas not classified as Group H Occupancies,

EXCEPTION: Piping and tubing within the space defined by the walls of exit corridors and floor or roof above or in concealed space above other occupancies when installed in accordance with the Building Code as required for Group H, Division 6 Occupancies. See UBC Section 911(f) 2.

C. Where gases or liquids are carried in pressurized piping above 15 psig, excess flow control shall be provided. Where the piping originates from within a hazardous material storage room or area, the excess flow control shall be located within the storage room or area. Where the piping originates from a bulk source, the excess flow control shall be located as close to the bulk source as practical, and

EXCEPTION: Where excess flow control is not appropriate according to nationally recognized standards of good practice.

D. Readily accessible manual or automatic remotely activated fail-safe emergency shutoff valves shall be installed on supply piping and tubing at the following locations:

(i) The point of use, and

(ii) The tank, cylinder or bulk source.

(d) Equipment. Equipment, machinery and processes utilized for dispensing, use or handling of hazardous materials shall be suitable for the intended use. Such equipment, machinery and processes shall be maintained in an operable condition and shall be replaced, repaired or removed from service when found to be defective.

(e) Separation from Storage of Hazardous Materials. Dispensing, use and handling of hazardous materials having a reactivity hazard ranking of 3 or 4 in accordance with UFC Standard No. 79-3 shall be separated from storage of incompatible materials when the quantity in storage exceeds the exempt amounts specified in Sections 80.302 through 80.314. The separation shall be provided by one of the following:

1. Segregated from incompatible hazardous materials storage by a distance of not less than 20 feet,

2. Isolated from incompatible hazardous materials storage by a non-combustible partition extending not less than 18 inches above and to the front and sides of the stored material,

3. Storage of hazardous materials in hazardous materials storage cabinets in accordance with Section 80.301(o), or

4. Storage of compressed gases in gas cabinets or exhausted enclosures in accordance with Section 80.303(a) 6 B.

(f) Noncombustible Floor. Except for surfacing, floors of areas where liquid or solid hazardous materials are dispensed or used in open systems shall be of noncombustible, liquid-tight construction.

(g) Spill control, drainage control and secondary containment. When required by other provisions of this division, spill control, drainage control and secondary containment shall be provided in accordance with Section 80.301(l).

(h) Sources of Ignition. Smoking shall be prohibited in rooms or areas where hazardous materials are dispensed or used in open systems and within 25 feet of outdoor dispensing areas.

Open-flame and other heat-producing equipment shall be located a safe distance from areas where temperature-sensitive materials, flammable materials and compressed gases are dispensed, used or handled.

(i) Static Accumulation. When processes or conditions exist where a flammable mixture could be ignited by static electricity, means shall be provided to prevent the accumulation of a static charge.

(j) Electrical Equipment and Wiring. Electrical equipment and wiring in dispensing and use areas shall be installed in accordance with

the provisions of the Washington State Electrical Code Chapter 296-46 WAC.

(k) Limit Controls. 1. General. Limit controls shall be provided in accordance with this subsection.

2. Liquid level. Open tanks in which hazardous materials are used shall be equipped with a liquid level limit control or other means to prevent overfilling of the tank.

3. Temperature. Process tanks and equipment which involve temperature control of the material shall be provided with limit controls to maintain the temperature within a safe range.

4. Pressure. Stationary tanks and equipment containing materials which can generate pressures exceeding the tank or equipment design limits due to exposure fires or internal reaction shall be equipped with pressure-limiting or relief devices. Relief devices for stationary tanks or equipment for highly toxic or corrosive materials shall vent to an exhaust scrubber or treatment system for processing of vapors or gases. Relief devices for flammable or explosive vapors or gases shall vent to an approved location.

(l) Standby power. When mechanical ventilation, treatment systems, temperature control, manual alarm, detection or other electrically operated systems are required by other provisions of this division, such systems shall be connected to a standby source of power to automatically supply electrical power in the event of loss of power from the primary source. See the Washington State Electrical Code Chapter 296-46 WAC.

(m) Supervision. Manual alarm, detection, and automatic fire-extinguishing systems required by other provisions of this division shall be supervised by an approved central, proprietary or remote station service or shall initiate an audible and visual signal at a constantly attended on-site location.

(n) Signage. In addition to the hazard identification signs required by Section 80.107, additional hazard identification and warning signs shall be provided as follows:

1. Signs prohibiting smoking shall be provided in dispensing and open-use areas and within 25 feet of outdoor dispensing or open-use areas, and

2. Stationary containers and tanks shall be placarded with hazard identification signs as specified in UFC Standard No. 79-3 for the specific material contained.

(o) Security. Dispensing, use, and handling areas shall be protected against tampering or trespassing by fencing or other control measures.

(p) Seismic protection. Machinery and equipment utilizing hazardous materials shall be seismically anchored in accordance with the Building Code.

(q) Lighting. Adequate lighting by natural or artificial means shall be provided. Artificial lighting shall be in accordance with the recommendations of the Illuminating Engineering Society Handbook or other nationally recognized standards.

(r) Fire-extinguishing Systems. Indoor rooms or areas in which hazardous materials are dispensed or used shall be protected by an automatic fire-extinguishing system. Sprinkler system design shall not be less than that required by the Building Code for Ordinary Hazard, Group 3, with a minimum design area of 3,000 square feet. See UBC Standard No. 38-1. Where the materials or storage arrangement require a higher level of sprinkler system protection in accordance with nationally recognized standards, the higher level of sprinkler system protection shall be provided.

EXCEPTION: Approved alternate automatic fire-extinguishing systems are allowed.

NEW SECTION

WAC 51-24-80402 DISPENSING AND USE. SECTION 80.402. (a) General. When the amount of hazardous materials dispensed or used in one control area exceeds that specified in Table No. 80.402-A or 80.402-B, such dispensing or use shall either be located in a room or area complying with this section and constructed in accordance with the Building Code, or shall be located in an exterior dispensing, use or handling area located as required for exterior storage in Sections 80.301 through 80.314.

(b) Indoor Dispensing and Use. 1. General. Indoor dispensing and use of hazardous materials shall be in accordance with this subsection and Section 80.401.

2. Open systems. A. General. Dispensing and use of hazardous materials in open containers or systems shall be in accordance with this subsection.

B. Dispensing. When liquids having a hazard ranking of 3 or 4 in accordance with U.F.C. Standard No. 79-3 are dispensed from tanks or drums, dispensing shall be only by approved pumps taking suction from the top or by other methods in accordance with nationally recognized standards of good practice.

C. Ventilation. When gases, liquids or solids having a hazard ranking of 3 or 4 in accordance with U.F.C. Standard No. 79-3 are dispensed or used, approved ventilation shall be provided to control fumes, mists or vapors at the point of generation.

EXCEPTION: Gases, liquids or solids which can be demonstrated not to create harmful fumes, mists or vapors based on applicable recognized standards.

D. Fire-extinguishing system. In addition to the provisions of Section 80.401(r), laboratory fume hoods and spray booths where flammable materials are dispensed or used shall be protected by an automatic fire-extinguishing system.

E. Explosion venting or suppression. Explosion venting or suppression shall be provided in accordance with the provisions of Section 80.301(q) when an explosion hazard can occur because of the characteristics or nature of the hazardous materials dispensed or used, or as a result of the dispensing or use process.

F. Spill control, drainage and containment. Rooms or areas where hazardous material liquids are dispensed into containers exceeding 1-gallon capacity or used in open containers or systems exceeding a 5-gallon capacity shall be provided with a means to control spills. Secondary containment shall be provided when the capacity of an individual container exceeds 55 gallons or the aggregate capacity of multiple containers exceeds 100 gallons.

3. Closed systems. A. General. Use of hazardous materials in closed containers or systems shall be in accordance with this subsection.

B. Use. Systems shall be suitable for the use intended and shall be designed by persons competent in such design. Where nationally recognized good practices or standards have been established for the processes employed, they shall be followed in the design. Controls shall be designed to prevent materials from entering or leaving process or reaction systems at other than the intended time, rate or path. When automatic controls are provided, they shall be designed to be fail safe.

C. Ventilation. If closed systems are designed to be opened as part of normal operations, ventilation shall be provided in accordance with Section 80.402(b) 2 C.

D. Fire-extinguishing system. In addition to Section 80.401 (r), laboratory fume hoods and spray booths where flammable materials are used shall be protected by an automatic fire-extinguishing system.

E. Explosion venting or suppression. Explosion venting or suppression shall be provided in accordance with the provisions of Section 80.301(q) when an explosion hazard can occur because of the hazardous materials dispensed or used, or as a result of the dispensing or use process.

F. Spill control, drainage control and secondary containment. Rooms or areas where hazardous material liquids are used in individual tanks or containers exceeding 55 gallons shall be provided with a means to control spills. Secondary containment shall be provided if the aggregate capacity of multiple tanks or containers exceeds 1,000 gallons.

G. Special requirements for highly toxic and toxic compressed gases. (i) Ventilation and storage arrangement. Compressed gas cylinders in use shall be within ventilated gas cabinets, laboratory fume hoods, exhausted enclosures or separate gas storage rooms. When portable or stationary tanks are utilized in use or dispensing, they shall be within a ventilated separate gas storage room or placed within an exhausted enclosure.

(ii) Gas cabinets and exhausted enclosures. When gas cabinets or exhausted enclosures are provided, they shall be in accordance with Section 80.303(a) 6 B. Gas cabinets and exhausted enclosures shall be internally sprinklered.

(iii) Separate gas storage rooms. When separate gas storage rooms are provided, they shall be in accordance with Section 80.303 (a) 6 C.

(iv) Treatment systems. Treatment systems shall be provided in accordance with Section 80.303(a) 6 D.

(v) Gas detection. Gas detection shall be provided in accordance with Section 80.303(a) 9. Activation of the monitoring system shall automatically close the shutoff valve on highly toxic or toxic gas supply lines related to the system being monitored.

EXCEPTION: Automatic shutdown need not be provided for reactors utilized for the production of toxic or highly toxic gases when such reactors are:

1. Operated at pressures less than 15 psig.

2. Constantly attended, and
3. Provided with readily accessible emergency shutoff valves.

(vi) Smoke detection. Smoke detection shall be provided in accordance with Section 80.303(a) 10.

(vii) Storage conditions. The number of cylinders contained in a single gas cabinet shall not exceed three.

(c) Exterior Dispensing and Use. 1. General. Exterior dispensing or use of hazardous materials in either closed or open containers or systems shall be in accordance with this subsection and Section 80.401.

2. Dispensing. When liquids having a hazard ranking of 3 or 4 in accordance with U.F.C. Standard No. 79-3 are dispensed from tanks or drums, dispensing shall be by approved pumps taking suction from the top or by other methods in accordance with nationally recognized standards of good practice.

3. Fire-extinguishing system. Flammable hazardous materials dispensing or use areas located within 50 feet of either a storage area or building, and vehicle loading racks where flammable hazardous materials are dispensed, shall be protected by an approved fire-extinguishing system.

4. Spill control, drainage control and secondary containment. A. Open systems. Exterior areas where hazardous materials liquids are dispensed into containers exceeding a 1-gallon capacity or used in open containers or systems exceeding a 5-gallon capacity shall be provided with a means to control spills. Secondary containment shall be provided when the capacity of an individual container exceeds 55 gallons or the aggregate capacity of multiple containers exceeds 100 gallons.

B. Closed systems. Exterior areas where hazardous materials liquids are used in individual tanks or containers exceeding 55 gallons shall be provided with a means to control spills. Secondary containment shall be provided when the aggregate capacity of multiple tanks or containers exceeds 1,000 gallons.

5. Clearance from combustibles. The area surrounding an exterior dispensing or use area shall be kept clear of combustible materials and vegetation for a minimum distance of 30 feet.

6. Fire access roadways and water supply. A. General. Fire access roadways and approved water supplies shall be provided for exterior dispensing or use areas in accordance with this subsection.

B. Fire access roadways. Fire apparatus access roadways shall be provided to within 150 feet of all portions of an exterior dispensing or use area. Such access roadways shall comply with Article 10, Division II.

C. Water supply. An approved water supply shall be provided. Fire hydrants or other approved means capable of supplying the required fire flow shall be provided to within 150 feet of all portions of an exterior dispensing or use area. The water supply and fire hydrants shall comply with Article 10, Division IV.

7. Protection from vehicles. Guard posts or other means shall be provided to protect exterior dispensing or use areas from vehicular damage. When guard posts are installed, the posts shall be in accordance with Section 80.301(w).

8. Special requirements for highly toxic or toxic compressed gases. A. Ventilation and storage arrangement. When cylinders or portable containers are used out-of-doors, gas cabinets or a locally exhausted enclosure shall be provided.

B. Gas cabinets. When gas cabinets are provided, the installation shall be in accordance with Section 80.303(a) 6 B.

C. Treatment systems. Treatment systems shall be provided in accordance with Section 80.303(a) 6 D.

D. Gas detection. Gas detection shall be provided in gas cabinets and exhausted enclosures in accordance with Section 80.303(a) 9. Activation of the monitoring system shall automatically close the shutoff valve on highly toxic or toxic gas supply lines related to the system being monitored.

EXCEPTION: Automatic shutdown need not be provided for reactors utilized for the production of toxic or highly toxic gases when such reactors are:

1. Operated at pressures less than 15 psig,
2. Constantly attended, and
3. Provided with readily accessible emergency shutoff valves.

E. Fire-extinguishing system. Gas cabinets and exhausted enclosures shall be internally sprinklered.

NEW SECTION

WAC 51-24-99300 DIVISION III FIRE PROTECTION.

NEW SECTION

WAC 51-24-99350 APPENDIX III-E. GROUP R, DIVISION 4 AND 5 OCCUPANCIES FIRE DEPARTMENT RESPONSE TIMES.

NEW SECTION

WAC 51-24-99351 1. SCOPE. Non-sprinklered Group R, Division 4 Occupancies and all Group R, Division 5 Occupancies shall be located or be provided with fire- and life-safety protection in accordance with this appendix.

NEW SECTION

WAC 51-24-99352 2. LOCATION. Non-sprinklered Group R, Division 4 Occupancies and all Group R, Division 5 Occupancies shall be located within a maximum 10-minute response time by a Washington Surveying and Rating Bureau Class 8A Fire Department.

EXCEPTIONS: 1. Group R, Division 4 Occupancies being served by a fire department having a response time exceeding 10 minutes and/or having a Washington Surveying and Rating Bureau Classification higher than 8A, shall be provided with an approved sprinkler system installed in accordance with UBC Standard Nos. 38-1 or 38-3, whichever is applicable.
2. Group R, Division 5 Occupancies being served by a fire department having a response time exceeding 10 minutes and/or having a Washington Surveying and Rating Bureau Classification higher than 8A, shall meet all requirements of a Group I, Division 1.1 Occupancy.

NEW SECTION

WAC 51-24-99500 DIVISION V. STANDARDS.

NEW SECTION

WAC 51-24-99510 APPENDIX V-A. NATIONALLY RECOGNIZED STANDARDS OF GOOD PRACTICE. 1. Scope. The following standards and publications are intended for use as a guide to attain a reasonable level of safety where specific requirements are not stated or specific standards are not adopted or referenced in the code.

2. AMERICAN GAS ASSOCIATION LABORATORIES
8501 East Pleasant Road, Cleveland, OH 44131
1425 Grande Vista Avenue, Los Angeles, CA 90023
DIRECTORY OF CERTIFIED APPLIANCES AND ACCESSORIES

COMPRESSED GAS ASSOCIATION, INC.
1235 Jefferson Davis Highway, Arlington, VA 22202
CGA PAMPHLETS
G-1 Acetylene.
G-2 Anhydrous Ammonia.
G-3 Sulphur Dioxide.
G-4 Oxygen.
G-5 Hydrogen.
P-1 Safe Handling of Compressed Gases.
P-2 Characteristics and Safe Handling of Medical Gases.
V-5 Diameter-Index Safety System.

FACTORY MUTUAL ENGINEERING AND RESEARCH
1151 Boston-Providence Turnpike, Norwood, MA 02062

INSTITUTE OF MAKERS OF EXPLOSIVES
1120 19th Street, N.W., Suite 310, Washington, D.C. 20036-3605
IME PAMPHLETS
No. 1 Construction Guide for Storage Magazines
No. 20 Radio Frequency Radiation Hazard in Use of Electric Blasting Caps

NATIONAL FIRE PROTECTION ASSOCIATION
Batterymarch Park, Quincy, MA 02269
NFPA NATIONAL FIRE CODES

UNDERWRITERS LABORATORIES INC.
333 Pfingsten Road, Northbrook, IL 60062
1655 Scott Blvd., Santa Clara, CA 95050
U.L. INC. DIRECTORIES

Automotive, Burglary Protection and Mechanical Equipment.
 Building Materials.
 Electrical Appliance and Utilization Equipment.
 Electrical Construction Materials.
 Fire Protection Equipment.
 Fire Resistance.
 Gas and Oil Equipment.
 General Information from Electrical Construction Materials
 and Hazardous Location Equipment Directories.
 Hazardous Location Equipment.
 Marine Products.
 Recognized Component.

UNITED STATES GOVERNMENT AGENCIES
 Code of Federal Regulations (CFR), Titles 1-50, Superintendent of
 Documents
 U.S. Government Printing Office, Washington, DC 20402

OPTIONAL

THE CHLORINE INSTITUTE, INC.
 2001 L Street, NW, Washington, DC 20036
 The Chlorine Manual.
 Instruction Booklet Chlorine Institute Emergency Kit "A" for
 100-pound and 150-pound Chlorine Cylinders.
 Instruction Booklet Chlorine Institute Emergency Kit "B" for
 Chlorine Ton Containers.
 Instruction Booklet Chlorine Institute Emergency Kit "C" for
 Chlorine Tank Cars/Tank Trucks.
 Chlorine Institute Drawing 188, Chlorine Cylinder Recovery
 Vessel.

Chapter 51-25 WAC
 STATE BUILDING CODE ADOPTION OF THE 1991 EDITION
 OF THE UNIFORM FIRE CODE STANDARDS

NEW SECTION

WAC 51-25-001 **AUTHORITY.** These rules are adopted under
 the authority of chapter 19.27 RCW.

NEW SECTION

WAC 51-25-002 **PURPOSE.** The purpose of these rules is to im-
 plement the provisions of chapter 19.27 RCW, which provides that the
 state building code council shall maintain the State Building Code in a
 status which is consistent with the purpose as set forth in RCW 19.27-
 .020. In maintaining the codes the council shall regularly review up-
 dated versions of the codes adopted under the act, and other pertinent
 information, and shall amend the codes as deemed appropriate by the
 council.

NEW SECTION

WAC 51-25-003 **UNIFORM FIRE CODE STANDARDS.** The
 1991 edition of the Uniform Fire Code Standards published by the In-
 ternational Conference of Building Officials, and the Western Fire
 Chiefs Association is hereby adopted by reference.

NEW SECTION

WAC 51-25-007 **EXCEPTIONS.** The exceptions and amend-
 ments to the Uniform Fire Code Standards contained in the provisions
 of chapter 19.27 RCW shall apply in case of conflict with any of the
 provisions of these rules.

NEW SECTION

WAC 51-25-008 **IMPLEMENTATION.** The Uniform Fire
 Code Standards adopted by chapter 51-25 WAC shall become effec-
 tive in all counties and cities of this state on July 1, 1992, unless local
 amendments have been approved by the state building code council.

WSR 91-16-116
PROPOSED RULES
BUILDING CODE COUNCIL
 [Filed August 7, 1991, 4:23 p.m.]

Original Notice.

Title of Rule: 1991 Uniform Plumbing Code, chapter
 51-26 WAC.

Purpose: To consider adoption by reference and with
 amendments the 1991 Uniform Plumbing Code, chapter
 51-26 WAC.

Statutory Authority for Adoption: Chapter 19.27
 RCW.

Statute Being Implemented: RCW 19.27.031(4).

Summary: To adopt statewide the 1991 Uniform
 Plumbing Code, chapter 51-26 WAC, by reference and
 with amendments to replace the 1988 Uniform Plumb-
 ing Code with the exception of chapters 11 and 12 as
 provided in RCW 19.27.031(4).

Name of Agency Personnel Responsible for Drafting:
 Joan Cullen, Ninth and Columbia Building, Olympia,
 98504, (206) 586-0667; Implementation: Linda Ramsey,
 Ninth and Columbia Building, Olympia, 98504, (206)
 586-3423; and Enforcement: Local governments.

Name of Proponent: Washington State Building Code
 Council, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Ef-
 fects: The rule would be a statewide adoption of the
 1991 Uniform Plumbing Code, chapter 51-26 WAC, as
 published by the International Association of Plumbing
 and Mechanical Officials, except for chapters 11 and 12,
 and with the addition of the adoption of Appendix C as
 a new chapter, and an amendment to Section 315(f),
 and/or with amendments to Sections 310, 401, 503, and
 1004.

Proposal Changes the Following Existing Rules: If
 adopted with no amendments, two plumbing products
 that were previously allowed for plumbing materials:
 Polybutylene (PB) and the sovent system. However, each
 could still be accepted under Section 201. The adoption
 of Appendix C sets standards for water closets not now
 adopted in all jurisdictions. The amendment to Section
 315(f) requires that pipes in unconditioned spaces be
 wrapped to R-3.

Small Business Economic Impact Statement: If
 adopted with no amendments, businesses in Washington
 that sell or use polybutylene could be impacted because
 the sale of polybutylene would be curtailed. Polybutylene
 would still be allowed under Chapter 2, but each juris-
 diction would then have to approve the use of the mate-
 rial in their jurisdiction. If, however, an amendment al-
 lowing the use of PB is added, there would be no eco-
 nomic impact to small businesses.

Restricting the use of the sovent system could cause
 an economic impact to small general contractors who
 compete with larger companies who do not use the sys-
 tem because the sovent system is less costly to install.

A detailed economic impact statement for these
 charges is attached.

Appendix Chapter C of the Uniform Plumbing Code is proposed for adoption. The appendix requires that additional plumbing fixtures for use by women be installed in assembly areas, institutional buildings, office buildings and other occupancies. Small businesses constructing new buildings may be impacted by the costs of additional water closets. The cost of an additional water closet is estimated at \$500 to \$1500 for labor and materials depending on the type of fixture and the occupancy in which it is installed. The costs of the additional space required are difficult to quantify.

**Small Business Economic Impact Statement
1991 Uniform Plumbing Code**

At question is what economic impact would be incurred by small businesses if the 1991 Uniform Plumbing Code is adopted as written?

There are two changes that have the possibility of an economic impact to small businesses: The use of polybutylene (PB) as a piping material and the sovent system. However, under Section 201, each could still be used with the approval of the local jurisdiction. If approved by local jurisdictions there would be no economic impact on small businesses except for the added cost(s) that may be incurred to "convince" a local jurisdiction to permit the use of the product(s).

Polybutylene is made utilizing a petroleum by-product. As a plumbing material PB costs less to purchase than the traditional copper piping and can take less time to install. Polybutylene can be purchased all over the state in plumbing supply stores.

The sovent system is a single vent piping system manufactured to the specifications of each construction project. It is used in the construction of multi-story structures. It costs less to purchase and to install compared to the traditional two-pipe venting system.

The impact of not allowing the use of polybutylene and/or the sovent system could occur, not to small businesses, but in the increased cost of construction. The cost savings could incur because PB and the sovent system cost less to purchase as well as to install. However, since the higher costs would be paid by the consumer, there would be no economic impact to small businesses.

Polybutylene (PB)

Procedure: A survey was distributed randomly to 112 plumbing contractors and suppliers across the state.

Of the responses received, no one stated that there would be an adverse economic impact if they could no longer sell/use PB. One contractor stated that it would be an "inconvenience" because he would have to buy from the manufacturer and would have to deal with his local jurisdiction to be able to use the product. The rest stated that the impact would be small or not noticeable.

The survey showed that polybutylene is used mostly for repair work, "do-it-yourselfers," and mostly in mobile homes. None stated that the product is used in new construction. One uses polybutylene for radiant hot water slab heat.

There were six replies to the survey question about the cost of PB vs copper. Although it can be shown that PB

costs less, a clear percentage was not shown. Following are the answers:

<u>MATERIAL COSTS</u>		<u>INSTALLATION COSTS</u>	
<u>PB</u>	<u>Copper</u>	<u>PB</u>	<u>Copper</u>
\$100	\$300	\$500	\$700
200	325	450	600
275	525	480	720
280	440	378	644
325	350	400	400
495	600	1300	1600

Conclusion

Cost per employee: Since PB is only a portion of the sales for any of the suppliers, there would be no cost impact per employee, as other products would be sold and/or used.

Cost per hour of labor: Since PB takes less time to install, the cost for labor would be less. However, the cost per hour for that labor would be the same as for copper piping. No impact to small businesses.

Cost per \$100 of sales: This cannot be shown without a great deal of study. However, since the sale of PB is small, the impact would also be small. No business sells only polybutylene.

Sovent System

In Washington, there are no small businesses that sell sovent systems. The only way the sovent system can be purchased is through the one manufacturing representative assigned to the state of Washington. Each system is custom made for each construction job and ordered through the representative of the manufacturer. Therefore, there would be no economic impact for small businesses (either positive or negative) in Washington if the 1991 Uniform Plumbing Code is not amended to allow the sovent system in new construction over three stories.

It could be shown that a small business contractor using the sovent system could compete successfully with a large business contractor as long as the large contractor was bidding on the same job using the conventional system because of the cost savings using the sovent system.

Information was received from out of state firms regarding the sovent system. However, it has been determined that no data exists to establish an economic impact on small business in the state of Washington.

Vergil Conine, Conine Manufacturing Co., Inc. Tyler, Texas: Conine sells the sovent system through its representative who sells to individuals who use the product in plumbing jobs. The cost reduction of using sovent in a project is \$100 per plumbing fixture: Thus in a hotel room there would be a \$300 savings. (Three fixtures.) Overall, it is estimated that by using the sovent system, a ten percent savings is realized.

Nelson Mechanical Contractors, Inc., Pensacola, Florida: In a letter dated November 27, 1990, Gilbert Nelson states that the labor costs would be 25% higher if PVC-DWV is not used.

Cost/Benefit Comparison conducted for the Vinyl Institute by IFT Technical Services, Berkeley, California: On average, the PVC DWV system cost between 16 and 37 percent less to install, even when the extra detailing required for the PVC system was included.

Law Office of Keller and Heckman, Washington D.C.: Economic impact from the consumer point of view, in a seven story condominium. The cost of materials for iron no hub pipe would be \$47,000 – for ABS \$31,000. Labor for iron no hub would be 1,740 hours at \$23/hour or \$40,000 – for ABS 1,156 hours at \$23/hour or \$26,500: Approximately 30% less.

The producer impact cost is stated as being in excess of \$25,000,000 in sales per annum in territories governed by the IAPMO Code. There have been estimates that these costs could be as high as \$35,000,000 to \$40,000,000. However, there is no breakdown of the data showing the loss of business in Washington state.

Conclusion

No economic impact to small businesses in Washington can be shown to exist if the 1991 Uniform Plumbing Code remains as proposed.

Hearing Location: Alpine Ballroom, Seattle Airport Hilton, 17620 Pacific Highway South, SeaTac, WA 96188, on September 20, 1991, at 9 a.m.; and at the Spokane City Hall, City Council Chambers, West 808 Spokane Falls Boulevard, Spokane, WA, on September 13, 1991, at 9:30 a.m.

Submit Written Comments to: Gene Colin, Chair, State Building Code Council, Ninth and Columbia Building, Olympia, Washington 98504, by September 27, 1991.

Date of Intended Adoption: November 8, 1991.

July 12, 1991
Gene Colin
Chair

Chapter 51-26 WAC
STATE BUILDING CODE ADOPTION AND AMENDMENT OF
THE 1991 EDITION OF THE UNIFORM PLUMBING CODE

NEW SECTION

WAC 51-26-001 AUTHORITY. These rules are adopted under the authority of chapter 19.27 RCW.

NEW SECTION

WAC 51-26-002 PURPOSE. The purpose of these rules is to implement the provisions of chapter 19.27 RCW, which provides that the state building code council shall maintain the state Uniform Plumbing Code in a status which is consistent with the purpose as set forth in RCW 19.27.020. In maintaining the codes, the council shall regularly review updated versions of the codes adopted under the act, and other pertinent information, and shall amend the codes as deemed appropriate by the council.

NEW SECTION

WAC 51-26-003 UNIFORM PLUMBING CODE. The 1991 edition of the Uniform Plumbing Code, published by the International Association of Plumbing and Mechanical Officials, is hereby adopted by reference with the following additions, deletions, and exceptions: PROVIDED, That Chapters 11 and 12 of this code are not adopted: PROVIDED FURTHER, That those requirements of the Uniform Plumbing Code relating to venting of appliances as found in Chapter 13 are not adopted.

NEW SECTION

WAC 51-26-004 EXCEPTIONS. The exceptions and amendments to the uniform codes contained in the provisions of chapter 19-27 RCW shall apply in cases of conflict with any of the provisions of these rules.

NEW SECTION

WAC 51-26-008 IMPLEMENTATION. The Uniform Plumbing Code adopted by chapter 51-26 WAC shall become effective in all counties and cities of this state on July 1, 1992, unless local amendments have been approved by the state building code council.

NEW SECTION

WAC 51-26-0300 CHAPTER 3 GENERAL INSTRUCTIONS AND REGULATIONS.

NEW SECTION

WAC 51-26-0310 PROHIBITED FITTINGS AND PRACTICES.

OPTION 1

(a) No double hub fitting, single or double tee branch, single or double tapped tee branch, side inlet quarter bend, running thread, band, or saddle shall be used as a drainage fitting, except that a double hub sanitary tapped tee may be used on a vertical line as a fixture connection.

(b) No drainage or vent piping shall be drilled and tapped for the purpose of making connections thereto, and no cast iron soil pipe shall be threaded.

(c) No waste connection shall be made to a closet bend or stub of a water closet or similar fixture.

(d) Except as hereinafter provided in Sections 613, 614, and 615, no vent pipe shall be used as a soil or waste pipe, nor shall any soil or waste pipe be used as a vent. Also, single stack drainage and venting systems, with unvented branch lines are prohibited.

(e) No fitting, fixture and piping connection, appliance, device or method of installation which obstructs or retards the flow of water, wastes, sewage or air in the drainage or venting systems in an amount greater than the normal frictional resistance to flow, shall be used unless it is indicated as acceptable in this Code or is approved by the Administrative Authority as having a desirable and acceptable function and of ultimate benefit to the proper and continuing functioning of the plumbing system. The enlargement of a three (3) inch (76.2 mm) closet bend or stub to four (4) inches (101.6 mm) shall not be considered an obstruction.

(f) Except for necessary valves, where intermembering or mixing of dissimilar metals occur, the point of connection shall be confined to exposed or accessible locations.

(g) All valves, pipes, and fittings shall be installed in correct relationship to the direction of flow.

OPTION 2

(a) No double hub fitting, single or double tee branch, single or double tapped tee branch, side inlet quarter bend, running thread, band, or saddle shall be used as a drainage fitting, except that a double hub sanitary tapped tee may be used on a vertical line as a fixture connection.

(b) No drainage or vent piping shall be drilled and tapped for the purpose of making connections thereto, and no cast iron soil pipe shall be threaded.

(c) No waste connection shall be made to a closet bend or stub of a water closet or similar fixture.

(d) Except as hereinafter provided in Sections 613, 614, and 615, no vent pipe shall be used as a soil or waste pipe, nor shall any soil or waste pipe be used as a vent.

(e) No fitting, fixture and piping connection, appliance, device or method of installation which obstructs or retards the flow of water, wastes, sewage or air in the drainage or venting systems in an amount greater than the normal frictional resistance to flow, shall be used unless it is indicated as acceptable in this Code or is approved by the Administrative Authority as having a desirable and acceptable function and of ultimate benefit to the proper and continuing functioning of the plumbing system. The enlargement of a three (3) inch (76.2 mm) closet bend or stub to four (4) inches (101.6 mm) shall not be considered an obstruction.

(f) Except for necessary valves, where intermembering or mixing of dissimilar metals occur, the point of connection shall be confined to exposed or accessible locations.

(g) All valves, pipes, and fittings shall be installed in correct relationship to the direction of flow.

NEW SECTION

WAC 51-26-0315 PROTECTION OF PIPING, MATERIALS, AND STRUCTURES. (a) All piping passing under or through walls shall be protected from breakage. All piping passing through or under cinders or other corrosive materials shall be protected from external corrosion in an approved manner. Approved provisions shall be made for expansion of hot water piping. Voids around piping passing through concrete floors on the ground shall be appropriately sealed.

(b) All piping in connection with a plumbing system shall be so installed that piping or connections will not be subject to undue strains or stresses, and provisions shall be made for expansion, contraction, and structural settlement. No piping shall be directly embedded in concrete or masonry walls or footings. No structural member shall be seriously weakened or impaired by cutting, notching, or otherwise.

(c) All trenches deeper than the footing of any building or structure and paralleling the same must be at least forty-five (45) degrees therefrom, unless permission be otherwise granted by the Administrative Authority.

(d) No building sewer or other drainage piping or part thereof, constructed of materials other than those approved for use under or within a building, shall be installed under or within two (2) feet (.6 m) of any building or structure, or less than one (1) foot (.3 m) below the surface of the ground.

(e) Piping subject to undue corrosion, erosion, or mechanical damage shall be protected in an approved manner.

(f) No water, soil, or waste pipe shall be installed or permitted outside of a building or in an exterior wall unless, where necessary, adequate provision is made to protect such pipe from freezing. All hot and cold water pipes installed outside the conditioned space shall be insulated to a minimum R-3.

NEW SECTION

WAC 51-26-0400 CHAPTER 4 DRAINAGE SYSTEMS.

NEW SECTION

WAC 51-26-0401 MATERIALS.

OPTION 1

(a) Drainage piping shall be cast iron, galvanized steel, galvanized wrought iron, lead, copper, brass, Schedule 40 ABS DWV, Schedule 40 PVC DWV, extra strength vitrified clay pipe, or other approved materials having a smooth and uniform bore, except that:

(1) No galvanized wrought iron or galvanized steel pipe shall be used underground and shall be kept at least six (6) inches (152.4 mm) above ground.

(2) ABS and PVC DWV piping installations shall be limited to structures not exceeding three floors above grade. For the purpose of this subsection, the first floor of a building shall be that floor that has fifty (50) percent or more of the exterior wall surface area level with or above finished grade. One additional level that is the first level and not designed for human habitation and used only for vehicle parking, storage, or similar use shall be permitted.

(3) No vitrified clay pipe or fittings shall be used above ground or where pressurized by a pump or ejector. They shall be kept at least twelve (12) inches (.3 m) below ground.

(b) Drainage fittings shall be of cast iron, malleable iron, lead, brass, copper, ABS, PVC, vitrified clay, or other approved materials having a smooth interior waterway of the same diameter as the piping served and all such fittings shall be compatible with the type of pipe used.

(1) Fittings on screwed pipe shall be of the recessed drainage type. Burred ends shall be reamed to the full bore of the pipe.

(2) The threads of drainage fittings shall be tapped so as to allow one-fourth (1/4) inch per foot (20.9 mm/m) grade.

OPTION 2

(a) Drainage piping shall be cast iron, galvanized steel, galvanized wrought iron, lead, copper, brass, Schedule 40 ABS DWV, Schedule 40 PVC DWV, extra strength vitrified clay pipe, or other approved materials having a smooth and uniform bore, except that:

(1) No galvanized wrought iron or galvanized steel pipe shall be used underground and shall be kept at least six (6) inches (152.4 mm) above ground.

(2) No vitrified clay pipe or fittings shall be used above ground or where pressurized by a pump or ejector. They shall be kept at least

twelve (12) inches (.3 m) below ground.

(b) Drainage fittings shall be of cast iron, malleable iron, lead, brass, copper, ABS, PVC, vitrified clay, or other approved materials having a smooth interior waterway of the same diameter as the piping served and all such fittings shall be compatible with the type of pipe used.

(1) Fittings on screwed pipe shall be of the recessed drainage type. Burred ends shall be reamed to the full bore of the pipe.

(2) The threads of drainage fittings shall be tapped so as to allow one-fourth (1/4) inch per foot (20.9 mm/m) grade.

NEW SECTION

WAC 51-26-0500 CHAPTER 5 VENTS AND VENTING.

NEW SECTION

WAC 51-26-0503 MATERIALS.

OPTION 1

(a) Vent pipe shall be cast iron, galvanized steel, galvanized wrought iron, lead, copper, brass, Schedule 40 ABS DWV, Schedule 40 PVC DWV or other approved materials having a smooth and uniform bore except that:

(1) No galvanized wrought iron or galvanized steel pipe shall be used underground and shall be kept at least six (6) inches above ground.

(2) ABS and PVC DWV piping installations shall be limited to structures not exceeding three floors above grade. For the purpose of this subsection, the first floor of a building shall be that floor that has fifty (50) percent or more of the exterior wall surface area level with or above finished grade. One additional level that is the first level and not designed for human habitation and used only for vehicle parking, storage, or similar use shall be permitted.

(b) Vent fittings shall be cast iron, galvanized malleable iron or galvanized steel, lead, copper, brass, ABS, PVC, or other approved materials, except that no galvanized malleable iron or galvanized steel fittings shall be used underground and shall be kept at least six (6) inches (152.4 mm) above ground.

(c) Changes in direction of vent piping shall be made by the appropriate use of approved fittings and no such pipe shall be strained or bent. Burred ends shall be reamed to the full bore of the pipe.

OPTION 2

(a) Vent pipe shall be cast iron, galvanized steel, galvanized wrought iron, lead, copper, brass, Schedule 40 ABS DWV, Schedule 40 PVC DWV or other approved materials having a smooth and uniform bore except that:

(1) No galvanized wrought iron or galvanized steel pipe shall be used underground and shall be kept at least six (6) inches above ground.

(b) Vent fittings shall be cast iron, galvanized malleable iron or galvanized steel, lead, copper, brass, ABS, PVC, or other approved materials, except that no galvanized malleable iron or galvanized steel fittings shall be used underground and shall be kept at least six (6) inches (152.4 mm) above ground.

(c) Changes in direction of vent piping shall be made by the appropriate use of approved fittings and no such pipe shall be strained or bent. Burred ends shall be reamed to the full bore of the pipe.

NEW SECTION

WAC 51-26-1000 CHAPTER 10 WATER DISTRIBUTION.

NEW SECTION

WAC 51-26-1004 MATERIALS.

OPTION 1

(a) Water pipe and fittings shall be of brass, copper, cast iron, galvanized malleable iron, galvanized wrought iron, galvanized steel, or other approved materials. Asbestos-cement, CPVC, PE, or PVC water pipe manufactured to recognized standards may be used for cold water distribution systems outside a building. CPVC water pipe and tubing may be used for hot and cold water distribution systems within a building. All materials used in the water supply system, except valves and similar devices shall be of a like material, except where otherwise approved by the Administrative Authority.

(b) Cast iron fittings up to and including two (2) inches (50.8 mm) in size, when used in connection with potable water piping shall be galvanized.

(c) All malleable iron water fittings shall be galvanized.

(d) Piping and tubing which has previously been used for any purpose other than for potable water systems shall not be used.

(e) Approved plastic materials may be used in water service piping, provided that where metal water service piping is used for electrical grounding purposes, replacement piping therefore shall be of like materials.

EXCEPTION: Where a grounding system, acceptable to the Administrative Authority is installed, inspected, and approved, metallic pipe may be replaced with non-metallic pipe.

(f) Solder shall conform to the requirements of Section 802(d).

(g) Water pipe and fittings with a lead content which exceeds eight (8) percent shall be prohibited in piping systems used to convey potable water.

OPTION 2

(a) Water pipe and fittings shall be of brass, copper, cast iron, galvanized malleable iron, galvanized wrought iron, galvanized steel, or other approved materials. Asbestos-cement, CPVC, PB, PE, or PVC water pipe manufactured to recognized standards may be used for cold water distribution systems outside a building. CPVC and PB water pipe and tubing may be used for hot and cold water distribution systems within a building. All materials used in the water supply system, except valves and similar devices shall be of a like material, except where otherwise approved by the Administrative Authority.

(b) Cast iron fittings up to and including two (2) inches (50.8 mm) in size, when used in connection with potable water piping shall be galvanized.

(c) All malleable iron water fittings shall be galvanized.

(d) Piping and tubing which has previously been used for any purpose other than for potable water systems shall not be used.

(e) Approved plastic materials may be used in water service piping, provided that where metal water service piping is used for electrical grounding purposes, replacement piping therefore shall be of like materials.

EXCEPTION: Where a grounding system, acceptable to the Administrative Authority is installed, inspected, and approved, metallic pipe may be replaced with non-metallic pipe.

(f) Solder shall conform to the requirements of Section 802(d).

(g) Water pipe and fittings with a lead content which exceeds eight (8) percent shall be prohibited in piping systems used to convey potable water.

NEW SECTION

WAC 51-26-1800 CHAPTER 18 WATER CONSERVATION PERFORMANCE STANDARDS.

NEW SECTION

WAC 51-26-1801 DECLARATION OF PURPOSE. The purpose of this chapter shall be to implement water conservation performance standards in accordance with RCW 19.27.170. Cities, towns, and counties are prohibited from amending the standards established for low water consumption plumbing fixtures contained within this chapter.

NEW SECTION

WAC 51-26-1802 APPLICATION. This chapter shall apply to all new construction and all remodeling involving replacement of plumbing fixtures in all residential, hotel, motel, school, industrial, commercial use, or other occupancies determined by the council to use significant quantities of water.

NEW SECTION

WAC 51-26-1803 WATER EFFICIENCY STANDARDS. (1) Standards for waterclosets. The guideline for maximum water use allowed in gallons per flush (gpf) for any of the following waterclosets is the following:

Tank-type toilets	3.5 gpf
Flushometer-valve toilets	3.5 gpf
Flushometer-tank toilets	3.5 gpf
Electromechanical hydraulic toilets	3.5 gpf

(2) Standard for urinals. The guideline for maximum water use allowed for any urinal is 3.0 gallons per flush.

(3) Standard for showerheads. The guideline for maximum water use allowed for any showerhead is 3.0 gallons per minute.

(4) Standards for faucets. The guideline for maximum water use allowed in gallons per minute (gpm) for any of the following faucets and replacement aerators is the following:

Bathroom faucets	3.0 gpm
Lavatory faucets	3.0 gpm
Kitchen faucets	3.0 gpm
Replacement aerators	3.0 gpm

(5) No urinal or watercloset that operates on a continuous flow or continuous flush basis shall be permitted.

NEW SECTION

WAC 51-26-1804 EXCEPTIONS. Except where designed and installed for use by the physically handicapped, lavatory faucets located in restrooms intended for use by the general public must be equipped with a metering valve designed to close by spring or water pressure when left unattended (self-closing).

NEW SECTION

WAC 51-26-1805 IMPLEMENTATION. The standards for water efficiency contained in WAC 51-18-030 shall be in effect as of July 1, 1990, as provided in RCW 19.27.170.

NEW SECTION

WAC 51-26-2200 CHAPTER 22 MINIMUM PLUMBING FACILITIES.

Each building shall be provided with sanitary facilities, including provisions for the physically handicapped as prescribed by the Department having jurisdiction. In the absence of such requirements, this Appendix--which provides a guideline for the minimum facilities for the various types of occupancies (see Section 910, Plumbing Fixtures Required, of the Uniform Plumbing Code) may be used. For handicapped requirements ANSI A117.1-1961 (R1971), Specifications for Making Buildings and Facilities Accessible to, and Usable by, the Physically Handicapped, may be used.

The number of occupants shall be that determined by minimum exiting requirements.

Type of Building or Occupancy	Water Closets (Fixtures per Person)		Urinals ¹⁰ (Fixtures per Person)	Lavatories (Fixtures per Person)		Bathtubs or Showers (Fixtures per Person)	Drinking Fountains ^{3,13} (Fixtures per Person)
	Male	Female ¹⁴		Male	Female		
Assembly Places-Theaters, Auditoriums, Convention Halls, etc.--for permanent employee use	1:1-15 2:16-35 3:36-55	1:1-15 3:16-35 4:36-55	0:1-9 1:10-50	1 per 40	1 per 50		
	Over 55, add 1 fixture for each additional 40 persons.		Add one fixture for each additional 50 males.				
Assembly Places-Theaters, Auditoriums, Convention Halls, etc.--for public use	1:1-100 2:101-200 3:201-400	3:1-50 4:51-100 8:101-200 11:201-400	1:1-100 2:101-200 3:201-400 4:401-600	1:1-200 2:201-400 3:401-750	1:1-200 2:201-400 3:401-750		1 per 75 ¹²
	Over 400, add one fixture for each additional 500 males and 2 for each 300 females.		Over 600, add 1 fixture for each additional 500 males.		Over 750, add one fixture for each additional 500 persons.		
Dormitories ⁹ School or Labor	1 per 10	1 per 8	1 per 25	1 per 12	1 per 12	1 per 8	1 per 75 ¹²
	Add 1 fixture for each additional 25 males (over 10) and 1 for each additional 20 females (over 8).		Over 150, add 1 fixture for each additional 50 males.		Over 12 add one fixture for each additional 20 males and 1 for each 15 additional females.		For females, add 1 bathtub per 30. Over 150, add 1 per 20.
Dormitories for staff use	1:1-15 2:16-35 3:36-55	1:1-15 3:16-35 4:36-55	1 per 50	1 per 40	1 per 40	1 per 8	
	Over 55, add 1 fixture for each additional 40 persons.						
Dwellings ⁴ Single Dwelling Multiple Dwelling or Apartment House	1 per dwelling	1 per dwelling or apartment unit		1 per dwelling	1 per dwelling or apartment unit	1 per dwelling	1 per dwelling or apartment unit

Type of Building or Occupancy	Water Closets (Fixtures per Person)	Urinals ¹⁰ (Fixtures per Person)	Lavatories (Fixtures per Person)	Bathtubs or Showers (Fixtures per Person)	Drinking Fountains ^{3,13} (Fixtures per Person)
Hospital Waiting rooms	1 per room		1 per room		1 per 75 ¹²
Hospital for employee use	Male 1:1-15 2:16-35 3:36-55 Over 55, add 1 fixture for each additional 40 persons.	Female 1:1-15 3:16-35 4:36-55	0:1-9 1:10-50 Add one fixture for each additional 50 males.	Male 1 per 40 Female 1 per 40	
Hospitals Individual Room	1 per room		1 per room	1 per room	1 per 75 ¹²
Ward Room	1 per 8 patients		1 per 10 patients	1 per 20 patients	
Industrial ⁶ Warehouses, Workshops, foundries and similar establishments (for employee use)	Male 1:1-10 2:11-25 3:26-50 4:51-75 5:76-100 Over 100, add 1 fixture for each additional 30 persons	Female 1:1-10 2:11-25 3:26-50 4:51-75 5:76-100	Up to 100, 1 per 10 persons Over 100, 1 per 15 persons ^{7,8}	1 shower for each 15 persons exposed to excessive heat or to skin contamination with poisonous, infectious, or irritating material	1 per 75 ¹²
Institutional- Other than Hospitals or Penal Institutions (on each occupied floor)	Male 1 per 25 Female ¹⁴ 1 per 20	0:1-9 1:10-50 Add one fixture for each additional 50 males.	Male 1 per 10 Female 1 per 10	1 per 8	1 per 75 ¹²
Institutional- Other than Hospitals or Penal Institutions (on each occupied floor) For employee use	Male 1:1-15 2:16-35 3:36-55 Over 55, add 1 fixture for each additional 40 persons	Female ¹⁴ 1:1-15 3:16-35 4:36-55	0:1-9 1:10-50 Add one fixture for each additional 50 males.	Male 1 per 40 Female 1 per 40	1 per 8 1 per 75 ¹²
Office or Public Buildings	Male 1:1-100 2:101-200 3:201-400 4:401-600 Over 400, add one fixture for each additional 500 males and 2 for each 300 females.	Female ¹⁴ 3:1-50 4:51-100 8:101-200 11:201-400	1:1-100 2:101-200 3:201-400 4:401-600 Over 600, add 1 fixture for each additional 300 males.	Male 1:1-200 2:201-400 3:401-750 Female 1:1-200 2:201-400 3:401-750 Over 750, add one fixture fore each additional 500 persons.	1 per 75 ¹²
Office or Public buildings- For employee use	Male 1:1-15 2:16-35 3:36-55	Female ¹⁴ 1:1-15 3:16-35 4:36-55	Over 55, add 1 fixture for each additional 40 persons.	0:1-9 1:10-50	Add one fixture for each additional 50 males. Male 1 per 40 Female 1 per 40

Type of Building or Occupancy ²	Water Closets (Fixtures per Person)		Urinals ¹⁰ (Fixtures per Person)	Lavatories (Fixtures per Person)		Bathtubs or Showers (Fixtures per Person)	Drinking Fountains ^{3,13} (Fixtures per Person)
	Male	Female		Male	Female		
Penal Institutions- For employee use	1:1-15 2:16-35 3:36-55	1:1-15 3:16-35 4:36-55	0:1-9 1:10-50	1 per 40	1 per 40		1 per 75 ¹²
	Over 55, add 1 fixture for each additional 40 persons.		Add one fixture for each additional 50 males.				
Penal Institutions- For prison use							
Cell	1 per cell			1 per cell			1 per cell block floor
Exercise room	1 per exercise room		1 per exercise room	1 per exercise room			1 per exercise room
Restaurants, ¹¹ Pubs and Lounges	1:1-50 2:51-150 3:151-300	1:1-50 2:51-150 4:151-300	1:1-150	1:1-150 2:151-200 3:201-400	1:1-150 2:151-200 3:201-400		
	Over 300, add 1 fixture for each additional 200 persons		Over 150, add 1 fixture for each additional 150 males	Over 400, add 1 fixture for each additional 400 persons			
Schools-For staff use	1:1-15 2:16-35 3:36-55	1:1-15 2:16-35 3:36-55	1 per 50	1 per 40	1 per 40		
All schools	Over 55, add 1 fixture for each additional 40 persons						
Schools-For student use	1:1-20 2:21-50	1:1-20 2:21-50		1:1-25 2:26-50	1:1-25 2:26-50		1 per 75 ¹²
Nursery	Over 50, add 1 fixture for each additional 50 persons			Over 50, add 1 fixture for each additional 50 persons			
Elementary	1 per 30	1 per 25	1 per 75	1 per 35	1 per 35		1 per 75 ¹²
Secondary	1 per 40	1 per 30	1 per 35	1 per 40	1 per 40		1 per 75 ¹²
Others (Colleges, Universities, Adult Centers, etc.)	1 per 40	1 per 30	1 per 35	1 per 40	1 per 40		1 per 75 ¹²
Worship Places Educational and Activities Unit	1 per 125	Female ¹⁴ 1 per 75	1 per 125	1 per 2 water closets			1 per 75 ¹²
	2:126-250	2:76-125 3:126-250					
Worship Places Principal Assembly Place	1 per 150	Female ¹⁴ 1 per 75	1 per 150	1 per 2 water closets			1 per 75 ¹²
	2:151-300	2:76-150 3:151-300					

Whenever urinals are provided, one (1) water closet less than the number specified may be provided for each urinal installed, except the number of water closets in such cases shall not be reduced to less than two-thirds (2/3) of the minimum specified.

1. The figures shown are based upon one (1) fixture being the minimum required for the number of persons indicated or any fraction thereof.
2. Building categories not shown on this table shall be considered separately by the Administrative Authority.
3. Drinking fountains shall not be installed in toilet rooms.
4. Laundry trays. One (1) laundry tray or one (1) automatic washer standpipe for each dwelling unit or two (2) laundry trays or two (2) automatic washer standpipes, or combination thereof, for each ten (10) apartments. Kitchen sinks, one (1) for each dwelling or apartment unit.
5. Deleted.
6. As required by ANSI Z4.1-1968, Sanitation in Places of Employment.
7. Where there is exposure to skin contamination with poisonous, infectious, or irritating materials, provide one (1) lavatory for each five (5) persons.
8. Twenty-four (24) lineal inches (609.6 mm) of wash sink or eighteen (18) inches (457.2 mm) of a circular basin, when provided with water outlets for such space, shall be considered equivalent to one (1) lavatory.
9. Laundry trays, one (1) for each fifty (50) persons. Slop sinks, one (1) for each hundred (100) persons.
10. General. In applying this schedule of facilities, consideration must be given to the accessibility of fixtures. Conformity purely on a numerical basis may not result in an installation suited to the need of the individual establishment. For example, schools should be provided with toilet facilities on each floor having classrooms. Temporary workmen facilities, one (1) water closet and one (1) urinal for each thirty (30) workmen.
 - a. Surrounding materials, wall and floor space to a point two (2) feet (0.6 m) in front of urinal lip and four (4) feet (1.2 m) above the floor, and at least two (2) feet (0.6 m) to each side of the urinal shall be lined with non-absorbent materials.
 - b. Trough urinals are prohibited.
11. A restaurant is defined as a business which sells food to be consumed on the premises.
 - a. The number of occupants for a drive-in restaurant shall be considered as equal to the number of parking stalls.
 - b. Employee toilet facilities are not to be included in the above restaurant requirements. Hand washing facilities must be available in the kitchen for employees.
12. Where food is consumed indoors, water stations may be substituted for drinking fountains. Theatres, auditoriums, dormitories, offices, or public buildings for use by more than six (6) persons shall have one (1) drinking fountain for the first seventy-five (75) persons and one (1) additional fountain for each one hundred and fifty (150) persons thereafter.
13. There shall be a minimum of one (1) drinking fountain per occupied floor in schools, theatres, auditoriums, dormitories, offices or public building.
14. The total number of water closets for females shall be at least equal to the total number of water closets and urinals required for males.

NEW SECTION

WAC 51-26-2300 CHAPTER 23 RAINWATER SYSTEMS.

NEW SECTION

WAC 51-26-2301 D1 MATERIALS.

OPTION 1

(a) Rainwater piping placed within the interior of a building or run within a vent or shaft shall be of cast iron, galvanized steel, wrought iron, brass, copper, lead, Schedule 40 ABS DWV, Schedule 40 PVC DWV, or other approved materials. ABS and PVC DWV piping installations shall be limited to structures not exceeding three floors above grade. For the purpose of this subsection, the first floor of a building shall be that floor that has fifty (50) percent or more of the exterior wall surface area level with or above finished grade. One (1) additional level that is the first level and not designed for human habitation and used only for vehicle parking, storage, or similar use shall be permitted.

(b) Rainwater piping located on the exterior of a building shall be not less than 26 ga. galvanized sheet metal. When the conductor is connected to a building storm drain or storm sewer, a drain connection shall be extended above the finished grade and jointed at a point protected from injury.

(c) Rainwater piping located underground within a building shall be of service weight cast iron soil pipe, Type DWV copper tube, Schedule 40 ABS DWV, Schedule 40 PVC DWV, extra strength vitrified clay pipe, or other approved materials.

(d) Rainwater piping commencing two (2) feet (.6 m) from the exterior of a building may be of any approved material permitted in the Installation Requirements of this Code.

OPTION 2

(a) Rainwater piping placed within the interior of a building or run within a vent or shaft shall be of cast iron, galvanized steel, wrought iron, brass, copper, lead, Schedule 40 ABS DWV, Schedule 40 PVC DWV or other approved materials.

(b) Rainwater piping located on the exterior of a building shall be not less than 26 ga. galvanized sheet metal. When the conductor is connected to a building storm drain or storm sewer, a drain connection shall be extended above the finished grade and jointed at a point protected from injury.

(c) Rainwater piping located underground within a building shall be of service weight cast iron soil pipe, Type DWV copper tube, Schedule 40 ABS DWV, Schedule 40 PVC DWV, extra strength vitrified clay pipe, or other approved materials.

(d) Rainwater piping commencing two (2) feet (.6 m) from the exterior of a building may be of any approved material permitted in the Installation Requirements of this Code.

WSR 91-16-117**PROPOSED RULES****BUILDING CODE COUNCIL**

[Filed August 7, 1991, 4:24 p.m.]

Original Notice.

Title of Rule: 1991 Uniform Plumbing Code Standards, chapter 51-27 WAC.

Purpose: To consider adoption by reference the 1991 Uniform Plumbing Code Standards, chapter 51-27 WAC.

Statutory Authority for Adoption: Chapter 19.27 RCW.

Statute Being Implemented: RCW 19.27.031(4).

Summary: To adopt statewide the 1991 Uniform Plumbing Code Standards, chapter 51-27 WAC as provided in RCW 19.27.031(4).

Name of Agency Personnel Responsible for Drafting: Joan Cullen, Ninth and Columbia Building, Olympia,

98504, (206) 586-0667; Implementation: Linda Ramsey, Ninth and Columbia Building, Olympia, 98504, (206) 586-3423; and Enforcement: Local governments.

Name of Proponent: State Building Code Council, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The rule would be a statewide adoption of the 1991 Uniform Plumbing Code Standards, chapter 51-27 WAC as published by the International Association of Plumbing and Mechanical Officials.

Proposal does not change existing rules.

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

Hearing Location: Alpine Ballroom, Seattle Airport Hilton, 17620 Pacific Highway South, SeaTac, WA 98188, on September 20, 1991, at 9 a.m.; and at the Spokane City Hall, City Council Chambers, West 808 Spokane Falls Boulevard, Spokane, WA, on September 13, 1991, at 9:30 a.m.

Submit Written Comments to: Gene Colin, Chair, State Building Code Council, Ninth and Columbia Building, Olympia, Washington 98504, by September 27, 1991.

Date of Intended Adoption: November 8, 1991.

July 12, 1991

Gene J. Colin

Chair

Chapter 51-27 WAC
STATE BUILDING CODE ADOPTION OF THE 1991 EDITION
OF THE UNIFORM PLUMBING CODE STANDARDS

NEW SECTION

WAC 51-27-001 AUTHORITY. These rules are adopted under the authority of chapter 19.27 RCW.

NEW SECTION

WAC 51-27-002 PURPOSE. The purpose of these rules is to implement the provisions of chapter 19.27 RCW, which provides that the state building code council shall maintain the state Uniform Plumbing Code in a status which is consistent with the purpose as set forth in RCW 19.27.020. In maintaining the codes, the council shall regularly review undated versions of the codes adopted under the act, and other pertinent information, shall amend the codes as deemed appropriate by the council.

NEW SECTION

WAC 51-27-003 UNIFORM PLUMBING CODE STANDARDS. The 1991 edition of the Uniform Plumbing Code Standards, published by the International Association of Plumbing and Mechanical Officials is hereby adopted by reference.

NEW SECTION

WAC 51-27-004 EXCEPTIONS. The exceptions and amendments to the Uniform Codes contained in the provisions of chapter 19.27 RCW shall apply in cases of conflict with any of the provisions of these rules.

NEW SECTION

WAC 51-27-008 IMPLEMENTATION. The Uniform Plumbing Code Standards adopted by chapter 51-27 WAC shall become effective in all counties and cities of this state on July 1, 1992, unless local amendments have been approved by the state building code council.

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

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.

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

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	1-21-040	PREP	91-12-007
1-08-100	REP	91-10-010	1-08-350	REP	91-10-010	4-25-190	AMD-P	91-14-091
1-08-110	REP-P	91-06-067	1-08-360	REP-P	91-06-067	4-25-190	AMD-P	91-14-090
1-08-110	REP	91-10-010	1-08-360	REP	91-10-010	4-25-192	NEW-P	91-14-090
1-08-120	REP-P	91-06-067	1-08-370	REP-P	91-06-067	16-22-011	NEW-P	91-13-106
1-08-120	REP	91-10-010	1-08-370	REP	91-10-010	16-22-011	NEW	91-16-005
1-08-130	REP-P	91-06-067	1-08-380	REP-P	91-06-067	16-22-015	NEW-P	91-13-106
1-08-130	REP	91-10-010	1-08-380	REP	91-10-010	16-22-015	NEW	91-16-005
1-08-140	REP-P	91-06-067	1-08-390	REP-P	91-06-067	16-23-012	NEW-P	91-13-106
1-08-140	REP	91-10-010	1-08-390	REP	91-10-010	16-23-012	NEW	91-16-005
1-08-150	REP-P	91-06-067	1-08-400	REP-P	91-06-067	16-23-014	NEW-P	91-13-106
1-08-150	REP	91-10-010	1-08-400	REP	91-10-010	16-23-014	NEW	91-16-005
1-08-160	REP-P	91-06-067	1-08-410	REP-P	91-06-067	16-80-005	NEW-P	91-05-076
1-08-160	REP	91-10-010	1-08-410	REP	91-10-010	16-80-005	NEW	91-08-027
1-08-170	REP-P	91-06-067	1-08-420	REP-P	91-06-067	16-80-007	NEW-P	91-05-076
1-08-170	REP	91-10-010	1-08-420	REP	91-10-010	16-80-007	NEW	91-08-027
1-08-180	REP-P	91-06-067	1-08-430	REP-P	91-06-067	16-80-010	NEW-P	91-05-076
1-08-180	REP	91-10-010	1-08-430	REP	91-10-010	16-80-010	NEW	91-08-027
1-08-190	REP-P	91-06-067	1-08-440	REP-P	91-06-067	16-80-015	NEW-P	91-05-076
1-08-190	REP	91-10-010	1-08-440	REP	91-10-010	16-80-015	NEW	91-08-027
1-08-200	REP-P	91-06-067	1-08-450	REP-P	91-06-067	16-80-020	NEW-P	91-05-076
1-08-200	REP	91-10-010	1-08-450	REP	91-10-010	16-80-020	NEW	91-08-027
1-08-210	REP-P	91-06-067	1-08-460	REP-P	91-06-067	16-80-025	NEW-P	91-05-076
1-08-210	REP	91-10-010	1-08-460	REP	91-10-010	16-80-025	NEW	91-08-027
1-08-220	REP-P	91-06-067	1-08-470	REP-P	91-06-067	16-80-030	NEW-P	91-05-076
1-08-220	REP	91-10-010	1-08-470	REP	91-10-010	16-80-030	NEW	91-08-027
1-08-230	REP-P	91-06-067	1-08-480	REP-P	91-06-067	16-80-035	NEW-P	91-05-076
1-08-230	REP	91-10-010	1-08-480	REP	91-10-010	16-80-035	NEW	91-08-027

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
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16-80-040	NEW	91-08-027	16-230-110	REP	91-06-019	16-231-420	AMD-P	91-02-106
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16-80-045	NEW	91-08-027	16-230-115	REP	91-06-019	16-231-425	AMD-P	91-02-106
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16-80-050	NEW	91-08-027	16-230-150	AMD	91-08-058	16-231-505	AMD-P	91-02-106
16-122-001	NEW-P	91-13-106	16-230-160	AMD-P	91-04-078	16-231-505	AMD	91-06-019
16-122-001	NEW	91-16-005	16-230-160	AMD	91-08-058	16-231-510	AMD-P	91-02-106
16-124-011	NEW-P	91-13-106	16-230-170	AMD-P	91-04-078	16-231-510	AMD	91-06-019
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16-146-100	NEW-P	91-13-106	16-230-190	AMD-P	91-04-078	16-231-530	AMD	91-06-019
16-146-100	NEW	91-16-005	16-230-190	AMD	91-08-058	16-231-600	AMD-P	91-02-106
16-146-110	NEW-P	91-13-106	16-230-400	AMD-P	91-02-106	16-231-600	AMD	91-06-019
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16-154	AMD-P	91-05-006	16-230-410	AMD-P	91-02-106	16-231-605	AMD	91-06-019
16-154	AMD	91-09-028	16-230-410	AMD	91-06-019	16-231-610	AMD-P	91-02-106
16-154-010	AMD-P	91-05-006	16-230-440	AMD-P	91-02-106	16-231-610	AMD	91-06-019
16-154-010	AMD	91-09-028	16-230-440	AMD	91-06-019	16-231-615	AMD-P	91-02-106
16-154-020	AMD-P	91-05-006	16-230-450	AMD-P	91-02-106	16-231-615	AMD	91-06-019
16-154-020	AMD	91-09-028	16-230-450	AMD	91-06-019	16-231-620	AMD-P	91-02-106
16-154-020	REP-P	91-15-067	16-230-460	AMD-P	91-02-106	16-231-620	AMD	91-06-019
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16-154-030	NEW	91-09-028	16-230-470	AMD-P	91-02-106	16-231-700	AMD	91-06-019
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16-154-070	NEW-P	91-05-006	16-230-610	AMD	91-06-019	16-231-800	AMD-P	91-02-106
16-154-070	NEW	91-09-028	16-230-615	AMD-P	91-02-106	16-231-800	AMD	91-06-019
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16-154-090	NEW	91-09-028	16-230-670	AMD-P	91-02-106	16-231-825	AMD	91-06-019
16-154-100	NEW-P	91-05-006	16-230-670	AMD	91-06-019	16-231-840	AMD-P	91-02-106
16-154-100	NEW	91-09-028	16-230-675	AMD-P	91-02-106	16-231-840	AMD	91-06-019
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16-154-120	NEW	91-09-028	16-231-033	REP-P	91-02-106	16-231-905	AMD	91-06-019
16-156-005	AMD-P	91-05-006	16-231-033	REP	91-06-019	16-231-935	AMD-P	91-02-106
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16-156-020	AMD-P	91-05-006	16-231-100	AMD	91-06-019	16-231-938	REP-P	91-02-106
16-156-020	AMD	91-09-028	16-231-148	REP-P	91-02-106	16-231-938	REP	91-06-019
16-156-035	AMD-P	91-05-006	16-231-148	REP	91-06-019	16-231-950	REP-P	91-02-106
16-156-035	AMD	91-09-028	16-231-200	AMD-P	91-02-106	16-231-950	REP	91-06-019
16-156-060	AMD-P	91-05-006	16-231-200	AMD	91-06-019	16-232-001	AMD-P	91-02-106
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16-158-120	AMD-P	91-05-006	16-231-205	AMD	91-06-019	16-232-100	AMD-P	91-02-106
16-158-120	AMD	91-09-028	16-231-210	AMD-P	91-02-106	16-232-100	AMD	91-06-019
16-160-010	NEW	91-05-007	16-231-210	AMD	91-06-019	16-232-105	AMD-P	91-02-106
16-160-020	NEW	91-05-007	16-231-235	AMD-P	91-02-106	16-232-105	AMD	91-06-019
16-160-030	NEW	91-05-007	16-231-235	AMD	91-06-019	16-232-110	AMD-P	91-02-106
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16-160-060	NEW	91-05-007	16-231-300	AMD-P	91-02-106	16-232-120	AMD	91-06-019
16-160-060	AMD-P	91-15-067	16-231-300	AMD	91-06-019	16-232-200	AMD-P	91-02-106
16-160-070	NEW	91-05-007	16-231-305	AMD-P	91-02-106	16-232-200	AMD	91-06-019
16-160-090	NEW	91-05-007	16-231-305	AMD	91-06-019	16-232-205	AMD-P	91-02-106
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16-212-125	NEW-P	91-13-106	16-231-310	AMD	91-06-019	16-232-220	AMD-P	91-02-106
16-212-125	NEW	91-16-005	16-231-330	AMD-P	91-02-106	16-232-220	AMD	91-06-019
16-212-126	NEW-P	91-13-106	16-231-330	AMD	91-06-019	16-232-225	AMD-P	91-02-106
16-212-126	NEW	91-16-005	16-231-340	AMD-P	91-02-106	16-232-225	AMD	91-06-019
16-212-127	NEW-P	91-13-106	16-231-340	AMD	91-06-019	16-232-300	AMD-P	91-02-106
16-212-127	NEW	91-16-005	16-231-343	REP-P	91-02-106	16-232-300	AMD	91-06-019
16-212-128	NEW-P	91-13-106	16-231-343	REP	91-06-019	16-232-305	AMD-P	91-02-106
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16-228-020	NEW-P	91-13-106	16-231-400	AMD	91-06-019	16-232-315	AMD-P	91-02-106
16-228-020	NEW	91-16-005	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

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16-304-050	AMD-P	91-15-099	16-470-510	AMD-P	91-15-100	16-484-205	NEW-P	91-10-095
16-316-280	AMD-P	91-04-066	16-470-520	AMD-P	91-15-100	16-484-205	NEW	91-13-026
16-316-280	AMD	91-08-017	16-470-530	AMD-P	91-15-100	16-484-210	NEW-E	91-06-035
16-316-285	AMD-P	91-04-066	16-470-533	NEW-P	91-15-100	16-484-210	NEW-P	91-10-095
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16-316-290	AMD-P	91-04-066	16-471-010	NEW	91-03-046	16-484-220	NEW-E	91-06-035
16-316-290	AMD	91-08-017	16-471-015	NEW	91-03-046	16-484-220	NEW-P	91-10-095
16-316-620	AMD-P	91-10-082	16-471-020	NEW	91-03-046	16-484-220	NEW	91-13-026
16-316-620	AMD	91-14-001	16-471-030	NEW	91-03-046	16-484-230	NEW-E	91-06-035
16-316-622	AMD-P	91-10-082	16-471-040	NEW	91-03-046	16-484-230	NEW-P	91-10-095
16-316-622	AMD	91-14-001	16-471-050	NEW	91-03-046	16-484-230	NEW	91-13-026
16-316-715	AMD-P	91-10-082	16-471-060	NEW	91-03-046	16-484-240	NEW-E	91-06-035
16-316-715	AMD	91-14-001	16-471-070	NEW	91-03-046	16-484-240	NEW-P	91-10-095
16-316-800	AMD-P	91-10-082	16-471-080	NEW	91-03-046	16-484-240	NEW	91-13-026
16-316-800	AMD	91-14-001	16-481	PREP	91-10-013	16-484-250	NEW-E	91-06-035
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16-316-820	AMD	91-14-001	16-481-015	NEW-P	91-15-098	16-484-250	NEW	91-13-026
16-316-970	NEW-P	91-10-082	16-481-020	AMD-P	91-15-098	16-484-260	NEW-E	91-06-035
16-316-970	NEW	91-13-087	16-481-025	NEW-P	91-15-098	16-484-260	NEW-P	91-10-095
16-316-975	NEW-P	91-10-082	16-481-030	AMD-P	91-15-098	16-484-260	NEW	91-13-026
16-316-975	NEW	91-13-087	16-481-040	REP-P	91-15-098	16-486-001	REP-P	91-07-036
16-316-980	NEW-P	91-10-082	16-481-050	AMD-P	91-15-098	16-486-001	REP	91-11-054
16-316-980	NEW	91-13-087	16-481-060	AMD-P	91-15-098	16-486-010	REP-P	91-07-036
16-316-985	NEW-P	91-10-082	16-481-070	AMD-P	91-15-098	16-486-010	REP	91-11-054
16-316-985	NEW	91-13-087	16-481-075	NEW-P	91-15-098	16-486-015	REP-P	91-07-036
16-316-990	NEW-P	91-10-082	16-482-001	AMD-P	91-03-105	16-486-015	REP	91-11-054
16-316-990	NEW	91-13-087	16-482-001	AMD	91-07-016	16-486-020	REP-P	91-07-036
16-316-995	NEW-P	91-10-082	16-482-005	NEW-P	91-03-105	16-486-020	REP	91-11-054
16-316-995	NEW	91-13-087	16-482-005	NEW	91-07-016	16-486-025	REP-P	91-07-036
16-316-997	NEW-P	91-10-082	16-482-006	NEW-P	91-03-105	16-486-025	REP	91-11-054
16-316-997	NEW	91-13-087	16-482-006	NEW	91-07-016	16-486-030	REP-P	91-07-036
16-324-375	AMD-P	91-06-061	16-482-007	NEW-P	91-03-105	16-486-030	REP	91-11-054
16-324-375	AMD	91-10-029	16-482-007	NEW	91-07-016	16-486-035	REP-P	91-07-036
16-324-380	AMD-P	91-06-061	16-482-010	AMD-P	91-03-105	16-486-035	REP	91-11-054
16-324-380	AMD	91-10-029	16-482-010	AMD	91-07-016	16-486-040	REP-P	91-07-036
16-324-605	AMD-P	91-06-061	16-482-015	NEW-P	91-03-105	16-486-040	REP	91-11-054
16-324-605	AMD	91-10-029	16-482-015	NEW	91-07-016	16-486-045	REP-P	91-07-036
16-333-200	NEW-P	91-04-068	16-482-016	NEW-P	91-03-105	16-486-045	REP	91-11-054
16-333-200	NEW	91-08-015	16-482-016	NEW	91-07-016	16-487-005	NEW-P	91-15-097
16-333-205	NEW-P	91-04-068	16-482-017	NEW-P	91-03-105	16-487-010	AMD-P	91-15-097
16-333-205	NEW	91-08-015	16-482-017	NEW	91-07-016	16-487-015	NEW-P	91-15-097
16-333-210	NEW-P	91-04-068	16-482-020	AMD-P	91-03-105	16-487-017	NEW-P	91-15-097
16-333-210	NEW	91-08-015	16-482-020	AMD	91-07-016	16-487-020	AMD-P	91-15-097
16-333-215	NEW-P	91-04-068	16-482-030	REP-P	91-03-105	16-487-023	NEW-P	91-15-097
16-333-215	NEW	91-08-015	16-482-030	REP	91-07-016	16-487-025	NEW-P	91-15-097
16-333-220	NEW-P	91-04-068	16-482-040	REP-P	91-03-105	16-487-030	AMD-P	91-15-097
16-333-220	NEW	91-08-015	16-482-040	REP	91-07-016	16-487-040	AMD-P	91-15-097
16-333-225	NEW-P	91-04-068	16-483	PREP	91-10-013	16-487-050	AMD-P	91-15-097
16-333-225	NEW	91-08-015	16-483-001	AMD-P	91-15-098	16-487-060	AMD-P	91-15-097
16-333-230	NEW-P	91-04-068	16-483-005	NEW-P	91-15-098	16-487-100	NEW-P	91-15-097
16-333-230	NEW	91-08-015	16-483-010	AMD-P	91-15-098	16-487-110	NEW-P	91-15-097
16-333-235	NEW-P	91-04-068	16-483-020	AMD-P	91-15-098	16-487-120	NEW-P	91-15-097
16-333-235	NEW	91-08-015	16-483-030	AMD-P	91-15-098	16-487-130	NEW-P	91-15-097
16-333-240	NEW-P	91-04-068	16-483-040	AMD-P	91-15-098	16-487-140	NEW-P	91-15-097
16-333-240	NEW	91-08-015	16-483-050	AMD-P	91-15-098	16-487-150	NEW-P	91-15-097
16-333-245	NEW-P	91-04-068	16-483-060	AMD-P	91-15-098	16-487-160	NEW-P	91-15-097
16-333-245	NEW	91-08-015	16-483-070	REP-P	91-15-098	16-487-200	NEW-P	91-15-097
16-354-005	AMD-P	91-04-067	16-484-020	REP-P	91-07-037	16-487-210	NEW-P	91-15-097
16-354-005	AMD	91-08-016	16-484-020	REP	91-11-053	16-487-220	NEW-P	91-15-097
16-354-010	AMD-P	91-04-067	16-484-022	REP-P	91-07-037	16-487-230	NEW-P	91-15-097
16-354-010	AMD	91-08-016	16-484-022	REP	91-11-053	16-487-240	NEW-P	91-15-097
16-354-020	AMD-P	91-04-067	16-484-030	REP-P	91-07-037	16-487-250	NEW-P	91-15-097
16-354-020	AMD	91-08-016	16-484-030	REP	91-11-053	16-487-300	NEW-P	91-15-097
16-354-030	AMD-P	91-04-067	16-484-040	REP-P	91-07-037	16-487-310	NEW-P	91-15-097
16-354-030	AMD	91-08-016	16-484-040	REP	91-11-053	16-487-320	NEW-P	91-15-097
16-354-040	AMD-P	91-04-067	16-484-050	REP-P	91-07-037	16-487-330	NEW-P	91-15-097
16-354-040	AMD	91-08-016	16-484-050	REP	91-11-053	16-487-335	NEW-P	91-15-097
16-354-070	AMD-P	91-04-067	16-484-080	REP-P	91-07-037	16-494-001	AMD-P	91-04-066
16-354-070	AMD	91-08-016	16-484-080	REP	91-11-053	16-494-001	AMD	91-08-017
16-354-100	AMD-P	91-04-067	16-484-090	REP-P	91-07-037	16-494-010	AMD-P	91-04-066
16-354-100	AMD	91-08-016	16-484-090	REP	91-11-053	16-494-010	AMD	91-08-017
16-403-141	AMD-P	91-03-093	16-484-100	REP-P	91-07-037	16-494-012	NEW-P	91-04-066
16-403-141	AMD-W	91-07-015	16-484-100	REP	91-11-053	16-494-012	NEW	91-08-017
16-470-010	AMD-P	91-15-100	16-484-200	NEW-E	91-06-035	16-494-013	NEW-P	91-04-066
16-470-015	AMD-P	91-15-100	16-484-200	NEW-P	91-10-095	16-494-013	NEW	91-08-017

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
16-494-015	REP-P	91-04-066	16-557-030	NEW-E	91-08-021	36-12-180	AMD-P	91-05-032
16-494-015	REP	91-08-017	16-557-030	NEW	91-09-003	36-12-180	AMD	91-11-038
16-494-020	AMD-P	91-04-066	16-557-040	NEW-E	91-08-021	36-12-190	AMD-P	91-05-032
16-494-020	AMD	91-08-017	16-557-040	NEW	91-09-003	36-12-190	AMD	91-11-038
16-494-030	AMD-P	91-04-066	16-557-041	NEW-E	91-08-021	36-12-195	NEW-P	91-05-032
16-494-030	AMD	91-08-017	16-557-041	NEW	91-09-003	36-12-195	NEW	91-11-038
16-494-042	AMD-P	91-04-066	16-557-050	NEW-E	91-08-021	36-12-200	AMD-P	91-05-032
16-494-042	AMD	91-08-017	16-557-050	NEW	91-09-003	36-12-200	AMD	91-11-038
16-494-043	NEW-P	91-04-066	16-557-060	NEW-E	91-08-021	36-12-220	AMD-P	91-05-032
16-494-043	NEW	91-08-017	16-557-060	NEW	91-09-003	36-12-220	AMD	91-11-038
16-494-044	AMD-P	91-04-066	16-557-070	NEW-E	91-08-021	36-12-230	REP-P	91-05-032
16-494-044	AMD	91-08-017	16-557-070	NEW	91-09-003	36-12-230	REP	91-11-038
16-494-045	NEW-P	91-04-066	16-557-080	NEW-E	91-08-021	36-12-240	AMD-P	91-05-032
16-494-045	NEW	91-08-017	16-557-080	NEW	91-09-003	36-12-240	AMD	91-11-038
16-494-046	NEW-P	91-04-066	16-560-06001	AMD-P	91-13-105	36-12-250	AMD-P	91-05-032
16-494-046	NEW	91-08-017	16-603-010	NEW-P	91-04-076	36-12-250	AMD	91-11-038
16-494-047	NEW-P	91-04-066	16-603-010	NEW-C	91-09-042	36-12-260	AMD-P	91-05-032
16-494-047	NEW	91-08-017	16-603-010	AMD	91-13-018	36-12-260	AMD	91-11-038
16-494-062	AMD-P	91-04-066	16-605A-005	NEW-P	91-13-106	36-12-270	AMD-P	91-05-032
16-494-062	AMD	91-08-017	16-605A-005	NEW	91-16-005	36-12-270	AMD	91-11-038
16-494-063	NEW-P	91-04-066	16-620-390	NEW-P	91-13-106	36-12-280	AMD-P	91-05-032
16-494-063	NEW	91-08-017	16-620-390	NEW	91-16-005	36-12-280	AMD	91-11-038
16-494-064	NEW-P	91-04-066	16-674-030	NEW-P	91-13-106	36-12-290	AMD-P	91-05-032
16-494-064	NEW	91-08-017	16-674-030	NEW	91-16-005	36-12-290	AMD	91-11-038
16-495-004	AMD-P	91-10-082	16-674-040	NEW-P	91-13-106	36-12-300	AMD-P	91-05-032
16-495-004	AMD	91-13-087	16-674-040	NEW	91-16-005	36-12-300	AMD	91-11-038
16-495-010	AMD-P	91-10-082	16-674-050	NEW-P	91-13-106	36-12-310	AMD-P	91-05-032
16-495-010	AMD	91-13-087	16-674-050	NEW	91-16-005	36-12-310	AMD	91-11-038
16-495-020	AMD-P	91-10-082	16-694-020	NEW-P	91-13-106	36-12-320	AMD-P	91-05-032
16-495-020	AMD	91-13-087	16-694-020	NEW	91-16-005	36-12-320	AMD	91-11-038
16-495-030	AMD-P	91-10-082	16-694-021	NEW-P	91-13-106	36-12-330	AMD-P	91-05-032
16-495-030	AMD	91-13-087	16-694-021	NEW	91-16-005	36-12-330	AMD	91-11-038
16-495-040	AMD-P	91-10-082	16-752-300	AMD	91-03-045	36-12-340	AMD-P	91-05-032
16-495-040	AMD	91-13-087	16-752-305	AMD	91-03-045	36-12-340	AMD	91-11-038
16-495-050	AMD-P	91-10-082	16-752-310	RE-AD	91-03-045	36-12-350	AMD-P	91-05-032
16-495-050	AMD	91-13-087	16-752-315	AMD	91-03-045	36-12-350	AMD	91-11-038
16-495-060	AMD-P	91-10-082	16-752-320	RE-AD	91-03-045	36-12-360	AMD-P	91-05-032
16-495-060	AMD	91-13-087	16-752-325	REP	91-03-045	36-12-360	AMD	91-11-038
16-495-080	REP-P	91-10-082	16-752-330	AMD	91-03-045	36-12-365	NEW-P	91-05-032
16-495-080	REP	91-13-087	36-12	AMD-P	91-05-032	36-12-365	NEW	91-11-038
16-495-085	REP-P	91-10-082	36-12	AMD	91-11-038	36-12-367	NEW-P	91-05-032
16-495-085	REP	91-13-087	36-12-010	AMD-P	91-05-032	36-12-367	NEW	91-11-038
16-495-090	AMD-P	91-10-082	36-12-010	AMD	91-11-038	36-12-370	AMD-P	91-05-032
16-495-090	AMD	91-13-087	36-12-011	AMD-P	91-05-032	36-12-370	AMD	91-11-038
16-495-095	AMD-P	91-10-082	36-12-011	AMD	91-11-038	36-12-380	REP-P	91-05-032
16-495-095	AMD	91-13-087	36-12-020	AMD-P	91-05-032	36-12-380	REP	91-11-038
16-495-100	AMD-P	91-10-082	36-12-020	AMD	91-11-038	36-12-385	NEW-P	91-05-032
16-495-100	AMD	91-13-087	36-12-030	AMD-P	91-05-032	36-12-385	NEW	91-11-038
16-495-105	AMD-P	91-10-082	36-12-030	AMD	91-11-038	36-12-390	REP-P	91-05-032
16-495-105	AMD	91-13-087	36-12-040	AMD-P	91-05-032	36-12-390	REP	91-11-038
16-495-110	AMD-P	91-10-082	36-12-040	AMD	91-11-038	36-12-400	AMD-P	91-05-032
16-495-110	AMD	91-13-087	36-12-050	AMD-P	91-05-032	36-12-400	AMD	91-11-038
16-497-001	AMD-P	91-04-067	36-12-050	AMD	91-11-038	36-12-410	AMD-P	91-05-032
16-497-001	AMD	91-08-016	36-12-060	AMD-P	91-05-032	36-12-410	AMD	91-11-038
16-497-005	NEW-P	91-04-067	36-12-060	AMD	91-11-038	36-12-415	NEW-P	91-05-032
16-497-005	NEW	91-08-016	36-12-070	AMD-P	91-05-032	36-12-415	NEW	91-11-038
16-497-020	AMD-P	91-04-067	36-12-070	AMD	91-11-038	36-12-420	REP-P	91-05-032
16-497-020	AMD	91-08-016	36-12-080	AMD-P	91-05-032	36-12-420	REP	91-11-038
16-497-030	AMD-P	91-04-067	36-12-080	AMD	91-11-038	36-12-425	NEW-P	91-05-032
16-497-030	AMD	91-08-016	36-12-090	REP-P	91-05-032	36-12-425	NEW	91-11-038
16-497-040	AMD-P	91-04-067	36-12-090	REP	91-11-038	36-12-430	REP-P	91-05-032
16-497-040	AMD	91-08-016	36-12-100	AMD-P	91-05-032	36-12-430	REP	91-11-038
16-497-050	AMD-P	91-04-067	36-12-100	AMD	91-11-038	36-12-435	NEW-P	91-05-032
16-497-050	AMD	91-08-016	36-12-110	AMD-P	91-05-032	36-12-435	NEW	91-11-038
16-497-060	AMD-P	91-04-067	36-12-110	AMD	91-11-038	36-12-440	REP-P	91-05-032
16-497-060	AMD	91-08-016	36-12-120	AMD-P	91-05-032	36-12-440	REP	91-11-038
16-528-105	NEW	91-05-065	36-12-120	AMD	91-11-038	36-12-445	NEW-P	91-05-032
16-528-110	AMD	91-05-065	36-12-120	AMD-P	91-11-101	36-12-445	NEW	91-11-038
16-528-150	AMD	91-05-065	36-12-120	AMD	91-14-063	36-12-450	AMD-P	91-05-032
16-528-170	NEW	91-05-065	36-12-130	AMD-P	91-05-032	36-12-450	AMD	91-11-038
16-532-040	AMD-P	91-09-057	36-12-130	AMD	91-11-038	36-12-460	REP-P	91-05-032
16-532-040	AMD-C	91-14-113	36-12-150	AMD-P	91-05-032	36-12-460	REP	91-11-038
16-532-040	AMD	91-15-019	36-12-150	AMD	91-11-038	36-12-470	REP-P	91-05-032
16-557-010	NEW-E	91-08-021	36-12-160	AMD-P	91-05-032	36-12-470	REP	91-11-038
16-557-010	NEW	91-09-003	36-12-160	AMD	91-11-038	36-12-480	REP-P	91-05-032
16-557-020	NEW-E	91-08-021	36-12-170	AMD-P	91-05-032	36-12-480	REP	91-11-038
16-557-020	NEW	91-09-003	36-12-170	AMD	91-11-038	50-12-045	AMD-P	91-15-101

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51-24-80109	NEW-P 91-16-115	113-12-075	DECOD 91-05-095	131-16-055	NEW-E 91-12-030
51-24-80110	NEW-P 91-16-115	113-12-080	DECOD 91-05-095	131-16-055	NEW 91-13-048
51-24-80111	NEW-P 91-16-115	113-12-085	DECOD 91-05-095	131-16-060	AMD-P 91-09-036
51-24-80113	NEW-P 91-16-115	113-12-087	DECOD 91-05-095	131-16-060	AMD-E 91-12-030
51-24-80114	NEW-P 91-16-115	113-12-101	DECOD 91-05-095	131-16-060	AMD 91-13-048
51-24-80120	NEW-P 91-16-115	113-12-101	REP-P 91-06-090	131-16-061	AMD-P 91-09-036
51-24-80202	NEW-P 91-16-115	113-12-103	DECOD 91-05-095	131-16-061	AMD-E 91-12-030
51-24-80301	NEW-P 91-16-115	113-12-104	DECOD 91-05-095	131-16-061	AMD 91-13-048
51-24-80303	NEW-P 91-16-115	113-12-115	DECOD 91-05-095	131-16-062	NEW-P 91-09-036
51-24-80305	NEW-P 91-16-115	113-12-120	DECOD 91-05-095	131-16-062	NEW-E 91-12-030
51-24-80315	NEW-P 91-16-115	113-12-150	DECOD 91-05-095	131-16-062	NEW 91-13-048
51-24-80401	NEW-P 91-16-115	113-12-165	DECOD 91-05-095	131-16-065	AMD-P 91-09-036
51-24-80402	NEW-P 91-16-115	113-12-170	DECOD 91-05-095	131-16-065	AMD-E 91-12-030
51-24-99300	NEW-P 91-16-115	113-12-175	DECOD 91-05-095	131-16-065	AMD 91-13-048
51-24-99350	NEW-P 91-16-115	113-12-180	DECOD 91-05-095	131-16-066	AMD-P 91-09-036
51-24-99351	NEW-P 91-16-115	113-12-190	DECOD 91-05-095	131-16-066	AMD-E 91-12-030
51-24-99352	NEW-P 91-16-115	113-12-195	DECOD 91-05-095	131-16-066	AMD 91-13-048
51-24-99500	NEW-P 91-16-115	113-12-197	DECOD 91-05-095	131-16-069	REP-P 91-09-036
51-24-99510	NEW-P 91-16-115	113-12-200	DECOD 91-05-095	131-16-069	REP-E 91-12-030
51-25-001	NEW-P 91-16-115	113-12-210	DECOD 91-05-095	131-16-069	REP 91-13-048
51-25-002	NEW-P 91-16-115	113-12-220	DECOD 91-05-095	131-16-070	AMD-P 91-15-094
51-25-003	NEW-P 91-16-115	113-12-230	DECOD 91-05-095	131-16-080	AMD-P 91-15-094
51-25-007	NEW-P 91-16-115	113-12-300	DECOD 91-05-095	131-16-091	AMD-P 91-15-094
51-25-008	NEW-P 91-16-115	113-12-310	DECOD 91-05-095	131-16-092	AMD-P 91-15-094
51-26-001	NEW-P 91-16-116	113-12-320	DECOD 91-05-095	131-16-093	AMD-P 91-15-094
51-26-002	NEW-P 91-16-116	113-12-330	DECOD 91-05-095	131-16-094	AMD-P 91-15-094
51-26-003	NEW-P 91-16-116	113-12-340	DECOD 91-05-095	131-16-095	NEW-P 91-15-094
51-26-004	NEW-P 91-16-116	113-12-350	DECOD 91-05-095	131-16-500	AMD-E 91-13-001
51-26-008	NEW-P 91-16-116	114-12-011	DECOD 91-05-026	131-16-500	AMD-P 91-15-092
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51-26-0310	NEW-P 91-16-116	114-12-031	DECOD 91-05-026	131-32-050	NEW-E 91-06-075
51-26-0315	NEW-P 91-16-116	114-12-041	DECOD 91-05-026	131-32-050	NEW-P 91-15-091
51-26-0400	NEW-P 91-16-116	114-12-115	DECOD 91-05-026	132B-120-010	AMD-P 91-05-033
51-26-0401	NEW-P 91-16-116	114-12-126	DECOD 91-05-026	132B-120-010	AMD 91-11-102
51-26-0500	NEW-P 91-16-116	114-12-132	DECOD 91-05-026	132B-120-045	NEW-P 91-05-033
51-26-0503	NEW-P 91-16-116	114-12-136	DECOD 91-05-031	132B-120-045	NEW 91-11-102
51-26-1000	NEW-P 91-16-116	114-12-150	DECOD 91-05-026	132B-120-060	AMD-P 91-05-033
51-26-1004	NEW-P 91-16-116	114-12-155	DECOD 91-05-026	132B-120-060	AMD 91-11-102
51-26-1800	NEW-P 91-16-116	114-12-164	DECOD 91-05-026	132B-120-090	AMD-P 91-05-033
51-26-1801	NEW-P 91-16-116	114-12-170	DECOD 91-05-026	132B-120-090	AMD 91-11-102
51-26-1802	NEW-P 91-16-116	114-12-180	DECOD 91-05-026	132B-120-100	AMD-P 91-05-033
51-26-1803	NEW-P 91-16-116	114-12-190	DECOD 91-05-026	132B-120-100	AMD 91-11-102
51-26-1804	NEW-P 91-16-116	114-12-200	DECOD 91-05-026	132B-120-120	AMD-P 91-05-033
51-26-1805	NEW-P 91-16-116	131-16-005	AMD-P 91-09-036	132B-120-120	AMD 91-11-102
51-26-2200	NEW-P 91-16-116	131-16-005	AMD-E 91-12-030	132B-120-140	AMD-P 91-05-033
51-26-2300	NEW-P 91-16-116	131-16-005	AMD 91-13-048	132B-120-140	AMD 91-11-102
51-26-2301	NEW-P 91-16-116	131-16-010	AMD-P 91-09-036	132B-120-160	AMD-P 91-05-033
51-27-001	NEW-P 91-16-117	131-16-010	AMD-E 91-12-030	132B-120-160	AMD 91-11-102
51-27-002	NEW-P 91-16-117	131-16-010	AMD 91-13-048	132B-120-170	AMD-P 91-05-033
51-27-003	NEW-P 91-16-117	131-16-011	AMD-P 91-09-036	132B-120-170	AMD 91-11-102
51-27-004	NEW-P 91-16-117	131-16-011	AMD-E 91-12-030	132B-120-180	AMD-P 91-05-033
51-27-008	NEW-P 91-16-117	131-16-011	AMD 91-13-048	132B-120-180	AMD 91-11-102
67-25-005	AMD-P 91-16-085	131-16-015	AMD-P 91-09-036	132B-120-190	AMD-P 91-05-033
67-25-030	AMD-P 91-16-085	131-16-015	AMD-E 91-12-030	132B-120-190	AMD 91-11-102
82-06-010	NEW-P 91-15-053	131-16-015	AMD 91-13-048	132H-160-210	REP-P 91-15-020
106-120-004	AMD 91-04-054	131-16-020	REP-E 91-06-069	132H-160-210	REP-P 91-15-050
106-120-005	AMD 91-04-054	131-16-020	REP-P 91-09-036	132H-160-210	REP-W 91-15-058
106-120-023	AMD 91-04-054	131-16-020	REP-E 91-12-030	132H-160-220	REP-P 91-15-020
106-120-024	AMD 91-04-054	131-16-020	REP 91-13-048	132H-160-220	REP-P 91-15-050
106-120-026	AMD 91-04-054	131-16-021	NEW-E 91-06-069	132H-160-220	REP-W 91-15-058
106-120-027	AMD 91-04-054	131-16-021	AMD-E 91-09-008	132H-160-230	REP-P 91-15-020
106-120-028	AMD 91-04-054	131-16-021	NEW-P 91-09-036	132H-160-230	REP-P 91-15-050
106-120-033	AMD 91-04-054	131-16-021	NEW-E 91-12-030	132H-160-230	REP-W 91-15-058
106-120-131	AMD 91-04-054	131-16-021	NEW 91-13-048	132H-160-240	REP-P 91-15-020
106-120-132	AMD 91-04-054	131-16-030	REP-P 91-09-036	132H-160-240	REP-P 91-15-050
106-120-143	AMD 91-04-054	131-16-030	REP-E 91-12-030	132H-160-240	REP-W 91-15-058
113-10-010	DECOD 91-05-095	131-16-030	REP 91-13-048	132H-160-250	REP-P 91-15-020
113-10-020	DECOD 91-05-095	131-16-031	NEW-P 91-09-036	132H-160-250	REP-P 91-15-050
113-10-030	DECOD 91-05-095	131-16-031	NEW-E 91-12-030	132H-160-250	REP-W 91-15-058
113-10-040	DECOD 91-05-095	131-16-031	NEW 91-13-048	132H-160-260	AMD-P 91-15-020
113-10-050	DECOD 91-05-095	131-16-040	AMD-P 91-09-036	132H-160-260	AMD-P 91-15-050
113-10-060	DECOD 91-05-095	131-16-040	AMD-E 91-12-030	132H-160-260	AMD-W 91-15-058
113-10-070	DECOD 91-05-095	131-16-040	AMD 91-13-048	132H-160-290	REP-P 91-15-020
113-10-090	DECOD 91-05-095	131-16-050	AMD-P 91-09-036	132H-160-290	REP-P 91-15-050
113-10-100	DECOD 91-05-095	131-16-050	AMD-E 91-12-030	132H-160-290	REP-W 91-15-058
113-10-110	DECOD 91-05-095	131-16-050	AMD 91-13-048	132H-160-300	REP-P 91-15-020
113-12-010	DECOD 91-05-095	131-16-055	NEW-P 91-09-036	132H-160-300	REP-P 91-15-050

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
132H-160-300	REP-W	91-15-058	132K-16-280	NEW-P	91-03-150	132K-16-560	NEW-P	91-03-150
132H-160-310	REP-P	91-15-020	132K-16-280	NEW	91-09-027	132N-156-300	AMD-P	91-15-071
132H-160-310	REP-P	91-15-050	132K-16-290	NEW-E	91-03-084	132N-156-310	AMD-P	91-15-071
132H-160-310	REP-W	91-15-058	132K-16-290	NEW-P	91-03-150	132N-156-320	AMD-P	91-15-071
132H-160-410	REP-P	91-15-020	132K-16-290	NEW	91-09-027	132N-156-330	AMD-P	91-15-071
132H-160-410	REP-P	91-15-050	132K-16-300	NEW-E	91-03-084	132N-156-400	AMD-P	91-15-071
132H-160-410	REP-W	91-15-058	132K-16-300	NEW-P	91-03-150	132N-156-420	AMD-P	91-15-071
132H-160-420	REP-P	91-15-020	132K-16-300	NEW	91-09-027	132N-156-430	AMD-P	91-15-071
132H-160-420	REP-P	91-15-050	132K-16-310	NEW-E	91-03-084	132N-156-440	AMD-P	91-15-071
132H-160-420	REP-W	91-15-058	132K-16-310	NEW-P	91-03-150	132N-156-450	AMD-P	91-15-071
132H-160-450	REP-P	91-15-020	132K-16-310	NEW	91-09-027	132N-156-460	AMD-P	91-15-071
132H-160-450	REP-P	91-15-050	132K-16-320	NEW-E	91-03-084	132N-156-500	AMD-P	91-15-071
132H-160-450	REP-W	91-15-058	132K-16-320	NEW-P	91-03-150	132N-156-530	AMD-P	91-15-071
132H-160-460	REP-P	91-15-020	132K-16-320	NEW	91-09-027	132N-156-550	AMD-P	91-15-071
132H-160-460	REP-P	91-15-050	132K-16-330	NEW-E	91-03-084	132N-156-560	AMD-P	91-15-071
132H-160-460	REP-W	91-15-058	132K-16-330	NEW-P	91-03-150	132N-156-570	AMD-P	91-15-071
132H-160-470	REP-P	91-15-020	132K-16-330	NEW	91-09-027	132N-156-580	NEW-P	91-15-071
132H-160-470	REP-P	91-15-050	132K-16-340	NEW-E	91-03-084	132N-156-610	AMD-P	91-15-071
132H-160-470	REP-W	91-15-058	132K-16-340	NEW-P	91-03-150	132N-156-620	AMD-P	91-15-071
132H-160-490	REP-P	91-15-020	132K-16-340	NEW	91-09-027	132N-156-630	AMD-P	91-15-071
132H-160-490	REP-P	91-15-050	132K-16-350	NEW-E	91-03-084	132N-156-640	AMD-P	91-15-071
132H-160-490	REP-W	91-15-058	132K-16-350	NEW-P	91-03-150	132N-156-650	AMD-P	91-15-071
132H-160-510	REP-P	91-15-020	132K-16-350	NEW	91-09-027	132N-156-700	AMD-P	91-15-071
132H-160-510	REP-P	91-15-050	132K-16-360	NEW-E	91-03-084	132N-156-730	AMD-P	91-15-071
132H-160-510	REP-W	91-15-058	132K-16-360	NEW-P	91-03-150	132N-156-740	AMD-P	91-15-071
132K-16-110	NEW-E	91-03-084	132K-16-360	NEW	91-09-027	132N-156-750	AMD-P	91-15-071
132K-16-110	NEW-P	91-03-150	132K-16-370	NEW-E	91-03-084	132N-156-760	AMD-P	91-15-071
132K-16-110	NEW	91-09-027	132K-16-370	NEW-P	91-03-150	132N-168-010	REP-P	91-15-072
132K-16-120	NEW-E	91-03-084	132K-16-370	NEW	91-09-027	132N-168-020	REP-P	91-15-072
132K-16-120	NEW-P	91-03-150	132K-16-380	NEW-E	91-03-084	132Q-03-005	NEW-P	91-14-057
132K-16-120	NEW	91-09-027	132K-16-380	NEW-P	91-03-150	132Q-03-010	NEW-P	91-14-057
132K-16-130	NEW-E	91-03-084	132K-16-380	NEW	91-09-027	132Q-03-020	NEW-P	91-14-057
132K-16-130	NEW-P	91-03-150	132K-16-390	NEW-E	91-03-084	132Q-03-030	NEW-P	91-14-057
132K-16-130	NEW	91-09-027	132K-16-390	NEW-P	91-03-150	132Q-06-016	NEW-P	91-14-060
132K-16-140	NEW-E	91-03-084	132K-16-390	NEW	91-09-027	132Q-108-010	NEW-P	91-14-058
132K-16-140	NEW-P	91-03-150	132K-16-400	NEW-E	91-03-084	132Q-108-020	NEW-P	91-14-058
132K-16-140	NEW	91-09-027	132K-16-400	NEW-P	91-03-150	132Q-108-030	NEW-P	91-14-058
132K-16-150	NEW-E	91-03-084	132K-16-400	NEW	91-09-027	132Q-108-040	NEW-P	91-14-058
132K-16-150	NEW-P	91-03-150	132K-16-410	NEW-E	91-03-084	132Q-108-050	NEW-P	91-14-058
132K-16-150	NEW	91-09-027	132K-16-410	NEW-P	91-03-150	132Q-108-060	NEW-P	91-14-058
132K-16-160	NEW-E	91-03-084	132K-16-410	NEW	91-09-027	132Q-108-070	NEW-P	91-14-058
132K-16-160	NEW-P	91-03-150	132K-16-420	NEW-E	91-03-084	132Q-108-080	NEW-P	91-14-058
132K-16-160	NEW	91-09-027	132K-16-420	NEW-P	91-03-150	132Q-108-090	NEW-P	91-14-058
132K-16-170	NEW-E	91-03-084	132K-16-420	NEW	91-09-027	132Q-108-100	NEW-P	91-14-058
132K-16-170	NEW-P	91-03-150	132K-16-430	NEW-E	91-03-084	132Q-135-050	NEW-P	91-14-059
132K-16-170	NEW	91-09-027	132K-16-430	NEW-P	91-03-150	132S-30-036	AMD-P	91-02-101
132K-16-180	NEW-E	91-03-084	132K-16-430	NEW	91-09-027	132S-30-036	AMD	91-08-001
132K-16-180	NEW-P	91-03-150	132K-16-440	NEW-E	91-03-084	132Y-100-066	NEW-P	91-12-016
132K-16-180	NEW	91-09-027	132K-16-440	NEW-P	91-03-150	132Y-100-072	AMD-P	91-12-016
132K-16-190	NEW-E	91-03-084	132K-16-440	NEW	91-09-027	132Y-100-104	AMD-P	91-12-016
132K-16-190	NEW-P	91-03-150	132K-16-450	NEW-E	91-03-084	132Y-400-010	NEW	91-05-012
132K-16-190	NEW	91-09-027	132K-16-450	NEW-P	91-03-150	132Y-400-020	NEW	91-05-012
132K-16-200	NEW-E	91-03-084	132K-16-450	NEW	91-09-027	132Y-400-030	NEW	91-05-012
132K-16-200	NEW-P	91-03-150	132K-16-460	NEW-E	91-03-084	132Y-400-040	NEW	91-05-012
132K-16-200	NEW	91-09-027	132K-16-460	NEW-P	91-03-150	137-12A-010	AMD	91-10-018
132K-16-210	NEW-E	91-03-084	132K-16-460	NEW	91-09-027	137-12A-020	AMD	91-10-018
132K-16-210	NEW-P	91-03-150	132K-16-470	NEW-E	91-03-084	137-12A-030	AMD	91-10-018
132K-16-210	NEW	91-09-027	132K-16-470	NEW-P	91-03-150	137-12A-050	AMD	91-10-018
132K-16-220	NEW-E	91-03-084	132K-16-470	NEW	91-09-027	137-12A-060	AMD	91-10-018
132K-16-220	NEW-P	91-03-150	132K-16-480	NEW-E	91-03-084	137-12A-070	AMD	91-10-018
132K-16-220	NEW	91-09-027	132K-16-480	NEW-P	91-03-150	137-12A-090	AMD	91-10-018
132K-16-230	NEW-E	91-03-084	132K-16-480	NEW	91-09-027	139-05-230	AMD-P	91-10-089
132K-16-230	NEW-P	91-03-150	132K-16-490	NEW-E	91-03-084	139-05-230	AMD	91-14-011
132K-16-230	NEW	91-09-027	132K-16-490	NEW-P	91-03-150	139-10-212	AMD-P	91-10-088
132K-16-240	NEW-E	91-03-084	132K-16-500	NEW-E	91-03-084	139-10-212	AMD	91-14-010
132K-16-240	NEW-P	91-03-150	132K-16-500	NEW-P	91-03-150	143-06-130	AMD-P	91-04-090
132K-16-240	NEW	91-09-027	132K-16-510	NEW-E	91-03-084	143-06-130	AMD	91-07-033
132K-16-250	NEW-E	91-03-084	132K-16-510	NEW-P	91-03-150	154-300-005	NEW-P	91-02-098
132K-16-250	NEW-P	91-03-150	132K-16-520	NEW-E	91-03-084	154-300-005	NEW	91-05-084
132K-16-250	NEW	91-09-027	132K-16-520	NEW-P	91-03-150	154-300-010	NEW-P	91-02-098
132K-16-260	NEW-E	91-03-084	132K-16-530	NEW-E	91-03-084	154-300-010	NEW	91-05-084
132K-16-260	NEW-P	91-03-150	132K-16-530	NEW-P	91-03-150	154-300-020	NEW-P	91-02-098
132K-16-260	NEW	91-09-027	132K-16-540	NEW-E	91-03-084	154-300-020	NEW	91-05-084
132K-16-270	NEW-E	91-03-084	132K-16-540	NEW-P	91-03-150	154-300-030	NEW-P	91-02-098
132K-16-270	NEW-P	91-03-150	132K-16-550	NEW-E	91-03-084	154-300-030	NEW	91-05-084
132K-16-270	NEW	91-09-027	132K-16-550	NEW-P	91-03-150	154-300-040	NEW-P	91-02-098
132K-16-280	NEW-E	91-03-084	132K-16-560	NEW-E	91-03-084	154-300-040	NEW	91-05-084

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
154-300-050	NEW-P	91-02-098	173-181-080	NEW-P	91-14-110	173-203-120	NEW-W	91-10-048
154-300-050	NEW	91-05-084	173-181-085	NEW-P	91-14-110	173-203-120	NEW-P	91-11-089
154-300-060	NEW-P	91-02-098	173-181-090	NEW-P	91-14-110	173-203-130	NEW-P	91-09-056
154-300-060	NEW	91-05-084	173-181-092	NEW-P	91-14-110	173-203-130	NEW-W	91-10-048
154-300-070	NEW-P	91-02-098	173-181-094	NEW-P	91-14-110	173-203-130	NEW-P	91-11-089
154-300-070	NEW	91-05-084	173-181-096	NEW-P	91-14-110	173-203-140	NEW-P	91-09-056
154-300-080	NEW-P	91-02-098	173-181-098	NEW-P	91-14-110	173-203-140	NEW-W	91-10-048
154-300-080	NEW	91-05-084	173-201-010	REP-P	91-09-056	173-203-140	NEW-P	91-11-089
154-300-090	NEW-P	91-02-098	173-201-010	REP-W	91-10-048	173-203-150	NEW-P	91-09-056
154-300-090	NEW	91-05-084	173-201-010	REP-P	91-11-089	173-203-150	NEW-W	91-10-048
154-300-100	NEW-P	91-02-098	173-201-025	REP-P	91-09-056	173-203-150	NEW-P	91-11-089
154-300-100	NEW	91-05-084	173-201-025	REP-W	91-10-048	173-203-160	NEW-P	91-09-056
154-300-110	NEW-P	91-02-098	173-201-025	REP-P	91-11-089	173-203-160	NEW-W	91-10-048
154-300-110	NEW	91-05-084	173-201-035	REP-P	91-09-056	173-203-160	NEW-P	91-11-089
154-300-120	NEW-P	91-02-098	173-201-035	REP-W	91-10-048	173-203-170	NEW-P	91-09-056
154-300-120	NEW	91-05-084	173-201-035	REP-P	91-11-089	173-203-170	NEW-W	91-10-048
173-16-064	NEW-P	91-04-069	173-201-045	REP-P	91-09-056	173-203-170	NEW-P	91-11-089
173-16-064	NEW-W	91-05-042	173-201-045	REP-W	91-10-048	173-203-180	NEW-P	91-09-056
173-16-064	NEW	91-10-033	173-201-045	REP-P	91-11-089	173-203-180	NEW-W	91-10-048
173-19-120	AMD-W	91-02-112	173-201-047	REP-P	91-09-056	173-203-180	NEW-P	91-11-089
173-19-120	AMD-P	91-14-054	173-201-047	REP-W	91-10-048	173-204	NEW-C	91-03-094
173-19-220	AMD-P	91-09-054	173-201-047	REP-P	91-11-089	173-204	NEW-C	91-06-098
173-19-2207	AMD-P	91-03-144	173-201-070	REP-P	91-09-056	173-204-100	NEW	91-08-019
173-19-2207	AMD	91-12-053	173-201-070	REP-W	91-10-048	173-204-110	NEW	91-08-019
173-19-230	AMD	91-03-145	173-201-070	REP-P	91-11-089	173-204-120	NEW	91-08-019
173-19-250	AMD	91-03-149	173-201-080	REP-P	91-09-056	173-204-130	NEW	91-08-019
173-19-2516	AMD-P	91-14-053	173-201-080	REP-W	91-10-048	173-204-200	NEW	91-08-019
173-19-2519	AMD-W	91-12-036	173-201-080	REP-P	91-11-089	173-204-300	NEW	91-08-019
173-19-280	AMD-P	91-03-141	173-201-080	REP-P	91-09-056	173-204-310	NEW	91-08-019
173-19-280	AMD-W	91-11-088	173-201-085	REP-W	91-10-048	173-204-315	NEW	91-08-019
173-19-280	AMD-P	91-14-100	173-201-085	REP-P	91-11-089	173-204-320	NEW	91-08-019
173-19-3203	AMD	91-03-147	173-201-090	REP-P	91-09-056	173-204-330	NEW	91-08-019
173-19-3204	AMD-P	91-14-052	173-201-090	REP-W	91-10-048	173-204-340	NEW	91-08-019
173-19-3205	AMD	91-03-146	173-201-090	REP-P	91-11-089	173-204-350	NEW	91-08-019
173-19-3208	AMD	91-03-148	173-201-100	REP-P	91-09-056	173-204-400	NEW	91-08-019
173-19-3209	AMD	91-04-070	173-201-100	REP-W	91-10-048	173-204-410	NEW	91-08-019
173-19-3210	AMD	91-04-071	173-201-100	REP-P	91-11-089	173-204-415	NEW	91-08-019
173-19-350	AMD-P	91-03-143	173-201-110	REP-P	91-09-056	173-204-420	NEW	91-08-019
173-19-350	AMD	91-12-052	173-201-110	REP-W	91-10-048	173-204-500	NEW	91-08-019
173-19-360	AMD	91-04-072	173-201-110	REP-P	91-11-089	173-204-510	NEW	91-08-019
173-19-360	AMD-P	91-05-063	173-201-120	REP-P	91-09-056	173-204-520	NEW	91-08-019
173-19-360	AMD-C	91-06-094	173-201-120	REP-W	91-10-048	173-204-530	NEW	91-08-019
173-19-360	AMD	91-12-054	173-201-120	REP-P	91-11-089	173-204-540	NEW	91-08-019
173-19-420	AMD-P	91-14-051	173-203-010	NEW-P	91-09-056	173-204-550	NEW	91-08-019
173-19-4205	AMD-P	91-04-079	173-203-010	NEW-W	91-10-048	173-204-560	NEW	91-08-019
173-19-4205	AMD	91-09-055	173-203-010	NEW-P	91-11-089	173-204-570	NEW	91-08-019
173-160-040	AMD-E	91-04-073	173-203-020	NEW-P	91-09-056	173-204-580	NEW	91-08-019
173-160-040	AMD-P	91-12-039	173-203-020	NEW-W	91-10-048	173-204-590	NEW	91-08-019
173-160-040	AMD-E	91-12-041	173-203-020	NEW-P	91-11-089	173-204-600	NEW	91-08-019
173-160-040	AMD-C	91-15-104	173-203-030	NEW-P	91-09-056	173-204-610	NEW	91-08-019
173-166	AMD-C	91-02-099	173-203-030	NEW-W	91-10-048	173-204-620	NEW	91-08-019
173-166	AMD	91-03-081	173-203-030	NEW-P	91-11-089	173-224	PREP	91-15-106
173-166-010	AMD	91-03-081	173-203-040	NEW-P	91-09-056	173-224-015	AMD-P	91-03-080
173-166-020	AMD	91-03-081	173-203-040	NEW-W	91-10-048	173-224-015	AMD-W	91-11-047
173-166-030	AMD	91-03-081	173-203-040	NEW-P	91-11-089	173-224-030	AMD-P	91-03-080
173-166-040	AMD	91-03-081	173-203-050	NEW-P	91-09-056	173-224-030	AMD-W	91-11-047
173-166-050	AMD	91-03-081	173-203-050	NEW-W	91-10-048	173-224-040	AMD-P	91-03-080
173-166-060	AMD	91-03-081	173-203-050	NEW-P	91-11-089	173-224-040	AMD-W	91-11-047
173-166-070	AMD	91-03-081	173-203-060	NEW-P	91-09-056	173-224-050	AMD-P	91-03-080
173-166-080	NEW	91-03-081	173-203-060	NEW-W	91-10-048	173-224-050	AMD-W	91-11-047
173-166-090	NEW	91-03-081	173-203-060	NEW-P	91-11-089	173-224-090	AMD-P	91-03-080
173-166-100	NEW	91-03-081	173-203-070	NEW-P	91-09-056	173-224-090	AMD-W	91-11-047
173-166-110	NEW	91-03-081	173-203-070	NEW-W	91-10-048	173-230-090	AMD	91-13-058
173-166-120	NEW	91-03-081	173-203-070	NEW-P	91-11-089	173-270-010	NEW-P	91-04-091
173-166-130	NEW	91-03-081	173-203-080	NEW-P	91-09-056	173-270-010	NEW	91-11-091
173-166-140	NEW	91-03-081	173-203-080	NEW-W	91-10-048	173-270-020	NEW-P	91-04-091
173-181-010	NEW-P	91-14-110	173-203-080	NEW-P	91-11-089	173-270-020	NEW	91-11-091
173-181-020	NEW-P	91-14-110	173-203-090	NEW-P	91-09-056	173-270-030	NEW-P	91-04-091
173-181-030	NEW-P	91-14-110	173-203-090	NEW-W	91-10-048	173-270-030	NEW	91-11-091
173-181-035	NEW-P	91-14-110	173-203-090	NEW-P	91-11-089	173-270-040	NEW-P	91-04-091
173-181-040	NEW-P	91-14-110	173-203-100	NEW-P	91-09-056	173-270-040	NEW	91-11-091
173-181-045	NEW-P	91-14-110	173-203-100	NEW-W	91-10-048	173-270-050	NEW-P	91-04-091
173-181-050	NEW-P	91-14-110	173-203-100	NEW-P	91-11-089	173-270-050	NEW	91-11-091
173-181-060	NEW-P	91-14-110	173-203-110	NEW-P	91-09-056	173-270-060	NEW-P	91-04-091
173-181-065	NEW-P	91-14-110	173-203-110	NEW-W	91-10-048	173-270-060	NEW	91-11-091
173-181-070	NEW-P	91-14-110	173-203-110	NEW-P	91-11-089	173-270-070	NEW-P	91-04-091
173-181-075	NEW-P	91-14-110	173-203-120	NEW-P	91-09-056	173-270-070	NEW	91-11-091

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173-270-080	NEW	91-11-091	173-305-05001	NEW-E	91-03-139	173-340-730	NEW	91-04-019
173-270-090	NEW-P	91-04-091	173-305-060	REP-E	91-03-139	173-340-740	NEW	91-04-019
173-270-090	NEW	91-11-091	173-305-06001	NEW-E	91-03-139	173-340-745	NEW	91-04-019
173-270-100	NEW-P	91-04-091	173-305-070	REP-E	91-03-139	173-340-750	NEW	91-04-019
173-270-100	NEW	91-11-091	173-305-07001	NEW-E	91-03-139	173-340-760	NEW	91-04-019
173-300-070	AMD-P	91-09-053	173-305-080	REP-E	91-03-139	173-340-830	AMD	91-04-019
173-300-070	AMD	91-12-040	173-305-090	REP-E	91-03-139	173-360-220	NEW-W	91-04-022
173-303	PREP	91-15-105	173-305-110	NEW	91-08-040	173-360-230	NEW-W	91-04-022
173-303-016	AMD	91-07-005	173-305-120	NEW	91-08-040	173-360-620	NEW-W	91-04-022
173-303-017	AMD	91-07-005	173-305-210	NEW	91-08-040	173-400-010	AMD	91-05-064
173-303-040	AMD	91-07-005	173-305-220	NEW	91-08-040	173-400-020	AMD	91-05-064
173-303-045	AMD	91-07-005	173-305-230	NEW	91-08-040	173-400-030	AMD	91-05-064
173-303-070	AMD	91-07-005	173-305-240	NEW	91-08-040	173-400-040	AMD	91-05-064
173-303-071	AMD	91-07-005	173-305-210	NEW	91-08-040	173-400-050	AMD	91-05-064
173-303-072	AMD	91-07-005	173-307-010	AMD-P	91-14-099	173-400-060	AMD	91-05-064
173-303-081	AMD	91-07-005	173-307-015	NEW	91-08-041	173-400-070	AMD	91-05-064
173-303-084	AMD	91-07-005	173-307-015	AMD-P	91-14-099	173-400-075	AMD	91-05-064
173-303-090	AMD	91-07-005	173-307-020	NEW	91-08-041	173-400-100	AMD	91-05-064
173-303-103	AMD	91-07-005	173-307-020	AMD-P	91-14-099	173-400-105	AMD	91-05-064
173-303-110	AMD	91-07-005	173-307-030	NEW	91-08-041	173-400-110	AMD	91-05-064
173-303-120	AMD	91-07-005	173-307-030	AMD-P	91-14-099	173-400-115	AMD	91-05-064
173-303-145	AMD	91-07-005	173-307-040	NEW	91-08-041	173-400-120	AMD	91-05-064
173-303-160	AMD	91-07-005	173-307-040	AMD-P	91-14-099	173-400-131	NEW	91-05-064
173-303-200	AMD	91-07-005	173-307-050	NEW	91-08-041	173-400-136	NEW	91-05-064
173-303-201	AMD	91-07-005	173-307-060	NEW	91-08-041	173-400-141	NEW	91-05-064
173-303-210	AMD	91-07-005	173-307-060	AMD-P	91-14-099	173-400-151	NEW	91-05-064
173-303-220	AMD	91-07-005	173-307-070	NEW	91-08-041	173-400-161	NEW	91-05-064
173-303-230	AMD	91-07-005	173-307-070	AMD-P	91-14-099	173-400-171	NEW	91-05-064
173-303-320	AMD	91-07-005	173-307-080	NEW	91-08-041	173-400-180	NEW	91-05-064
173-303-360	AMD	91-07-005	173-307-080	AMD-P	91-14-099	173-400-190	NEW	91-05-064
173-303-380	AMD	91-07-005	173-307-090	NEW	91-08-041	173-400-200	NEW	91-05-064
173-303-390	AMD	91-07-005	173-307-100	NEW	91-08-041	173-400-205	NEW	91-05-064
173-303-400	AMD	91-07-005	173-307-110	NEW	91-08-041	173-400-210	NEW	91-05-064
173-303-500	AMD	91-07-005	173-307-120	NEW	91-08-041	173-400-220	NEW	91-05-064
173-303-510	RE-AD	91-07-005	173-307-130	NEW	91-08-041	173-400-230	NEW	91-05-064
173-303-515	RE-AD	91-07-005	173-307-140	NEW	91-08-041	173-400-240	NEW	91-05-064
173-303-520	RE-AD	91-07-005	173-312	AMD	91-11-090	173-400-250	NEW	91-05-064
173-303-525	AMD	91-07-005	173-312-010	AMD	91-11-090	173-400-260	NEW	91-05-064
173-303-550	AMD	91-07-005	173-312-020	AMD	91-11-090	173-403-010	REP	91-05-064
173-303-560	RE-AD	91-07-005	173-312-030	AMD	91-11-090	173-403-020	REP	91-05-064
173-303-600	AMD	91-07-005	173-312-040	AMD	91-11-090	173-403-030	REP	91-05-064
173-303-610	AMD	91-07-005	173-312-050	AMD	91-11-090	173-403-050	REP	91-05-064
173-303-620	AMD	91-07-005	173-312-060	NEW	91-11-090	173-403-060	REP	91-05-064
173-303-630	AMD	91-07-005	173-312-070	NEW	91-11-090	173-403-070	REP	91-05-064
173-303-645	AMD	91-07-005	173-312-080	NEW	91-11-090	173-403-075	REP	91-05-064
173-303-650	RE-AD	91-07-005	173-312-090	NEW	91-11-090	173-403-080	REP	91-05-064
173-303-680	NEW	91-07-005	173-312-100	NEW	91-11-090	173-403-090	REP	91-05-064
173-303-800	AMD	91-07-005	173-319	PREP	91-10-032	173-403-100	REP	91-05-064
173-303-802	AMD	91-07-005	173-331-010	NEW	91-05-020	173-403-110	REP	91-05-064
173-303-805	AMD	91-07-005	173-331-100	NEW	91-05-020	173-403-120	REP	91-05-064
173-303-806	AMD	91-07-005	173-331-200	NEW	91-05-020	173-403-130	REP	91-05-064
173-303-807	AMD	91-07-005	173-331-210	NEW	91-05-020	173-403-141	REP	91-05-064
173-303-808	AMD	91-07-005	173-331-220	NEW	91-05-020	173-403-145	REP	91-05-064
173-303-810	AMD	91-07-005	173-331-300	NEW	91-05-020	173-403-150	REP	91-05-064
173-303-830	AMD	91-07-005	173-331-400	NEW	91-05-020	173-403-160	REP	91-05-064
173-303-902	PREP	91-08-018	173-331-410	NEW	91-05-020	173-403-170	REP	91-05-064
173-303-9903	AMD	91-07-005	173-331-500	NEW	91-05-020	173-403-180	REP	91-05-064
173-303-9904	AMD	91-07-005	173-331-600	NEW	91-05-020	173-403-190	REP	91-05-064
173-303-9906	AMD	91-07-005	173-340-120	AMD	91-04-019	173-405-012	AMD	91-05-064
173-303-9907	AMD	91-07-005	173-340-200	AMD	91-04-019	173-405-021	AMD	91-05-064
173-305-010	REP-E	91-03-139	173-340-210	AMD	91-04-019	173-405-033	AMD	91-05-064
173-305-010	AMD	91-08-040	173-340-300	AMD	91-04-019	173-405-035	AMD	91-05-064
173-305-01001	NEW-E	91-03-139	173-340-350	AMD	91-04-019	173-405-040	AMD	91-05-064
173-305-015	REP-E	91-03-139	173-340-360	AMD	91-04-019	173-405-041	REP	91-05-064
173-305-015	AMD	91-08-040	173-340-420	AMD	91-04-019	173-405-045	AMD	91-05-064
173-305-01501	NEW-E	91-03-139	173-340-430	AMD	91-04-019	173-405-061	AMD	91-05-064
173-305-020	REP-E	91-03-139	173-340-440	NEW	91-04-019	173-405-072	AMD	91-05-064
173-305-020	AMD	91-08-040	173-340-450	NEW	91-04-019	173-405-077	AMD	91-05-064
173-305-02001	NEW-E	91-03-139	173-340-700	AMD	91-04-019	173-405-078	AMD	91-05-064
173-305-030	REP-E	91-03-139	173-340-702	NEW	91-04-019	173-405-086	AMD	91-05-064
173-305-030	AMD	91-08-040	173-340-704	NEW	91-04-019	173-405-087	AMD	91-05-064
173-305-03001	NEW-E	91-03-139	173-340-705	NEW	91-04-019	173-405-091	AMD	91-05-064
173-305-040	REP-E	91-03-139	173-340-706	NEW	91-04-019	173-410-012	AMD	91-05-064
173-305-040	AMD	91-08-040	173-340-707	NEW	91-04-019	173-410-021	AMD	91-05-064
173-305-04001	NEW-E	91-03-139	173-340-708	NEW	91-04-019	173-410-035	AMD	91-05-064
173-305-050	REP-E	91-03-139	173-340-710	NEW	91-04-019	173-410-040	AMD	91-05-064

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173-410-045	AMD	91-05-064	173-500-080	NEW-E	91-04-080	182-18-010	NEW-P	91-05-079
173-410-062	AMD	91-05-064	173-500-080	NEW-P	91-12-038	182-18-020	NEW-P	91-05-079
173-410-067	AMD	91-05-064	173-500-080	NEW-E	91-12-042	182-18-030	NEW-P	91-05-079
173-410-071	AMD	91-05-064	173-548-050	AMD-E	91-04-073	182-18-040	NEW-P	91-05-079
173-410-086	AMD	91-05-064	173-548-050	AMD-P	91-12-039	182-18-050	NEW-P	91-05-079
173-410-087	AMD	91-05-064	173-548-050	AMD-E	91-12-041	182-18-060	NEW-P	91-05-079
173-410-100	NEW	91-05-064	173-548-050	AMD-C	91-15-104	182-18-070	NEW-P	91-05-079
173-415-010	AMD	91-05-064	180-25-025	AMD-P	91-08-070	182-18-080	NEW-P	91-05-079
173-415-020	AMD	91-05-064	180-25-025	AMD	91-12-058	182-18-090	NEW-P	91-05-079
173-415-030	AMD	91-05-064	180-26-020	AMD-P	91-08-071	182-18-100	NEW-P	91-05-079
173-415-040	AMD	91-05-064	180-26-020	AMD	91-12-057	182-18-110	NEW-P	91-05-079
173-415-041	REP	91-05-064	180-26-057	AMD-E	91-15-030	182-18-120	NEW-P	91-05-079
173-415-045	AMD	91-05-064	180-26-058	NEW-E	91-15-030	182-18-130	NEW-P	91-05-079
173-415-050	AMD	91-05-064	180-26-060	AMD-P	91-08-067	182-18-140	NEW-P	91-05-079
173-415-051	AMD	91-05-064	180-26-060	AMD	91-12-055	182-18-150	NEW-P	91-05-079
173-415-060	AMD	91-05-064	180-27-018	AMD-P	91-08-068	182-18-160	NEW-P	91-05-079
173-415-070	AMD	91-05-064	180-27-018	AMD	91-12-059	192-12	AMD-C	91-16-029
173-415-080	AMD	91-05-064	180-27-032	NEW-P	91-08-069	192-12-300	AMD-E	91-03-054
173-433	AMD	91-07-066	180-27-032	NEW	91-12-056	192-12-300	AMD-P	91-11-051
173-433-030	AMD	91-07-066	180-27-058	AMD-P	91-08-068	192-12-300	AMD-E	91-11-052
173-433-100	AMD	91-07-066	180-27-058	AMD	91-12-059	192-12-305	REP-E	91-03-054
173-433-110	AMD	91-07-066	180-27-115	AMD-P	91-08-068	192-12-305	AMD-P	91-11-051
173-433-120	AMD	91-07-066	180-27-115	AMD	91-12-059	192-12-305	AMD-E	91-11-052
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173-433-140	NEW	91-07-066	180-29-107	AMD	91-12-055	192-12-310	AMD-P	91-11-051
173-433-150	AMD	91-07-066	180-29-1075	AMD-E	91-15-030	192-12-320	AMD-E	91-03-054
173-433-170	AMD	91-07-066	180-29-1076	NEW-E	91-15-030	192-12-320	AMD-P	91-11-051
173-460-010	NEW	91-13-079	180-29-115	AMD-E	91-15-030	192-12-320	AMD-E	91-11-052
173-460-020	NEW	91-13-079	180-29-116	NEW-E	91-15-030	192-12-330	AMD-E	91-03-054
173-460-030	NEW	91-13-079	180-33-013	NEW-P	91-08-070	192-12-330	AMD-P	91-11-051
173-460-040	NEW	91-13-079	180-33-013	NEW	91-12-058	192-12-330	AMD-E	91-11-052
173-460-050	NEW	91-13-079	180-33-015	AMD-P	91-08-070	192-12-370	NEW-E	91-03-054
173-460-060	NEW	91-13-079	180-33-015	AMD	91-12-058	192-12-370	NEW-P	91-11-051
173-460-070	NEW	91-13-079	180-33-020	AMD-P	91-08-070	192-12-370	NEW-E	91-11-052
173-460-080	NEW	91-13-079	180-33-020	AMD	91-12-058	192-32-001	NEW-P	91-14-115
173-460-090	NEW	91-13-079	180-33-023	NEW-P	91-08-070	192-32-001	NEW-E	91-14-116
173-460-100	NEW	91-13-079	180-33-023	NEW	91-12-058	192-32-010	NEW-P	91-14-115
173-460-110	NEW	91-13-079	180-33-035	AMD-P	91-08-070	192-32-010	NEW-E	91-14-116
173-460-120	NEW	91-13-079	180-33-035	AMD	91-12-058	192-32-015	NEW-P	91-14-115
173-460-130	NEW	91-13-079	180-44-050	AMD-P	91-05-068	192-32-015	NEW-E	91-14-116
173-460-140	NEW	91-13-079	180-44-050	AMD	91-08-025	192-32-025	NEW-P	91-14-115
173-460-150	NEW	91-13-079	180-51-085	AMD	91-11-018	192-32-025	NEW-E	91-14-116
173-460-160	NEW	91-13-079	180-55-005	AMD	91-04-015	192-32-035	NEW-P	91-14-115
173-490-010	AMD	91-05-064	180-55-015	AMD	91-04-015	192-32-035	NEW-E	91-14-116
173-490-020	AMD	91-05-064	180-79-003	AMD	91-04-016	192-32-040	NEW-P	91-14-115
173-490-025	AMD	91-05-064	180-79-080	AMD	91-04-016	192-32-040	NEW-E	91-14-116
173-490-030	AMD	91-05-064	180-79-230	AMD	91-05-056	192-32-045	NEW-P	91-14-115
173-490-040	AMD	91-05-064	180-79-236	NEW	91-05-056	192-32-045	NEW-E	91-14-116
173-490-070	REP	91-05-064	180-79-241	NEW	91-05-056	192-32-050	NEW-P	91-14-115
173-490-071	REP	91-05-064	180-85-005	AMD	91-04-016	192-32-050	NEW-E	91-14-116
173-490-080	AMD	91-05-064	180-85-045	AMD	91-04-016	192-32-055	NEW-P	91-14-115
173-490-090	AMD	91-05-064	180-86-100	AMD-P	91-05-024	192-32-055	NEW-E	91-14-116
173-490-120	REP	91-05-064	180-86-100	AMD	91-08-056	192-32-065	NEW-P	91-14-115
173-490-130	REP	91-05-064	182-08-111	REP-P	91-11-093	192-32-065	NEW-E	91-14-116
173-490-135	REP	91-05-064	182-08-111	REP-P	91-11-094	192-32-075	NEW-P	91-14-115
173-490-140	REP	91-05-064	182-08-220	AMD-P	91-11-093	192-32-075	NEW-E	91-14-116
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173-490-207	AMD	91-05-064	182-12-210	REP	91-11-010	192-32-115	NEW-E	91-14-116
173-490-208	AMD	91-05-064	182-12-215	NEW-P	91-04-086	196-24-060	AMD-P	91-07-064
173-491-010	NEW-P	91-02-107	182-12-215	NEW	91-11-010	196-24-060	AMD	91-11-075
173-491-010	NEW	91-14-101	182-16-010	NEW-P	91-04-087	196-24-095	AMD-P	91-05-078
173-491-015	NEW-P	91-02-107	182-16-010	NEW	91-14-025	196-24-095	AMD-C	91-06-018
173-491-015	NEW	91-14-101	182-16-020	NEW-P	91-04-087	196-24-095	AMD	91-11-099
173-491-020	NEW-P	91-02-107	182-16-020	NEW	91-14-025	196-24-097	NEW-P	91-05-078
173-491-020	NEW	91-14-101	182-16-030	NEW-P	91-04-087	196-24-097	NEW-C	91-06-018
173-491-030	NEW-P	91-02-107	182-16-030	NEW	91-14-025	196-24-097	NEW-W	91-11-098
173-491-030	NEW	91-14-101	182-16-040	NEW-P	91-04-087	196-24-098	PREP	91-05-041
173-491-040	NEW-P	91-02-107	182-16-040	NEW	91-14-025	196-26-020	AMD-P	91-07-065
173-491-040	NEW	91-14-101	182-16-050	NEW-P	91-04-087	196-26-020	AMD	91-10-046
173-491-050	NEW-P	91-02-107	182-16-050	NEW	91-14-025	196-26-030	AMD-P	91-07-065

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
196-26-030	AMD 91-10-046	212-55-010	REP-P 91-06-020	212-56A-040	NEW 91-11-001
204-10-040	AMD-P 91-16-100	212-55-010	REP-E 91-06-021	212-56A-045	NEW-P 91-06-020
204-24-050	AMD-P 91-10-053	212-55-010	REP 91-11-001	212-56A-045	NEW-E 91-06-021
204-24-050	AMD 91-14-004	212-55-015	REP-P 91-06-020	212-56A-045	NEW 91-11-001
204-53-010	NEW 91-05-019	212-55-015	REP-E 91-06-021	212-56A-050	NEW-P 91-06-020
204-88-030	AMD-P 91-10-015	212-55-015	REP 91-11-001	212-56A-050	NEW-E 91-06-021
204-88-030	AMD 91-14-003	212-55-020	REP-P 91-06-020	212-56A-050	NEW 91-11-001
212-12-010	AMD-W 91-05-043	212-55-020	REP-E 91-06-021	212-56A-055	NEW-P 91-06-020
212-54-001	REP-P 91-06-020	212-55-020	REP 91-11-001	212-56A-055	NEW-E 91-06-021
212-54-001	REP-E 91-06-021	212-55-025	REP-P 91-06-020	212-56A-055	NEW 91-11-001
212-54-001	REP 91-11-001	212-55-025	REP-E 91-06-021	212-56A-060	NEW-P 91-06-020
212-54-005	REP-P 91-06-020	212-55-025	REP 91-11-001	212-56A-060	NEW-E 91-06-021
212-54-005	REP-E 91-06-021	212-55-030	REP-P 91-06-020	212-56A-060	NEW 91-11-001
212-54-005	REP 91-11-001	212-55-030	REP-E 91-06-021	212-56A-065	NEW-P 91-06-020
212-54-010	REP-P 91-06-020	212-55-030	REP 91-11-001	212-56A-065	NEW-E 91-06-021
212-54-010	REP-E 91-06-021	212-55-035	REP-P 91-06-020	212-56A-065	NEW 91-11-001
212-54-010	REP 91-11-001	212-55-035	REP-E 91-06-021	212-56A-070	NEW-P 91-06-020
212-54-015	REP-P 91-06-020	212-55-035	REP 91-11-001	212-56A-070	NEW-E 91-06-021
212-54-015	REP-E 91-06-021	212-55-040	REP-P 91-06-020	212-56A-070	NEW 91-11-001
212-54-015	REP 91-11-001	212-55-040	REP-E 91-06-021	212-56A-075	NEW-P 91-06-020
212-54-020	REP-P 91-06-020	212-55-040	REP 91-11-001	212-56A-075	NEW-E 91-06-021
212-54-020	REP-E 91-06-021	212-55-045	REP-P 91-06-020	212-56A-075	NEW 91-11-001
212-54-020	REP 91-11-001	212-55-045	REP-E 91-06-021	212-56A-080	NEW-P 91-06-020
212-54-025	REP-P 91-06-020	212-55-045	REP 91-11-001	212-56A-080	NEW-E 91-06-021
212-54-025	REP-E 91-06-021	212-55-050	REP-P 91-06-020	212-56A-080	NEW 91-11-001
212-54-025	REP 91-11-001	212-55-050	REP-E 91-06-021	212-56A-085	NEW-P 91-06-020
212-54-030	REP-P 91-06-020	212-55-050	REP 91-11-001	212-56A-085	NEW-E 91-06-021
212-54-030	REP-E 91-06-021	212-55-055	REP-P 91-06-020	212-56A-085	NEW 91-11-001
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212-54-035	REP-E 91-06-021	212-55-060	REP-P 91-06-020	212-56A-090	NEW 91-11-001
212-54-035	REP 91-11-001	212-55-060	REP-E 91-06-021	212-56A-095	NEW-P 91-06-020
212-54-040	REP-P 91-06-020	212-55-060	REP 91-11-001	212-56A-095	NEW-E 91-06-021
212-54-040	REP-E 91-06-021	212-55-065	REP-P 91-06-020	212-56A-095	NEW 91-11-001
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212-54-045	REP-E 91-06-021	212-55-070	REP-P 91-06-020	212-56A-100	NEW 91-11-001
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212-54-055	REP-E 91-06-021	212-55-080	REP-P 91-06-020	212-56A-110	NEW 91-11-001
212-54-055	REP 91-11-001	212-55-080	REP-E 91-06-021	212-56A-115	NEW-P 91-06-020
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212-54-060	REP-E 91-06-021	212-55-085	REP-P 91-06-020	212-56A-115	NEW 91-11-001
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212-54-065	REP 91-11-001	212-55-090	REP-E 91-06-021	212-56A-125	NEW-P 91-06-020
212-54-070	REP-P 91-06-020	212-55-090	REP 91-11-001	212-56A-125	NEW-E 91-06-021
212-54-070	REP-E 91-06-021	212-55-095	REP-P 91-06-020	212-56A-125	NEW 91-11-001
212-54-070	REP 91-11-001	212-55-095	REP-E 91-06-021	212-56A-130	NEW-P 91-06-020
212-54-075	REP-P 91-06-020	212-55-095	REP 91-11-001	212-56A-130	NEW-E 91-06-021
212-54-075	REP-E 91-06-021	212-56A-001	NEW-P 91-06-020	212-56A-130	NEW 91-11-001
212-54-075	REP 91-11-001	212-56A-001	NEW-E 91-06-021	212-56A-135	NEW-P 91-06-020
212-54-080	REP-P 91-06-020	212-56A-001	NEW 91-11-001	212-56A-135	NEW-E 91-06-021
212-54-080	REP-E 91-06-021	212-56A-005	NEW-P 91-06-020	212-56A-135	NEW 91-11-001
212-54-080	REP 91-11-001	212-56A-005	NEW-E 91-06-021	212-56A-140	NEW-P 91-06-020
212-54-085	REP-P 91-06-020	212-56A-005	NEW 91-11-001	212-56A-140	NEW-E 91-06-021
212-54-085	REP-E 91-06-021	212-56A-010	NEW-P 91-06-020	212-56A-140	NEW 91-11-001
212-54-085	REP 91-11-001	212-56A-010	NEW-E 91-06-021	212-80-001	NEW-P 91-10-083
212-54-090	REP-P 91-06-020	212-56A-010	NEW 91-11-001	212-80-001	NEW-E 91-10-084
212-54-090	REP-E 91-06-021	212-56A-015	NEW-P 91-06-020	212-80-001	NEW 91-14-086
212-54-090	REP 91-11-001	212-56A-015	NEW-E 91-06-021	212-80-005	NEW-P 91-10-083
212-54-095	REP-P 91-06-020	212-56A-015	NEW 91-11-001	212-80-005	NEW-E 91-10-084
212-54-095	REP-E 91-06-021	212-56A-020	NEW-P 91-06-020	212-80-005	NEW 91-14-086
212-54-095	REP 91-11-001	212-56A-020	NEW-E 91-06-021	212-80-010	NEW-P 91-10-083
212-54-100	REP-P 91-06-020	212-56A-020	NEW 91-11-001	212-80-010	NEW-E 91-10-084
212-54-100	REP-E 91-06-021	212-56A-030	NEW-P 91-06-020	212-80-010	NEW 91-14-086
212-54-100	REP 91-11-001	212-56A-030	NEW-E 91-06-021	212-80-015	NEW-P 91-10-083
212-55-001	REP-P 91-06-020	212-56A-030	NEW 91-11-001	212-80-015	NEW-E 91-10-084
212-55-001	REP-E 91-06-021	212-56A-035	NEW-P 91-06-020	212-80-015	NEW 91-14-086
212-55-001	REP 91-11-001	212-56A-035	NEW-E 91-06-021	212-80-020	NEW-P 91-10-083
212-55-005	REP-P 91-06-020	212-56A-035	NEW 91-11-001	212-80-020	NEW-E 91-10-084
212-55-005	REP-E 91-06-021	212-56A-040	NEW-P 91-06-020	212-80-020	NEW 91-14-086
212-55-005	REP 91-11-001	212-56A-040	NEW-E 91-06-021	212-80-025	NEW-P 91-10-083

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
212-80-025	NEW-E	91-10-084	220-20-010	AMD	91-08-054	220-52-046	AMD-P	91-05-102
212-80-025	NEW	91-14-086	220-20-017	AMD-P	91-11-056	220-52-046	AMD	91-10-024
212-80-030	NEW-P	91-10-083	220-20-017	AMD	91-16-070	220-52-051	AMD-P	91-11-111
212-80-030	NEW-E	91-10-084	220-20-01700A	NEW-E	91-03-108	220-52-051	AMD-C	91-15-031
212-80-030	NEW	91-14-086	220-20-01700A	REP-E	91-10-071	220-52-05100G	NEW-E	91-10-094
212-80-035	NEW-P	91-10-083	220-20-01700B	NEW-E	91-10-071	220-52-05100H	NEW-E	91-11-044
212-80-035	NEW-E	91-10-084	220-24-02000D	NEW-E	91-10-058	220-52-05100H	REP-E	91-15-096
212-80-035	NEW	91-14-086	220-24-02000D	REP-E	91-15-115	220-52-05100I	NEW-E	91-15-096
212-80-040	NEW-P	91-10-083	220-24-02000E	NEW-E	91-15-115	220-52-060	AMD-P	91-05-102
212-80-040	NEW-E	91-10-084	220-32-05100D	REP-E	91-04-031	220-52-060	AMD	91-10-024
212-80-040	NEW	91-14-086	220-32-05100E	NEW-E	91-04-031	220-52-069	AMD-P	91-05-102
212-80-045	NEW-P	91-10-083	220-32-05500W	NEW-E	91-10-011	220-52-069	AMD	91-10-024
212-80-045	NEW-E	91-10-084	220-32-05500W	REP-E	91-11-014	220-52-071	AMD-P	91-05-102
212-80-045	NEW	91-14-086	220-32-05500X	NEW-E	91-11-014	220-52-071	AMD	91-10-024
212-80-050	NEW-P	91-10-083	220-32-05500X	REP-E	91-11-076	220-52-071	AMD-P	91-11-111
212-80-050	NEW-E	91-10-084	220-32-05500Y	NEW-E	91-11-076	220-52-071	AMD-C	91-15-031
212-80-050	NEW	91-14-086	220-32-05500Y	REP-E	91-12-004	220-52-07100I	NEW-E	91-11-015
212-80-055	NEW-P	91-10-083	220-32-05500Z	NEW-E	91-12-004	220-52-07100I	REP-E	91-11-055
212-80-055	NEW-E	91-10-084	220-32-05700F	NEW-E	91-03-083	220-52-07100J	NEW-E	91-11-055
212-80-055	NEW	91-14-086	220-32-05700F	REP-E	91-10-058	220-52-073	AMD-P	91-05-102
212-80-060	NEW-P	91-10-083	220-32-05700G	NEW-E	91-08-065	220-52-073	AMD	91-10-024
212-80-060	NEW-E	91-10-084	220-32-05700G	REP-E	91-11-013	220-52-073	AMD-P	91-11-111
212-80-060	NEW	91-14-086	220-32-05700H	NEW-E	91-11-013	220-52-073	AMD-C	91-15-031
212-80-065	NEW-P	91-10-083	220-33-01000V	NEW-E	91-05-005	220-52-07300I	REP-E	91-04-029
212-80-065	NEW-E	91-10-084	220-33-01000V	REP-E	91-05-036	220-52-07300J	NEW-E	91-04-029
212-80-065	NEW	91-14-086	220-33-01000W	NEW-E	91-05-036	220-52-075	AMD-P	91-05-102
212-80-070	NEW-P	91-10-083	220-33-03000C	NEW-E	91-11-100	220-52-075	AMD	91-10-024
212-80-070	NEW-E	91-10-084	220-40-030	AMD-P	91-03-153	220-55-055	AMD-P	91-03-153
212-80-070	NEW	91-14-086	220-40-030	AMD	91-08-054	220-55-055	AMD	91-08-054
212-80-075	NEW-P	91-10-083	220-40-031	AMD-P	91-03-153	220-55-065	AMD-P	91-03-153
212-80-075	NEW-E	91-10-084	220-40-031	AMD	91-08-054	220-55-065	AMD	91-08-054
212-80-075	NEW	91-14-086	220-44-030	AMD-W	91-11-027	220-55-070	AMD-P	91-03-153
212-80-080	NEW-P	91-10-083	220-44-050	AMD-P	91-03-152	220-55-070	AMD	91-08-054
212-80-080	NEW-E	91-10-084	220-44-050	AMD	91-07-050	220-55-075	AMD-P	91-03-153
212-80-080	NEW	91-14-086	220-44-050	AMD-W	91-11-027	220-55-075	AMD	91-08-054
212-80-085	NEW-P	91-10-083	220-44-05000I	REP-E	91-08-023	220-55-080	AMD-P	91-03-153
212-80-085	NEW-E	91-10-084	220-44-05000J	NEW-E	91-08-023	220-55-080	AMD	91-08-054
212-80-085	NEW	91-14-086	220-44-05000J	REP-E	91-10-012	220-55-086	AMD-P	91-03-153
212-80-090	NEW-P	91-10-083	220-44-05000K	NEW-E	91-10-012	220-55-086	AMD	91-08-054
212-80-090	NEW-E	91-10-084	220-44-05000K	REP-E	91-11-077	220-55-125	AMD-P	91-03-153
212-80-090	NEW	91-14-086	220-44-05000L	NEW-E	91-11-077	220-55-125	AMD	91-08-054
212-80-095	NEW-P	91-10-083	220-44-05000L	REP-E	91-14-026	220-56-100	AMD-P	91-03-153
212-80-095	NEW-E	91-10-084	220-44-05000M	NEW-E	91-14-026	220-56-100	AMD	91-08-054
212-80-095	NEW	91-14-086	220-44-05000M	REP-E	91-16-041	220-56-105	AMD-P	91-03-153
212-80-100	NEW-P	91-10-083	220-44-05000N	NEW-E	91-16-041	220-56-105	AMD	91-08-054
212-80-100	NEW-E	91-10-084	220-47-304	AMD-P	91-13-031	220-56-115	AMD-P	91-03-153
212-80-100	NEW	91-14-086	220-47-307	AMD-P	91-13-031	220-56-115	AMD	91-08-054
212-80-105	NEW-P	91-10-083	220-47-311	AMD-P	91-13-031	220-56-128	AMD-P	91-03-153
212-80-105	NEW-E	91-10-084	220-47-319	AMD-P	91-13-031	220-56-128	AMD	91-08-054
212-80-105	NEW	91-14-086	220-47-401	AMD-P	91-13-031	220-56-175	AMD-P	91-03-153
212-80-110	NEW-P	91-10-083	220-47-411	AMD-P	91-13-031	220-56-175	AMD	91-08-054
212-80-110	NEW-E	91-10-084	220-47-700	NEW-E	91-15-017	220-56-180	AMD-P	91-03-153
212-80-110	NEW	91-14-086	220-47-700	REP-E	91-16-027	220-56-180	AMD-C	91-08-054
212-80-115	NEW-P	91-10-083	220-47-701	NEW-E	91-16-027	220-56-180	AMD	91-08-054
212-80-115	NEW-E	91-10-084	220-47-701	REP-E	91-16-069	220-56-180	AMD-C	91-14-045
212-80-115	NEW	91-14-086	220-47-702	NEW-E	91-16-069	220-56-180	AMD	91-14-046
212-80-120	NEW-P	91-10-083	220-48-011	AMD-P	91-09-064	220-56-185	AMD-P	91-03-153
212-80-120	NEW-E	91-10-084	220-48-011	AMD	91-13-051	220-56-185	AMD	91-08-054
212-80-120	NEW	91-14-086	220-48-015	AMD-P	91-09-064	220-56-190	AMD-P	91-03-153
212-80-125	NEW-P	91-10-083	220-48-015	AMD	91-13-051	220-56-190	AMD	91-08-054
212-80-125	NEW-E	91-10-084	220-48-01500E	NEW-E	91-05-037	220-56-19000F	NEW-E	91-14-008
212-80-125	NEW-W	91-14-085	220-48-017	AMD-P	91-09-064	220-56-19000F	REP-E	91-15-095
212-80-130	NEW-P	91-10-083	220-48-017	AMD	91-13-051	220-56-19000G	NEW-E	91-14-048
212-80-130	NEW-E	91-10-084	220-48-029	AMD-P	91-09-064	220-56-19000G	REP-E	91-14-118
212-80-130	NEW	91-14-086	220-48-029	AMD	91-13-051	220-56-19000H	NEW-E	91-14-118
212-80-135	NEW-P	91-10-083	220-49-02300A	NEW-E	91-10-014	220-56-19000I	NEW-E	91-15-095
212-80-135	NEW-E	91-10-084	220-49-056	AMD-P	91-09-064	220-56-19000I	REP-E	91-16-007
212-80-135	NEW	91-14-086	220-49-056	AMD	91-12-051	220-56-19000J	NEW-E	91-16-007
220-12-020	AMD-P	91-05-102	220-49-063	AMD-P	91-02-108	220-56-205	AMD-P	91-03-153
220-12-020	AMD	91-10-024	220-49-063	AMD	91-05-016	220-56-205	AMD	91-08-054
220-16-055	REP-P	91-03-151	220-52-020	AMD-P	91-05-102	220-56-232	NEW-P	91-03-152
220-16-055	REP	91-08-053	220-52-020	AMD	91-10-024	220-56-232	NEW-W	91-16-080
220-16-220	AMD-P	91-03-153	220-52-030	AMD-P	91-05-102	220-56-235	AMD-P	91-03-153
220-16-220	AMD	91-08-054	220-52-030	AMD	91-10-024	220-56-235	AMD-C	91-08-051
220-16-257	AMD-P	91-03-153	220-52-03000G	NEW-E	91-08-024	220-56-235	AMD	91-08-054
220-16-257	AMD	91-08-054	220-52-040	AMD-P	91-05-102	220-56-235	AMD-C	91-14-045
220-20-010	AMD-P	91-03-153	220-52-040	AMD	91-10-024	220-56-23500F	NEW-E	91-04-030

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
220-56-240	AMD-P	91-03-153	220-57-450	AMD-P	91-03-151	230-04-120	AMD	91-15-040
220-56-240	AMD	91-08-054	220-57-450	AMD-C	91-08-052	230-04-120	AMD-E	91-15-041
220-56-24500J	NEW-E	91-14-007	220-57-450	AMD-C	91-12-008	230-04-124	AMD-P	91-15-039
220-56-250	AMD-P	91-03-153	220-57-450	AMD-W	91-16-079	230-04-124	AMD-E	91-15-041
220-56-250	AMD	91-08-054	220-57-450	AMD-W	91-16-080	230-04-135	NEW-P	91-15-039
220-56-25500J	NEW-E	91-14-007	220-57-45000G	NEW-E	91-14-048	230-04-135	NEW-E	91-15-041
220-56-282	AMD-P	91-03-153	220-57-455	AMD-P	91-03-151	230-04-138	NEW-P	91-15-039
220-56-282	AMD	91-08-054	220-57-455	AMD-C	91-08-052	230-04-138	NEW-E	91-15-041
220-56-32500S	NEW-E	91-10-094	220-57-455	AMD-C	91-12-008	230-04-187	NEW-P	91-03-062
220-56-32500T	NEW-E	91-16-006	220-57-455	AMD-W	91-16-079	230-04-187	NEW-C	91-07-019
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220-56-35000M	NEW-E	91-15-047	220-57-460	AMD	91-08-054	230-04-190	AMD-C	91-07-019
220-56-36000W	NEW-E	91-06-057	220-57-465	AMD-P	91-03-151	230-04-190	AMD-P	91-15-039
220-56-36000W	REP-E	91-10-049	220-57-465	AMD-C	91-08-052	230-04-190	AMD	91-15-041
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220-56-38000J	NEW-E	91-14-039	220-57-470	AMD-P	91-03-151	230-04-201	AMD-P	91-15-039
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220-57-16000H	NEW-E	91-08-002	220-57-470	AMD-C	91-12-008	230-04-201	AMD-E	91-15-041
220-57-16000I	NEW-E	91-14-078	220-57-470	AMD	91-14-047	230-08-010	AMD-P	91-10-006
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246-918-230	RECOD	91-06-030	246-922-240	AMD	91-10-041	246-930-020	NEW	91-11-063
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246-918-270	RECOD	91-06-030	246-922-260	AMD	91-10-041	246-930-040	NEW	91-11-063
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275-38-075	AMD-P	91-10-035	296-17-35101	REP-P	91-15-108	296-22-026	AMD	91-07-008
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275-41-015	NEW-P	91-10-035	296-17-440	AMD	91-12-014	296-22-037	AMD	91-07-008
275-41-020	NEW-P	91-10-035	296-17-512	AMD-P	91-07-061	296-22-038	AMD	91-07-008
275-41-025	NEW-P	91-10-035	296-17-512	AMD	91-12-014	296-22-039	AMD	91-07-008
275-54-160	AMD-P	91-13-103	296-17-544	AMD-P	91-07-061	296-22-040	AMD	91-07-008
275-54-160	AMD	91-16-060	296-17-544	AMD	91-12-014	296-22-042	AMD	91-07-008
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275-54-190	AMD	91-16-060	296-17-567	AMD	91-12-014	296-22-052	AMD	91-07-008
275-54-200	AMD-P	91-13-103	296-17-57001	AMD-P	91-07-061	296-22-053	AMD-W	91-02-114
275-54-200	AMD	91-16-060	296-17-57001	AMD	91-12-014	296-22-053	AMD	91-07-008
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275-54-290	AMD-E	91-16-025	296-17-579	AMD	91-12-014	296-22-063	AMD	91-07-008
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275-55-261	AMD	91-16-061	296-17-59203	NEW	91-12-014	296-22-082	AMD	91-07-008
275-55-281	AMD-P	91-13-102	296-17-59204	NEW-P	91-07-061	296-22-087	AMD	91-07-008
275-55-281	AMD	91-16-061	296-17-59204	NEW	91-12-014	296-22-091	AMD	91-07-008
275-55-291	AMD-P	91-13-102	296-17-603	REP-P	91-07-061	296-22-095	AMD	91-07-008
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296-22-141	AMD 91-07-008	296-23-07905	AMD 91-07-008	296-24-19505	AMD 91-03-044
296-22-146	AMD 91-07-008	296-23-07906	AMD 91-07-008	296-24-19509	AMD 91-03-044
296-22-147	AMD 91-07-008	296-23-07907	AMD-W 91-02-114	296-24-200	AMD 91-03-044
296-22-150	AMD 91-07-008	296-23-07907	AMD 91-07-008	296-24-23023	AMD 91-03-044
296-22-155	AMD 91-07-008	296-23-07908	AMD 91-07-008	296-24-23027	AMD 91-03-044
296-22-160	AMD 91-07-008	296-23-080	AMD 91-07-008	296-24-233	AMD-C 91-03-043
296-22-165	AMD 91-07-008	296-23-125	AMD 91-07-008	296-24-233	AMD-W 91-09-004
296-22-170	AMD 91-07-008	296-23-130	AMD 91-07-008	296-24-23303	NEW-C 91-03-043
296-22-180	AMD 91-07-008	296-23-20102	AMD-P 91-12-060	296-24-23303	NEW-W 91-09-004
296-22-190	AMD 91-07-008	296-23-204	AMD 91-07-008	296-24-23533	NEW 91-03-044
296-22-195	AMD 91-07-008	296-23-208	AMD 91-07-008	296-24-450	AMD 91-03-044
296-22-200	AMD 91-07-008	296-23-212	AMD 91-07-008	296-24-68203	AMD 91-03-044
296-22-205	AMD-W 91-02-114	296-23-216	AMD 91-07-008	296-24-75009	AMD 91-03-044
296-22-205	AMD 91-07-008	296-23-221	AMD 91-07-008	296-24-75011	AMD 91-03-044
296-22-210	AMD 91-07-008	296-23-224	AMD 91-07-008	296-24-76555	AMD 91-03-044
296-22-215	AMD 91-07-008	296-23-228	AMD 91-07-008	296-24-87035	NEW 91-03-044
296-22-220	AMD 91-07-008	296-23-231	AMD 91-07-008	296-24-95611	AMD 91-03-044
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296-22-230	AMD 91-07-008	296-23-50002	AMD 91-07-008	296-52-417	AMD 91-03-044
296-22-235	AMD 91-07-008	296-23-725	AMD-P 91-12-060	296-52-465	AMD 91-03-044
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296-22-255	AMD 91-07-008	296-23A-205	AMD-W 91-14-098	296-52-497	AMD 91-03-044
296-22-260	AMD 91-07-008	296-23A-240	AMD 91-07-008	296-56-60073	AMD-P 91-04-077
296-22-265	AMD 91-07-008	296-23A-242	AMD 91-07-008	296-56-60073	AMD 91-11-070
296-22-270	AMD 91-07-008	296-23A-244	AMD 91-07-008	296-56-60229	AMD-P 91-04-077
296-22-275	AMD 91-07-008	296-23A-246	AMD 91-07-008	296-56-60229	AMD 91-11-070
296-22-280	AMD 91-07-008	296-23A-248	AMD 91-07-008	296-62-07314	AMD 91-03-044
296-22-285	AMD 91-07-008	296-23A-250	AMD 91-07-008	296-62-07329	AMD 91-03-044
296-22-290	AMD 91-07-008	296-23A-252	AMD 91-07-008	296-62-07515	AMD-P 91-04-077
296-22-295	AMD 91-07-008	296-23A-254	AMD 91-07-008	296-62-07515	AMD 91-11-070
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296-22-350	AMD 91-07-008	296-23A-340	AMD-W 91-02-114	296-62-07755	NEW 91-03-044
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296-22-445	AMD 91-07-008	296-24-11005	AMD 91-11-070	296-81-040	REP-P 91-10-091
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296-23-020	AMD 91-07-008	296-24-11015	AMD-P 91-04-077	296-81-130	REP-P 91-10-091
296-23-025	AMD 91-07-008	296-24-11015	AMD 91-11-070	296-81-140	REP-P 91-10-091
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296-95-245	NEW-P	91-10-091	296-95-510	NEW-P	91-10-091	296-155-363	AMD	91-11-070
296-95-250	NEW-P	91-10-091	296-95-540	NEW-P	91-10-091	296-155-36313	AMD-P	91-04-077
296-95-255	NEW-P	91-10-091	296-95-600	NEW-P	91-10-091	296-155-36313	AMD	91-11-070
296-95-256	NEW-P	91-10-091	296-95-610	NEW-P	91-10-091	296-155-375	AMD-P	91-04-077
296-95-260	NEW-P	91-10-091	296-95-620	NEW-P	91-10-091	296-155-375	AMD	91-11-070
296-95-261	NEW-P	91-10-091	296-95-630	NEW-P	91-10-091	296-155-480	AMD	91-03-044
296-95-262	NEW-P	91-10-091	296-95-700	NEW-P	91-10-091	296-155-485	AMD	91-03-044
296-95-264	NEW-P	91-10-091	296-95-710	NEW-P	91-10-091	296-155-48529	AMD	91-03-044
296-95-266	NEW-P	91-10-091	296-95-800	NEW-P	91-10-091	296-155-48531	AMD	91-03-044

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
296-155-48533	AMD	91-03-044	308-20-080	AMD	91-11-042
296-155-500	AMD	91-03-044	308-20-090	AMD-P	91-05-080
296-155-505	AMD	91-03-044	308-20-090	AMD	91-11-042
296-155-50501	REP	91-03-044	308-20-095	NEW-P	91-05-080
296-155-50503	AMD	91-03-044	308-20-095	NEW	91-11-042
296-155-525	AMD	91-03-044	308-20-105	AMD-P	91-05-080
296-155-530	AMD	91-03-044	308-20-105	AMD	91-11-042
296-155-620	AMD	91-03-044	308-20-110	AMD-P	91-05-080
296-155-625	AMD	91-03-044	308-20-110	AMD	91-11-042
296-155-650	AMD	91-03-044	308-20-140	AMD-P	91-05-080
296-155-655	AMD	91-03-044	308-20-140	AMD	91-11-042
296-155-65505	REP	91-03-044	308-20-175	NEW-P	91-05-080
296-155-657	NEW	91-03-044	308-20-175	NEW	91-11-042
296-155-660	REP	91-03-044	308-31-001	DECOD	91-03-095
296-155-66005	REP	91-03-044	308-31-010	DECOD	91-03-095
296-155-66103	NEW	91-03-044	308-31-010	AMD-P	91-05-089
296-155-66105	NEW	91-03-044	308-31-020	DECOD	91-03-095
296-155-66109	NEW	91-03-044	308-31-020	AMD-P	91-05-089
296-155-664	NEW	91-03-044	308-31-025	DECOD	91-03-095
296-155-665	REP	91-03-044	308-31-025	AMD-P	91-05-089
296-155-66501	REP	91-03-044	308-31-030	DECOD	91-03-095
296-155-66502	REP	91-03-044	308-31-030	AMD-P	91-05-089
296-155-66503	REP	91-03-044	308-31-040	DECOD	91-03-095
296-155-66504	REP	91-03-044	308-31-040	AMD-P	91-05-089
296-155-66505	REP	91-03-044	308-31-050	DECOD	91-03-095
296-155-675	AMD-P	91-04-077	308-31-050	AMD-P	91-05-089
296-155-675	AMD	91-11-070	308-31-055	DECOD	91-05-029
296-155-682	AMD	91-03-044	308-31-057	DECOD	91-03-095
296-155-688	AMD	91-03-044	308-31-057	AMD-P	91-05-089
296-155-689	AMD	91-03-044	308-31-060	DECOD	91-03-095
296-155-694	AMD-P	91-04-077	308-31-060	AMD-P	91-05-089
296-155-694	AMD	91-11-070	308-31-100	DECOD	91-03-095
296-155-700	AMD	91-03-044	308-31-100	AMD-P	91-05-089
296-155-705	AMD	91-03-044	308-31-110	DECOD	91-03-095
296-155-720	AMD	91-03-044	308-31-110	AMD-P	91-05-089
296-155-730	AMD-P	91-04-077	308-31-120	DECOD	91-03-095
296-155-730	AMD	91-11-070	308-31-120	AMD-P	91-05-089
296-155-950	AMD	91-03-044	308-31-210	DECOD	91-03-095
296-305-06009	AMD-P	91-04-077	308-31-210	AMD-P	91-05-089
296-305-06009	AMD	91-11-070	308-31-220	DECOD	91-03-095
296-305-110	AMD	91-03-044	308-31-220	AMD-P	91-05-089
296-306-260	AMD-P	91-04-077	308-31-230	DECOD	91-03-095
296-306-260	AMD	91-11-070	308-31-230	AMD-P	91-05-089
296-306-265	AMD-P	91-04-077	308-31-240	DECOD	91-03-095
296-306-265	AMD	91-11-070	308-31-240	AMD-P	91-05-089
296-306-27095	AMD-P	91-04-077	308-31-250	DECOD	91-03-095
296-306-27095	AMD	91-11-070	308-31-250	AMD-P	91-05-089
296-306-310	AMD-P	91-04-077	308-31-260	DECOD	91-03-095
296-306-310	AMD	91-11-070	308-31-260	AMD-P	91-05-089
296-306-320	AMD-P	91-04-077	308-31-270	DECOD	91-03-095
296-306-320	AMD	91-11-070	308-31-270	AMD-P	91-05-089
308-10-067	NEW-P	91-07-028	308-31-280	DECOD	91-03-095
308-10-067	NEW	91-13-057	308-31-280	AMD-P	91-05-089
308-12-115	AMD-P	91-06-012	308-31-500	DECOD	91-03-095
308-12-115	AMD-P	91-09-041	308-31-500	AMD-P	91-05-089
308-12-115	AMD	91-12-061	308-31-510	DECOD	91-03-095
308-12-326	AMD-P	91-09-020	308-31-510	AMD-P	91-05-089
308-12-326	AMD	91-13-055	308-31-520	DECOD	91-03-095
308-14-085	AMD-P	91-15-065	308-31-520	AMD-P	91-05-089
308-14-090	AMD-P	91-15-065	308-31-530	DECOD	91-03-095
308-14-120	NEW-P	91-15-065	308-31-530	AMD-P	91-05-089
308-14-130	AMD-P	91-15-065	308-31-540	DECOD	91-03-095
308-14-135	NEW-W	91-03-065	308-31-540	AMD-P	91-05-089
308-14-135	NEW-P	91-15-065	308-31-550	DECOD	91-03-095
308-20-010	AMD-P	91-05-080	308-31-550	AMD-P	91-05-089
308-20-010	AMD	91-11-042	308-31-560	DECOD	91-03-095
308-20-020	AMD-P	91-05-080	308-31-560	AMD-P	91-05-089
308-20-020	AMD	91-11-042	308-31-570	DECOD	91-03-095
308-20-030	AMD-P	91-05-080	308-31-570	AMD-P	91-05-089
308-20-030	AMD	91-11-042	308-42-075	AMD	91-05-004
308-20-040	AMD-P	91-05-080	308-48-520	REP-W	91-09-043
308-20-040	AMD	91-11-042	308-48-580	REP-W	91-09-043
308-20-050	AMD-P	91-05-080	308-48-590	AMD-W	91-09-043
308-20-050	AMD	91-11-042	308-48-600	REP-W	91-09-043
308-20-070	AMD-P	91-05-080	308-48-600	AMD-P	91-15-048
308-20-070	AMD	91-11-042	308-48-601	NEW-W	91-09-043
308-20-080	AMD-P	91-05-080	308-48-610	NEW-W	91-09-043
308-48-800	AMD-P	91-08-032			
308-48-800	AMD	91-11-023			
308-50-010	DECOD-P	91-07-058			
308-50-010	DECOD	91-11-031			
308-50-020	DECOD-P	91-07-058			
308-50-020	DECOD	91-11-031			
308-50-035	DECOD-P	91-07-058			
308-50-035	DECOD	91-11-031			
308-50-040	DECOD-P	91-07-058			
308-50-040	DECOD	91-11-031			
308-50-090	DECOD-P	91-07-058			
308-50-090	DECOD	91-11-031			
308-50-100	DECOD-P	91-07-058			
308-50-100	DECOD	91-11-031			
308-50-110	DECOD-P	91-07-058			
308-50-110	DECOD	91-11-031			
308-50-120	DECOD-P	91-07-058			
308-50-120	DECOD	91-11-031			
308-50-130	DECOD-P	91-07-058			
308-50-130	DECOD	91-11-031			
308-50-140	DECOD-P	91-07-058			
308-50-140	DECOD	91-11-031			
308-50-150	DECOD-P	91-07-058			
308-50-150	DECOD	91-11-031			
308-50-160	DECOD-P	91-07-058			
308-50-160	DECOD	91-11-031			
308-50-170	DECOD-P	91-07-058			
308-50-170	DECOD	91-11-031			
308-50-180	DECOD-P	91-07-058			
308-50-180	DECOD	91-11-031			
308-50-190	DECOD-P	91-07-058			
308-50-190	DECOD	91-11-031			
308-50-200	DECOD-P	91-07-058			
308-50-200	DECOD	91-11-031			
308-50-210	DECOD-P	91-07-058			
308-50-210	DECOD	91-11-031			
308-50-220	DECOD-P	91-07-058			
308-50-220	DECOD	91-11-031			
308-50-240	DECOD-P	91-07-058			
308-50-240	DECOD	91-11-031			
308-50-250	DECOD-P	91-07-058			
308-50-250	DECOD	91-11-031			
308-50-260	DECOD-P	91-07-058			
308-50-260	DECOD	91-11-031			
308-50-270	DECOD-P	91-07-058			
308-50-270	DECOD	91-11-031			
308-50-280	DECOD-P	91-07-058			
308-50-280	DECOD	91-11-031			
308-50-290	DECOD-P	91-07-058			
308-50-290	DECOD	91-11-031			
308-50-295	AMD-P	91-07-057			
308-50-295	DECOD-P	91-07-058			
308-50-295	AMD-W	91-07-059			
308-50-295	DECOD	91-11-031			
308-50-310	AMD-P	91-07-057			
308-50-310	DECOD-P	91-07-058			
308-50-310	AMD-W	91-07-059			
308-50-310	DECOD	91-11-032			
308-50-320	DECOD-P	91-07-058			
308-50-320	DECOD	91-11-031			
308-50-330	DECOD-P	91-07-058			
308-50-330	DECOD	91-11-031			
308-50-350	DECOD-P	91-07-058			
308-50-350	DECOD	91-11-031			
308-50-380	DECOD-P	91-07-058			
308-50-380	DECOD	91-11-031			
308-50-390	DECOD-P	91-07-058			
308-50-390	DECOD	91-11-031			
308-50-400	DECOD-P	91-07-058			
308-50-400	DECOD	91-11-031			
308-50-410	DECOD-P	91-07-058			
308-50-410	DECOD	91-11-031			
308-50-420	DECOD-P	91-07-058			
308-50-420	DECOD	91-11-031			
308-50-430	DECOD-P	91-07-058			

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
308-50-430	DECOD 91-11-031	308-53-030	DECOD 91-06-025	308-57-005	NEW 91-04-026
308-50-440	AMD-P 91-08-078	308-53-070	DECOD 91-06-025	308-57-010	NEW 91-04-026
308-50-440	DECOD 91-11-030	308-53-075	DECOD 91-06-025	308-57-020	NEW 91-04-026
308-50-500	DECOD-P 91-07-058	308-53-084	DECOD 91-06-025	308-57-030	NEW 91-04-026
308-50-500	DECOD 91-11-031	308-53-085	DECOD 91-06-025	308-57-110	NEW 91-04-026
308-51-230	DECOD-W 91-09-044	308-53-100	DECOD 91-06-025	308-57-120	NEW 91-04-026
308-51-240	DECOD-W 91-09-044	308-53-110	DECOD 91-06-025	308-57-130	NEW 91-04-026
308-51-250	DECOD-W 91-09-044	308-53-120	DECOD 91-06-025	308-57-140	NEW 91-04-026
308-51-260	DECOD-W 91-09-044	308-53-123	DECOD 91-06-025	308-57-210	NEW 91-04-026
308-51-270	DECOD-W 91-09-044	308-53-125	DECOD 91-06-025	308-57-220	NEW 91-04-026
308-51-280	DECOD-W 91-09-044	308-53-135	DECOD 91-06-025	308-57-230	NEW 91-04-026
308-51-290	DECOD-W 91-09-044	308-53-140	DECOD 91-06-025	308-57-240	NEW 91-04-026
308-51-300	DECOD-W 91-09-044	308-53-145	DECOD 91-06-025	308-57-310	NEW 91-04-026
308-51-310	DECOD-W 91-09-044	308-53-146	DECOD 91-06-025	308-57-320	NEW 91-04-026
308-51-320	DECOD-W 91-09-044	308-53-150	DECOD 91-06-025	308-57-410	NEW 91-04-026
308-52-010	DECOD 91-06-030	308-53-151	DECOD 91-06-025	308-57-420	NEW 91-04-026
308-52-030	DECOD 91-06-030	308-53-155	DECOD 91-06-025	308-57-430	NEW 91-04-026
308-52-040	DECOD 91-06-030	308-53-165	DECOD 91-06-025	308-57-440	NEW 91-04-026
308-52-100	DECOD 91-06-030	308-53-170	DECOD 91-06-025	308-58-010	AMD 91-04-025
308-52-120	DECOD 91-06-030	308-53-175	DECOD 91-06-025	308-58-020	AMD 91-04-025
308-52-132	DECOD 91-06-030	308-53-180	DECOD 91-06-025	308-61-175	AMD-P 91-13-035
308-52-135	AMD-E 91-04-033	308-53-200	DECOD 91-06-025	308-61-185	AMD-P 91-13-035
308-52-135	AMD-P 91-04-055	308-53-205	DECOD 91-06-025	308-66	AMD-P 91-14-097
308-52-135	DECOD 91-06-030	308-53-210	DECOD 91-06-025	308-66-120	AMD-P 91-14-097
308-52-136	DECOD 91-06-030	308-53-215	DECOD 91-06-025	308-66-135	AMD-P 91-14-097
308-52-138	DECOD 91-06-030	308-53-220	DECOD 91-06-025	308-66-140	AMD-P 91-14-097
308-52-139	DECOD 91-06-030	308-53-230	DECOD 91-06-025	308-66-152	AMD 91-03-019
308-52-140	DECOD 91-06-030	308-53-235	DECOD 91-06-025	308-66-155	AMD-P 91-14-097
308-52-141	DECOD 91-06-030	308-53-240	DECOD 91-06-025	308-66-156	NEW 91-03-092
308-52-146	DECOD 91-06-030	308-53-245	DECOD 91-06-025	308-66-160	AMD-P 91-14-097
308-52-147	DECOD 91-06-030	308-53-250	DECOD 91-06-025	308-66-165	NEW-P 91-14-097
308-52-148	DECOD 91-06-030	308-53-260	DECOD 91-06-025	308-66-170	AMD-P 91-14-097
308-52-149	DECOD 91-06-030	308-53-265	DECOD 91-06-025	308-66-190	AMD-P 91-14-097
308-52-150	DECOD 91-06-030	308-53-270	DECOD 91-06-025	308-66-212	AMD-P 91-14-097
308-52-160	DECOD 91-06-030	308-53-275	DECOD 91-06-025	308-66-213	REP-P 91-14-097
308-52-165	DECOD 91-06-030	308-53-280	DECOD 91-06-025	308-66-214	AMD-P 91-14-097
308-52-190	DECOD 91-06-030	308-53-320	DECOD 91-06-025	308-66-215	AMD-P 91-14-097
308-52-201	DECOD 91-06-030	308-53-330	DECOD 91-06-025	308-66-240	NEW-P 91-14-097
308-52-205	DECOD 91-06-030	308-53-340	DECOD 91-06-025	308-77-080	REP 91-03-018
308-52-211	DECOD 91-06-030	308-53-350	DECOD 91-06-025	308-77-100	AMD 91-03-018
308-52-215	DECOD 91-06-030	308-53-400	DECOD 91-06-025	308-77-250	AMD 91-03-017
308-52-221	DECOD 91-06-030	308-54-010	DECOD 91-06-060	308-91-030	AMD-E 91-02-109
308-52-255	DECOD 91-06-030	308-54-020	DECOD 91-06-060	308-91-030	AMD-P 91-02-110
308-52-260	DECOD 91-06-030	308-54-030	DECOD 91-06-060	308-91-030	AMD 91-06-093
308-52-260	AMD 91-06-038	308-54-040	DECOD 91-06-060	308-91-090	AMD-E 91-02-109
308-52-265	DECOD 91-06-030	308-54-050	DECOD 91-06-060	308-91-090	AMD-P 91-02-110
308-52-270	DECOD 91-06-030	308-54-060	DECOD 91-06-060	308-91-090	AMD 91-06-093
308-52-320	DECOD 91-06-030	308-54-070	DECOD 91-06-060	308-91-095	NEW-E 91-02-109
308-52-400	DECOD 91-06-030	308-54-080	DECOD 91-06-060	308-91-095	NEW-P 91-02-110
308-52-405	DECOD 91-06-030	308-54-090	DECOD 91-06-060	308-91-095	NEW 91-06-093
308-52-406	DECOD 91-06-030	308-54-095	DECOD 91-06-060	308-91-150	AMD-E 91-02-109
308-52-410	DECOD 91-06-030	308-54-100	DECOD 91-06-060	308-91-150	AMD-P 91-02-110
308-52-415	DECOD 91-06-030	308-54-110	DECOD 91-06-060	308-91-150	AMD 91-06-093
308-52-420	DECOD 91-06-030	308-54-120	DECOD 91-06-060	308-93-670	NEW 91-03-089
308-52-425	DECOD 91-06-030	308-54-125	DECOD 91-06-060	308-94-035	AMD-P 91-03-142
308-52-500	DECOD 91-06-030	308-54-130	DECOD 91-06-060	308-94-035	AMD 91-09-001
308-52-502	DECOD 91-06-030	308-54-150	DECOD 91-06-060	308-96A-005	AMD-P 91-11-084
308-52-504	DECOD 91-06-030	308-54-155	DECOD 91-06-060	308-96A-005	AMD 91-15-006
308-52-510	DECOD 91-06-030	308-54-160	DECOD 91-06-060	308-96A-046	AMD 91-04-025
308-52-515	DECOD 91-06-030	308-54-162	DECOD 91-06-060	308-96A-056	AMD 91-04-025
308-52-530	DECOD 91-06-030	308-54-170	DECOD 91-06-060	308-96A-057	NEW-P 91-11-084
308-52-540	DECOD 91-06-030	308-54-180	DECOD 91-06-060	308-96A-057	NEW 91-15-006
308-52-570	DECOD 91-06-030	308-54-200	DECOD 91-06-060	308-96A-065	AMD-P 91-11-084
308-52-580	DECOD 91-06-030	308-54-205	DECOD 91-06-060	308-96A-065	AMD 91-15-006
308-52-590	REP 91-06-027	308-54-220	DECOD 91-06-060	308-96A-070	AMD 91-04-025
308-52-600	DECOD 91-06-030	308-54-225	DECOD 91-06-060	308-96A-071	NEW-P 91-11-084
308-52-610	DECOD 91-06-030	308-54-230	DECOD 91-06-060	308-96A-071	NEW 91-15-006
308-52-620	DECOD 91-06-030	308-54-240	DECOD 91-06-060	308-96A-073	NEW 91-04-025
308-52-630	DECOD 91-06-030	308-54-250	DECOD 91-06-060	308-96A-074	NEW 91-04-025
308-52-640	DECOD 91-06-030	308-54-315	AMD-P 91-05-025	308-96A-075	AMD 91-04-025
308-52-650	DECOD 91-06-030	308-54-315	DECOD 91-06-058	308-96A-161	NEW-P 91-11-084
308-52-660	DECOD 91-06-030	308-54-320	DECOD 91-06-060	308-96A-161	NEW 91-15-006
308-52-680	DECOD 91-06-030	308-56A-090	NEW 91-03-088	308-96A-162	NEW-P 91-11-084
308-52-690	DECOD 91-06-030	308-56A-120	REP-P 91-11-084	308-96A-162	NEW 91-15-006
308-53	DECOD-C 91-03-116	308-56A-120	REP 91-15-006	308-96A-345	AMD 91-04-024
308-53-010	DECOD 91-06-025	308-56A-150	AMD 91-04-024	308-96A-350	AMD 91-04-024
308-53-020	DECOD 91-06-028	308-56A-460	AMD 91-04-025	308-96A-380	AMD 91-04-024

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
308-96A-505	NEW	91-03-091	308-122-001	DECOD	91-04-020	308-125-040	NEW	91-04-074
308-96A-510	NEW	91-03-091	308-122-005	DECOD	91-04-020	308-125-050	NEW	91-04-074
308-96A-520	NEW	91-03-091	308-122-006	DECOD	91-04-020	308-125-060	NEW	91-04-074
308-96A-530	NEW	91-03-091	308-122-060	DECOD	91-04-020	308-125-070	NEW	91-04-074
308-96A-540	NEW	91-03-091	308-122-200	DECOD	91-04-020	308-125-080	NEW	91-04-074
308-96A-550	NEW	91-03-091	308-122-200	AMD	91-04-021	308-125-090	NEW	91-04-074
308-96A-560	NEW	91-03-091	308-122-211	DECOD	91-04-020	308-125-100	NEW	91-04-074
308-120-100	DECOD	91-07-049	308-122-215	DECOD	91-04-020	308-125-110	NEW	91-04-074
308-120-100	AMD	91-07-067	308-122-220	DECOD	91-04-020	308-125-120	NEW	91-04-074
308-120-161	DECOD	91-07-049	308-122-225	DECOD	91-04-020	308-125-130	NEW	91-04-074
308-120-162	DECOD	91-07-049	308-122-230	DECOD	91-04-020	308-125-140	NEW	91-04-074
308-120-163	DECOD	91-07-049	308-122-235	DECOD	91-04-020	308-125-150	NEW	91-04-074
308-120-164	DECOD	91-07-049	308-122-275	DECOD	91-05-028	308-125-160	NEW	91-04-074
308-120-165	DECOD	91-07-049	308-122-280	DECOD	91-04-020	308-125-170	NEW	91-04-074
308-120-166	DECOD	91-07-049	308-122-350	DECOD	91-04-020	308-125-180	NEW	91-04-074
308-120-168	AMD	91-07-032	308-122-360	DECOD	91-04-020	308-125-190	NEW	91-04-074
308-120-168	DECOD	91-07-049	308-122-360	AMD	91-04-021	308-125-200	NEW	91-04-074
308-120-170	DECOD	91-07-049	308-122-370	DECOD	91-04-020	308-125-210	NEW	91-04-074
308-120-180	DECOD	91-07-049	308-122-380	REP	91-04-021	308-128B-080	AMD-P	91-08-049
308-120-185	DECOD	91-07-049	308-122-380	DECOD-W	91-12-035	308-128B-080	AMD	91-11-066
308-120-186	DECOD	91-07-049	308-122-390	REP	91-04-021	308-138-055	REP-P	91-03-117
308-120-270	DECOD	91-07-049	308-122-390	DECOD-W	91-12-035	308-171-001	DECOD	91-05-027
308-120-275	DECOD	91-07-048	308-122-400	REP	91-04-021	308-171-001	AMD-P	91-05-088
308-120-300	DECOD	91-07-049	308-122-400	DECOD-W	91-12-035	308-171-002	DECOD	91-05-027
308-120-305	DECOD	91-07-049	308-122-410	REP	91-04-021	308-171-003	DECOD	91-05-027
308-120-315	DECOD	91-07-049	308-122-410	DECOD-W	91-12-035	308-171-010	DECOD	91-05-027
308-120-325	DECOD	91-07-049	308-122-420	REP	91-04-021	308-171-010	AMD-P	91-05-088
308-120-335	DECOD	91-07-049	308-122-420	DECOD-W	91-12-035	308-171-020	DECOD	91-05-027
308-120-338	DECOD	91-07-049	308-122-430	DECOD	91-04-020	308-171-020	AMD-P	91-05-088
308-120-345	DECOD	91-07-049	308-122-440	DECOD	91-04-020	308-171-040	DECOD	91-05-027
308-120-360	DECOD	91-07-049	308-122-450	DECOD	91-04-020	308-171-041	DECOD	91-05-027
308-120-365	REP	91-07-049	308-122-500	REP	91-04-021	308-171-041	AMD-P	91-05-088
308-120-400	DECOD	91-07-049	308-122-500	DECOD-W	91-12-035	308-171-045	DECOD	91-05-027
308-120-410	DECOD	91-07-049	308-122-505	DECOD	91-04-020	308-171-100	DECOD	91-05-027
308-120-420	DECOD	91-07-049	308-122-510	DECOD	91-04-020	308-171-101	DECOD	91-05-027
308-120-430	DECOD	91-07-049	308-122-515	DECOD	91-04-020	308-171-102	DECOD	91-05-027
308-120-440	DECOD	91-07-049	308-122-515	AMD	91-04-021	308-171-103	DECOD	91-05-027
308-120-450	DECOD	91-07-049	308-122-520	DECOD	91-04-020	308-171-103	AMD-P	91-05-088
308-120-505	DECOD	91-07-049	308-122-520	AMD	91-04-021	308-171-104	DECOD	91-05-027
308-120-506	DECOD	91-07-049	308-122-525	DECOD	91-04-020	308-171-200	DECOD	91-05-027
308-120-525	DECOD	91-07-049	308-122-530	DECOD	91-04-020	308-171-201	DECOD	91-05-027
308-120-530	DECOD	91-07-049	308-122-535	DECOD	91-04-020	308-171-202	DECOD	91-05-027
308-120-535	DECOD	91-07-049	308-122-540	DECOD	91-04-020	308-171-300	DECOD	91-05-027
308-120-540	DECOD	91-07-049	308-122-545	DECOD	91-04-020	308-171-301	DECOD	91-05-027
308-120-545	DECOD	91-07-049	308-122-600	DECOD	91-04-020	308-171-302	DECOD	91-05-027
308-120-550	DECOD	91-07-049	308-122-610	DECOD	91-04-020	308-171-310	DECOD	91-05-030
308-120-555	DECOD	91-07-049	308-122-620	DECOD	91-04-020	308-171-320	DECOD	91-05-027
308-120-560	DECOD	91-07-049	308-122-630	DECOD	91-04-020	308-171-330	DECOD	91-05-027
308-120-565	DECOD	91-07-049	308-122-640	DECOD	91-04-020	308-173-210	DECOD	91-07-049
308-120-565	AMD	91-07-067	308-122-650	DECOD	91-04-020	308-173-220	DECOD	91-07-049
308-120-570	DECOD	91-07-049	308-122-660	DECOD	91-04-020	308-173-230	DECOD	91-07-049
308-120-575	DECOD	91-07-049	308-122-660	AMD	91-04-021	308-173-240	DECOD	91-07-049
308-120-610	AMD	91-07-032	308-122-670	DECOD	91-04-020	308-173-245	DECOD	91-07-049
308-120-620	DECOD	91-07-049	308-122-670	AMD	91-04-021	308-173-250	DECOD	91-07-049
308-120-700	DECOD	91-07-049	308-122-680	DECOD	91-04-020	308-173-255	DECOD	91-07-049
308-120-710	DECOD	91-07-049	308-122-690	DECOD	91-04-020	308-173-260	DECOD	91-07-049
308-120-720	DECOD	91-07-049	308-122-695	DECOD	91-04-020	308-173-265	DECOD	91-07-049
308-120-730	DECOD	91-07-049	308-122-700	DECOD	91-04-020	308-173-270	DECOD	91-07-049
308-120-740	DECOD	91-07-049	308-122-710	DECOD	91-04-020	308-173-275	DECOD	91-07-049
308-120-750	DECOD	91-07-049	308-122-720	DECOD	91-04-020	308-173-280	DECOD	91-07-049
308-120-760	DECOD	91-07-049	308-124A-430	AMD-P	91-03-047	314-12-035	AMD-P	91-16-081
308-120-770	DECOD	91-07-049	308-124A-430	AMD	91-07-029	314-12-141	NEW-P	91-16-082
308-120-780	DECOD	91-07-049	308-124E-012	AMD-P	91-09-013	314-16-125	AMD-P	91-05-085
308-120-800	DECOD	91-07-049	308-124E-012	AMD	91-12-012	314-16-125	AMD-C	91-09-005
308-120-810	DECOD	91-07-049	308-124H-010	AMD-P	91-03-047	314-16-125	AMD-W	91-10-045
308-121-110	DECOD	91-07-049	308-124H-010	AMD	91-07-029	314-16-125	AMD-P	91-16-083
308-121-120	DECOD	91-07-049	308-124H-025	AMD-P	91-03-047	314-16-250	AMD-P	91-16-081
308-121-130	DECOD	91-07-049	308-124H-025	AMD	91-07-029	314-20-020	AMD-P	91-05-086
308-121-140	DECOD	91-07-049	308-124H-520	AMD-P	91-09-065	314-20-020	AMD	91-08-022
308-121-145	DECOD	91-07-049	308-124H-520	AMD	91-12-013	314-26-010	AMD-P	91-16-081
308-121-150	DECOD	91-07-049	308-124H-540	AMD-P	91-03-047	314-52-015	AMD-C	91-03-007
308-121-155	DECOD	91-07-049	308-124H-540	AMD	91-07-029	314-52-015	AMD-W	91-04-085
308-121-160	DECOD	91-07-049	308-124H-800	NEW-P	91-09-013	314-64-030	REP-P	91-16-081
308-121-165	DECOD	91-07-049	308-124H-800	NEW	91-12-012	314-64-050	AMD-P	91-16-081
308-121-170	DECOD	91-07-049	308-125-010	NEW	91-04-074	315-04-190	AMD-P	91-16-084
308-121-175	DECOD	91-07-049	308-125-020	NEW	91-04-074	315-04-205	NEW-P	91-07-070
308-121-180	DECOD	91-07-049	308-125-030	NEW	91-04-074	315-04-205	NEW	91-11-033

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
315-06-095	NEW-P 91-16-084	315-11-630	NEW-P 91-03-112	332-08-010	REP-P 91-08-066
315-06-120	AMD 91-03-036	315-11-630	NEW 91-06-074	332-08-010	REP 91-13-059
315-06-125	AMD-P 91-16-084	315-11-630	AMD-P 91-12-069	332-08-015	NEW-P 91-08-066
315-10-080	NEW-P 91-16-084	315-11-630	AMD 91-15-037	332-08-015	NEW 91-13-059
315-11-200	REP 91-03-034	315-11-631	NEW-P 91-03-112	332-08-020	REP-P 91-08-066
315-11-201	REP 91-03-034	315-11-631	NEW 91-06-074	332-08-020	REP 91-13-059
315-11-202	REP 91-03-034	315-11-632	NEW-P 91-03-112	332-08-025	NEW-P 91-08-066
315-11-210	REP 91-03-034	315-11-632	NEW 91-06-074	332-08-025	NEW 91-13-059
315-11-211	REP 91-03-034	315-11-632	AMD-P 91-12-069	332-08-040	REP-P 91-08-066
315-11-212	REP 91-03-034	315-11-632	AMD 91-15-037	332-08-040	REP 91-13-059
315-11-220	REP 91-03-034	315-11-640	NEW-P 91-07-070	332-08-050	REP-P 91-08-066
315-11-221	REP 91-03-034	315-11-640	NEW 91-11-033	332-08-050	REP 91-13-059
315-11-222	REP 91-03-034	315-11-641	NEW-P 91-07-070	332-08-060	REP-P 91-08-066
315-11-230	REP 91-03-034	315-11-641	NEW 91-11-033	332-08-060	REP 91-13-059
315-11-231	REP 91-03-034	315-11-642	NEW-P 91-07-070	332-08-070	REP-P 91-08-066
315-11-232	REP 91-03-034	315-11-642	NEW 91-11-033	332-08-070	REP 91-13-059
315-11-240	REP 91-03-034	315-11-650	NEW-P 91-07-070	332-08-080	REP-P 91-08-066
315-11-241	REP 91-03-034	315-11-650	NEW 91-11-033	332-08-080	REP 91-13-059
315-11-242	REP 91-03-034	315-11-651	NEW-P 91-07-070	332-08-090	REP-P 91-08-066
315-11-250	REP 91-03-034	315-11-651	NEW 91-11-033	332-08-090	REP 91-13-059
315-11-251	REP 91-03-034	315-11-652	NEW-P 91-07-070	332-08-100	REP-P 91-08-066
315-11-252	REP 91-03-034	315-11-652	NEW 91-11-033	332-08-100	REP 91-13-059
315-11-260	REP 91-03-034	315-11-660	NEW-P 91-07-070	332-08-105	NEW-P 91-08-066
315-11-261	REP 91-03-034	315-11-660	NEW 91-11-033	332-08-105	NEW 91-13-059
315-11-262	REP 91-03-034	315-11-660	AMD-P 91-16-084	332-08-110	REP-P 91-08-066
315-11-270	REP 91-03-034	315-11-661	NEW-P 91-07-070	332-08-110	REP 91-13-059
315-11-271	REP 91-03-034	315-11-661	NEW 91-11-033	332-08-115	NEW-P 91-08-066
315-11-272	REP 91-03-034	315-11-661	AMD-P 91-16-084	332-08-115	NEW 91-13-059
315-11-280	REP 91-03-034	315-11-662	NEW-P 91-07-070	332-08-120	REP-P 91-08-066
315-11-281	REP 91-03-034	315-11-662	NEW 91-11-033	332-08-120	REP 91-13-059
315-11-282	REP 91-03-034	315-11-662	AMD-P 91-16-084	332-08-125	NEW-P 91-08-066
315-11-290	REP 91-03-034	315-11-670	NEW-P 91-12-069	332-08-125	NEW 91-13-059
315-11-291	REP 91-03-034	315-11-670	NEW 91-15-037	332-08-130	REP-P 91-08-066
315-11-292	REP 91-03-034	315-11-671	NEW-P 91-12-069	332-08-130	REP 91-13-059
315-11-300	REP 91-03-034	315-11-671	NEW 91-15-037	332-08-140	REP-P 91-08-066
315-11-301	REP 91-03-034	315-11-672	NEW-P 91-12-069	332-08-140	REP 91-13-059
315-11-302	REP 91-03-034	315-11-672	NEW 91-15-037	332-08-150	REP-P 91-08-066
315-11-310	REP 91-03-034	315-11-680	NEW-P 91-12-069	332-08-150	REP 91-13-059
315-11-311	REP 91-03-034	315-11-680	NEW 91-15-037	332-08-160	REP-P 91-08-066
315-11-312	REP 91-03-034	315-11-681	NEW-P 91-12-069	332-08-160	REP 91-13-059
315-11-320	REP 91-03-034	315-11-681	NEW 91-15-037	332-08-170	REP-P 91-08-066
315-11-321	REP 91-03-034	315-11-682	NEW-P 91-12-069	332-08-170	REP 91-13-059
315-11-322	REP 91-03-034	315-11-682	NEW 91-15-037	332-08-180	REP-P 91-08-066
315-11-330	REP 91-03-034	315-11-690	NEW-P 91-16-084	332-08-180	REP 91-13-059
315-11-331	REP 91-03-034	315-11-691	NEW-P 91-16-084	332-08-190	REP-P 91-08-066
315-11-332	REP 91-03-034	315-11-692	NEW-P 91-16-084	332-08-190	REP 91-13-059
315-11-340	REP 91-03-034	315-11-700	NEW-P 91-16-084	332-08-200	REP-P 91-08-066
315-11-341	REP 91-03-034	315-11-701	NEW-P 91-16-084	332-08-200	REP 91-13-059
315-11-342	REP 91-03-034	315-11-702	NEW-P 91-16-084	332-08-210	REP-P 91-08-066
315-11-350	REP 91-03-034	315-12-140	REP 91-03-035	332-08-210	REP 91-13-059
315-11-351	REP 91-03-034	315-12-145	NEW 91-03-036	332-08-220	REP-P 91-08-066
315-11-352	REP 91-03-034	315-33-060	AMD-P 91-16-084	332-08-220	REP 91-13-059
315-11-360	REP 91-03-034	315-33A-010	NEW-P 91-16-084	332-08-230	REP-P 91-08-066
315-11-361	REP 91-03-034	315-33A-020	NEW-P 91-16-084	332-08-230	REP 91-13-059
315-11-362	REP 91-03-034	315-33A-030	NEW-P 91-16-084	332-08-240	REP-P 91-08-066
315-11-370	REP 91-03-034	315-33A-040	NEW-P 91-16-084	332-08-240	REP 91-13-059
315-11-371	REP 91-03-034	315-33A-050	NEW-P 91-16-084	332-08-250	REP-P 91-08-066
315-11-372	REP 91-03-034	315-33A-060	NEW-P 91-16-084	332-08-250	REP 91-13-059
315-11-380	REP 91-03-034	315-33A-070	NEW-P 91-16-084	332-08-260	REP-P 91-08-066
315-11-381	REP 91-03-034	317-10-010	NEW-P 91-14-111	332-08-260	REP 91-13-059
315-11-382	REP 91-03-034	317-10-020	NEW-P 91-14-111	332-08-270	REP-P 91-08-066
315-11-390	REP 91-03-034	317-10-030	NEW-P 91-14-111	332-08-270	REP 91-13-059
315-11-391	REP 91-03-034	317-10-035	NEW-P 91-14-111	332-08-280	REP-P 91-08-066
315-11-392	REP 91-03-034	317-10-040	NEW-P 91-14-111	332-08-280	REP 91-13-059
315-11-590	AMD 91-03-036	317-10-045	NEW-P 91-14-111	332-08-290	REP-P 91-08-066
315-11-591	AMD 91-03-036	317-10-050	NEW-P 91-14-111	332-08-290	REP 91-13-059
315-11-610	NEW 91-03-036	317-10-060	NEW-P 91-14-111	332-08-300	REP-P 91-08-066
315-11-611	NEW 91-03-036	317-10-065	NEW-P 91-14-111	332-08-300	REP 91-13-059
315-11-611	AMD-P 91-03-112	317-10-070	NEW-P 91-14-111	332-08-305	NEW-P 91-08-066
315-11-611	AMD 91-06-074	317-10-075	NEW-P 91-14-111	332-08-305	NEW 91-13-059
315-11-612	NEW 91-03-036	317-10-080	NEW-P 91-14-111	332-08-310	REP-P 91-08-066
315-11-620	NEW-P 91-03-112	317-10-085	NEW-P 91-14-111	332-08-310	REP 91-13-059
315-11-620	NEW 91-06-074	317-10-098	NEW-P 91-14-111	332-08-315	NEW-P 91-08-066
315-11-621	NEW-P 91-03-112	326-30-03904	NEW-E 91-12-051	332-08-315	NEW 91-13-059
315-11-621	NEW 91-06-074	326-30-03904	NEW-P 91-14-105	332-08-320	REP-P 91-08-066
315-11-622	NEW-P 91-03-112	332-08-005	NEW-P 91-08-066	332-08-320	REP 91-13-059
315-11-622	NEW 91-06-074	332-08-005	NEW 91-13-059	332-08-330	REP-P 91-08-066

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
332-08-330	REP	91-13-059	332-10-070	AMD-P	91-09-060	352-75-040	AMD-P	91-11-058
332-08-340	REP-P	91-08-066	332-10-070	AMD	91-14-014	352-75-040	AMD	91-15-103
332-08-340	REP	91-13-059	332-10-080	AMD-P	91-09-060	352-75-050	AMD-P	91-11-058
332-08-350	REP-P	91-08-066	332-10-080	AMD	91-14-014	352-75-050	AMD	91-15-103
332-08-350	REP	91-13-059	332-10-100	AMD-P	91-09-060	352-75-060	AMD-P	91-11-058
332-08-360	REP-P	91-08-066	332-10-100	AMD	91-14-014	352-75-060	AMD	91-15-103
332-08-360	REP	91-13-059	332-10-120	AMD-P	91-09-060	352-75-070	AMD-P	91-11-058
332-08-370	REP-P	91-08-066	332-10-120	AMD	91-14-014	352-75-070	AMD	91-15-103
332-08-370	REP	91-13-059	332-10-130	AMD-P	91-09-060	352-75-080	AMD-P	91-11-058
332-08-380	REP-P	91-08-066	332-10-130	AMD	91-14-014	352-75-080	AMD	91-15-103
332-08-380	REP	91-13-059	332-10-135	REP-P	91-09-060	352-75-090	AMD-P	91-11-058
332-08-390	REP-P	91-08-066	332-10-135	REP	91-14-014	352-75-090	AMD	91-15-103
332-08-390	REP	91-13-059	332-10-140	AMD-P	91-09-060	356-05-173	NEW-P	91-16-045
332-08-400	REP-P	91-08-066	332-10-140	AMD	91-14-014	356-05-260	AMD-P	91-16-046
332-08-400	REP	91-13-059	332-10-145	NEW-P	91-09-060	356-05-327	AMD-P	91-16-044
332-08-405	NEW-P	91-08-066	332-10-145	NEW	91-14-014	356-05-493	NEW-P	91-16-043
332-08-405	NEW	91-13-059	332-24-005	AMD-P	91-15-107	356-06-040	AMD-C	91-03-068
332-08-410	REP-P	91-08-066	332-24-201	AMD-P	91-15-107	356-06-040	AMD-W	91-05-081
332-08-410	REP	91-13-059	332-24-211	AMD-P	91-15-107	356-06-055	AMD-P	91-15-077
332-08-420	REP-P	91-08-066	332-24-225	REP-E	91-14-083	356-06-110	NEW-P	91-10-062
332-08-420	REP	91-13-059	332-24-225	REP-P	91-15-107	356-06-110	NEW-C	91-13-040
332-08-430	REP-P	91-08-066	332-24-231	AMD-P	91-15-107	356-06-110	NEW-C	91-15-074
332-08-430	REP	91-13-059	332-24-234	AMD-P	91-15-107	356-09-020	AMD-P	91-16-051
332-08-440	REP-P	91-08-066	332-24-238	AMD-P	91-15-107	356-09-050	AMD-P	91-16-047
332-08-440	REP	91-13-059	332-24-301	AMD-P	91-15-107	356-10-050	AMD	91-03-070
332-08-450	REP-P	91-08-066	332-24-405	AMD-P	91-15-107	356-15-020	AMD-P	91-04-046
332-08-450	REP	91-13-059	332-24-409	NEW-P	91-15-107	356-15-020	AMD-C	91-07-054
332-08-460	REP-P	91-08-066	332-24-600	AMD-P	91-15-107	356-15-020	AMD-W	91-09-037
332-08-460	REP	91-13-059	332-26-010	NEW-E	91-15-001	356-15-061	AMD-E	91-05-079
332-08-470	REP-P	91-08-066	332-26-020	NEW-E	91-15-001	356-15-061	AMD-P	91-16-089
332-08-470	REP	91-13-059	332-26-040	NEW-E	91-15-001	356-15-063	AMD-E	91-15-079
332-08-480	REP-P	91-08-066	332-26-050	NEW-E	91-15-001	356-15-063	AMD-P	91-16-089
332-08-480	REP	91-13-059	332-26-060	NEW-E	91-15-001	356-15-080	AMD	91-03-069
332-08-500	REP-P	91-08-066	332-26-080	NEW-E	91-09-029	356-15-080	AMD-E	91-15-027
332-08-500	REP	91-13-059	332-26-081	NEW-E	91-10-067	356-15-080	AMD-P	91-05-075
332-08-505	NEW-P	91-08-066	332-26-082	NEW-E	91-14-083	356-15-130	AMD	91-15-083
332-08-505	NEW	91-13-059	332-26-083	NEW-E	91-14-083	356-15-130	AMD-P	91-10-063
332-08-510	REP-P	91-08-066	332-48-010	REP-P	91-15-107	356-15-130	AMD	91-13-034
332-08-510	REP	91-13-059	332-48-020	REP-P	91-15-107	356-15-130	AMD	91-15-021
332-08-515	NEW-P	91-08-066	332-52-065	AMD-P	91-13-090	356-18-110	AMD-P	91-16-050
332-08-515	NEW	91-13-059	332-130-020	AMD-P	91-15-060	356-18-112	AMD-C	91-05-082
332-08-520	REP-P	91-08-066	332-130-060	AMD-P	91-15-060	356-18-112	AMD	91-07-055
332-08-520	REP	91-13-059	352-12-010	AMD-P	91-03-142	356-18-116	AMD-P	91-16-042
332-08-525	NEW-P	91-08-066	352-12-010	AMD-W	91-16-078	356-18-230	NEW-P	91-10-066
332-08-525	NEW	91-13-059	352-12-020	AMD-P	91-03-142	356-18-230	NEW-E	91-11-043
332-08-530	REP-P	91-08-066	352-12-020	AMD	91-09-001	356-18-230	NEW-E	91-13-043
332-08-530	REP	91-13-059	352-12-030	AMD-P	91-03-142	356-18-230	NEW	91-14-044
332-08-535	NEW-P	91-08-066	352-12-030	AMD	91-09-001	356-22-090	AMD-P	91-16-049
332-08-535	NEW	91-13-059	352-32-010	AMD-P	91-03-142	356-22-120	AMD-P	91-12-034
332-08-540	REP-P	91-08-066	352-32-010	AMD	91-09-001	356-22-120	AMD	91-15-078
332-08-540	REP	91-13-059	352-32-035	AMD-P	91-03-142	356-22-130	AMD	91-03-071
332-08-545	NEW-P	91-08-066	352-32-035	AMD	91-09-001	356-22-230	AMD-C	91-03-068
332-08-545	NEW	91-13-059	352-32-045	AMD-P	91-03-142	356-22-230	AMD-W	91-05-081
332-08-550	REP-P	91-08-066	352-32-045	AMD	91-09-001	356-26-040	AMD-P	91-10-064
332-08-550	REP	91-13-059	352-32-200	AMD-P	91-03-140	356-26-040	AMD	91-13-041
332-08-560	REP-P	91-08-066	352-32-200	AMD	91-07-014	356-30-067	AMD-P	91-15-076
332-08-560	REP	91-13-059	352-32-210	AMD-P	91-03-140	356-30-260	AMD-C	91-05-082
332-08-570	REP-P	91-08-066	352-32-210	AMD	91-07-014	356-30-260	AMD	91-07-055
332-08-570	REP	91-13-059	352-32-250	AMD-P	91-03-142	356-30-260	AMD-P	91-15-076
332-08-580	REP-P	91-08-066	352-32-250	AMD	91-09-001	356-30-290	AMD-P	91-15-076
332-08-580	REP	91-13-059	352-32-252	AMD-P	91-03-142	356-30-300	AMD-P	91-16-048
332-08-590	REP-P	91-08-066	352-32-252	AMD	91-09-001	356-30-305	AMD-C	91-05-082
332-08-590	REP	91-13-059	352-32-270	AMD-P	91-03-142	356-30-305	AMD	91-07-055
332-10-020	AMD-P	91-09-060	352-32-270	AMD	91-09-001	356-30-305	AMD-P	91-15-076
332-10-020	AMD	91-14-014	352-44-010	AMD-P	91-16-096	356-30-320	AMD-P	91-10-065
332-10-030	AMD-P	91-09-060	352-44-060	AMD-P	91-16-096	356-30-320	AMD	91-13-042
332-10-030	AMD	91-14-014	352-44-070	AMD-P	91-16-096	360-08	DECOD-W	91-06-037
332-10-035	REP-P	91-09-060	352-44-080	AMD-P	91-16-096	360-08-005	DECOD-P	91-14-033
332-10-035	REP	91-14-014	352-44-090	AMD-P	91-16-096	360-08-010	DECOD-P	91-14-033
332-10-040	AMD-P	91-09-060	352-75	AMD-P	91-11-058	360-08-040	DECOD-P	91-14-033
332-10-040	AMD	91-14-014	352-75	AMD	91-15-103	360-08-050	DECOD-P	91-14-033
332-10-045	REP-P	91-09-060	352-75-010	AMD-P	91-11-058	360-08-060	DECOD-P	91-14-033
332-10-045	REP	91-14-014	352-75-010	AMD	91-15-103	360-08-230	DECOD-P	91-14-033
332-10-050	AMD-P	91-09-060	352-75-020	AMD-P	91-11-058	360-08-240	DECOD-P	91-14-033
332-10-050	AMD	91-14-014	352-75-020	AMD	91-15-103	360-08-250	DECOD-P	91-14-033
332-10-060	AMD-P	91-09-060	352-75-030	AMD-P	91-11-058	360-08-260	DECOD-P	91-14-033
332-10-060	AMD	91-14-014	352-75-030	AMD	91-15-103	360-08-270	DECOD-P	91-14-033

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
360-08-280	DECOD-P 91-14-033	360-15-070	DECOD-P 91-14-033	360-21-020	DECOD-P 91-14-033
360-08-290	DECOD-P 91-14-033	360-16	DECOD-W 91-06-037	360-21-030	DECOD-P 91-14-033
360-08-300	DECOD-P 91-14-033	360-16-005	DECOD-P 91-14-033	360-21-040	DECOD-P 91-14-033
360-08-310	DECOD-P 91-14-033	360-16-011	DECOD-P 91-14-033	360-21-050	DECOD-P 91-14-033
360-08-320	DECOD-P 91-14-033	360-16-020	DECOD-P 91-14-033	360-21-060	DECOD-P 91-14-033
360-08-330	DECOD-P 91-14-033	360-16-025	DECOD-P 91-14-033	360-21-070	DECOD-P 91-14-033
360-08-340	DECOD-P 91-14-033	360-16-040	DECOD-P 91-14-033	360-21-080	DECOD-P 91-14-033
360-08-350	DECOD-P 91-14-033	360-16-050	DECOD-P 91-14-033	360-21-090	DECOD-P 91-14-033
360-08-360	DECOD-P 91-14-033	360-16-070	DECOD-P 91-14-033	360-23	DECOD-W 91-06-037
360-08-370	DECOD-P 91-14-033	360-16-094	DECOD-P 91-14-033	360-23-010	DECOD-P 91-14-033
360-08-380	DECOD-P 91-14-033	360-16-096	DECOD-P 91-14-033	360-23-020	DECOD-P 91-14-033
360-08-390	DECOD-P 91-14-033	360-16-098	DECOD-P 91-14-033	360-23-030	DECOD-P 91-14-033
360-08-400	DECOD-P 91-14-033	360-16-120	DECOD-P 91-14-033	360-23-050	DECOD-P 91-14-033
360-08-420	DECOD-P 91-14-033	360-16-150	DECOD-P 91-14-033	360-28-010	DECOD-P 91-14-033
360-08-520	DECOD-P 91-14-033	360-16-180	DECOD-P 91-14-033	360-32	DECOD-W 91-06-037
360-08-530	DECOD-P 91-14-033	360-16-200	DECOD-P 91-14-033	360-32-050	DECOD-P 91-14-033
360-08-540	DECOD-P 91-14-033	360-16-210	DECOD-P 91-14-033	360-32-055	DECOD-P 91-14-033
360-08-550	DECOD-P 91-14-033	360-16-220	DECOD-P 91-14-033	360-32-060	DECOD-P 91-14-033
360-08-560	DECOD-P 91-14-033	360-16-230	DECOD-P 91-14-033	360-33	DECOD-W 91-06-037
360-08-570	DECOD-P 91-14-033	360-16-235	DECOD-P 91-14-033	360-33-050	DECOD-P 91-14-033
360-08-580	DECOD-P 91-14-033	360-16-245	DECOD-P 91-14-033	360-35-010	NEW 91-04-056
360-08-590	DECOD-P 91-14-033	360-16-255	DECOD-P 91-14-033	360-35-010	DECOD-P 91-14-033
360-10	DECOD-W 91-06-037	360-16-265	DECOD-P 91-14-033	360-35-020	NEW 91-04-056
360-10-010	DECOD-P 91-14-033	360-16-270	DECOD-P 91-14-033	360-35-020	DECOD-P 91-14-033
360-10-020	DECOD-P 91-14-033	360-16-290	DECOD-P 91-14-033	360-35-030	NEW 91-04-056
360-10-030	AMD-P 91-05-091	360-16-300	DECOD-P 91-14-033	360-35-030	DECOD-P 91-14-033
360-10-030	AMD 91-11-041	360-16A	DECOD-W 91-06-037	360-35-040	NEW 91-04-056
360-10-030	DECOD-P 91-14-033	360-16A-010	DECOD-P 91-14-033	360-35-040	DECOD-P 91-14-033
360-10-040	DECOD-P 91-14-033	360-16A-020	DECOD-P 91-14-033	360-35-050	NEW 91-04-056
360-10-050	AMD-P 91-05-091	360-16A-030	DECOD-P 91-14-033	360-35-050	DECOD-P 91-14-033
360-10-050	AMD 91-11-041	360-16A-040	DECOD-P 91-14-033	360-35-060	NEW 91-04-056
360-10-050	DECOD-P 91-14-033	360-16A-060	DECOD-P 91-14-033	360-35-060	DECOD-P 91-14-033
360-10-060	AMD-P 91-05-091	360-16A-070	DECOD-P 91-14-033	360-35-070	NEW 91-04-056
360-10-060	AMD 91-11-041	360-16A-080	DECOD-P 91-14-033	360-35-070	DECOD-P 91-14-033
360-10-060	DECOD-P 91-14-033	360-16A-090	DECOD-P 91-14-033	360-35-080	NEW 91-04-056
360-10-080	DECOD-P 91-14-033	360-16A-100	DECOD-P 91-14-033	360-35-080	DECOD-P 91-14-033
360-11	DECOD-W 91-06-037	360-17	DECOD-W 91-06-037	360-35-090	NEW 91-04-056
360-11-010	DECOD-P 91-14-033	360-17-010	AMD-W 91-05-049	360-35-090	DECOD-P 91-14-033
360-11-020	DECOD-P 91-14-033	360-17-010	DECOD-P 91-14-033	360-35-100	NEW 91-04-056
360-11-023	DECOD-P 91-14-033	360-17-020	DECOD-P 91-14-033	360-35-100	DECOD-P 91-14-033
360-11-027	DECOD-P 91-14-033	360-17-030	DECOD-P 91-14-033	360-35-110	NEW 91-04-056
360-11-030	DECOD-P 91-14-033	360-17-040	AMD-W 91-05-049	360-35-110	DECOD-P 91-14-033
360-11-033	DECOD-P 91-14-033	360-17-040	DECOD-P 91-14-033	360-36	DECOD-W 91-06-037
360-11-037	DECOD-P 91-14-033	360-17-050	DECOD-P 91-14-033	360-36-010	DECOD-P 91-14-033
360-11-040	DECOD-P 91-14-033	360-17-055	DECOD-P 91-14-033	360-36-020	DECOD-P 91-14-033
360-11-045	DECOD-P 91-14-033	360-17-060	DECOD-P 91-14-033	360-36-115	DECOD-P 91-14-033
360-11-060	DECOD-P 91-14-033	360-17-070	AMD-W 91-05-049	360-36-210	DECOD-P 91-14-033
360-11-070	DECOD-P 91-14-033	360-17-070	DECOD-P 91-14-033	360-36-250	DECOD-P 91-14-033
360-12	DECOD-W 91-06-037	360-17-075	NEW-W 91-05-049	360-36-260	DECOD-P 91-14-033
360-12-015	DECOD-P 91-14-033	360-17-080	DECOD-P 91-14-033	360-36-270	DECOD-P 91-14-033
360-12-050	DECOD-P 91-14-033	360-17-090	DECOD-P 91-14-033	360-36-400	DECOD-P 91-14-033
360-12-065	DECOD-P 91-14-033	360-17-095	NEW-W 91-05-049	360-36-410	DECOD-P 91-14-033
360-12-110	DECOD-P 91-14-033	360-17-100	AMD-W 91-05-049	360-36-411	DECOD-P 91-14-033
360-12-120	DECOD-P 91-14-033	360-17-100	DECOD-P 91-14-033	360-36-412	DECOD-P 91-14-033
360-12-125	DECOD-P 91-14-033	360-18	DECOD-W 91-06-037	360-36-413	DECOD-P 91-14-033
360-12-128	AMD-P 91-08-078	360-18-010	DECOD-P 91-15-003	360-36-420	DECOD-P 91-14-033
360-12-128	AMD 91-13-002	360-18-020	AMD-P 91-08-078	360-36-425	DECOD-P 91-14-033
360-12-128	DECOD-P 91-15-003	360-18-020	AMD 91-13-002	360-36-430	DECOD-P 91-14-033
360-12-130	DECOD-P 91-14-033	360-18-020	DECOD-P 91-15-003	360-36-440	DECOD-P 91-14-033
360-12-140	DECOD-P 91-14-033	360-18-025	DECOD-P 91-15-003	360-36-450	DECOD-P 91-14-033
360-12-150	DECOD-P 91-14-033	360-19	DECOD-W 91-06-037	360-36-451	DECOD-P 91-14-033
360-12-160	DECOD-P 91-14-033	360-19-010	DECOD-P 91-14-033	360-36-500	DECOD-P 91-14-033
360-13	DECOD-W 91-06-037	360-19-020	DECOD-P 91-14-033	360-38	DECOD-W 91-06-037
360-13-010	DECOD-P 91-14-033	360-19-030	DECOD-P 91-14-033	360-38-010	DECOD-P 91-14-033
360-13-020	DECOD-P 91-14-033	360-19-040	DECOD-P 91-14-033	360-38-020	DECOD-P 91-14-033
360-13-030	DECOD-P 91-14-033	360-19-050	DECOD-P 91-14-033	360-38-030	DECOD-P 91-14-033
360-13-045	DECOD-P 91-14-033	360-19-060	DECOD-P 91-14-033	360-40	DECOD-W 91-06-037
360-13-055	DECOD-P 91-14-033	360-19-070	DECOD-P 91-14-033	360-40-010	DECOD-P 91-14-033
360-13-066	DECOD-P 91-14-033	360-19-080	DECOD-P 91-14-033	360-40-040	DECOD-P 91-14-033
360-13-100	DECOD-P 91-14-033	360-19-090	DECOD-P 91-14-033	360-40-070	DECOD-P 91-14-033
360-15	DECOD-W 91-06-037	360-19-100	DECOD-P 91-14-033	360-44	DECOD-W 91-06-037
360-15-010	DECOD-P 91-14-033	360-20	DECOD-W 91-06-037	360-44-010	DECOD-P 91-14-033
360-15-020	DECOD-P 91-14-033	360-20-100	DECOD-P 91-14-033	360-44-020	DECOD-P 91-14-033
360-15-030	DECOD-P 91-14-033	360-20-210	DECOD-P 91-14-033	360-44-030	DECOD-P 91-14-033
360-15-040	DECOD-P 91-14-033	360-20-220	NEW-P 91-07-056	360-44-040	DECOD-P 91-14-033
360-15-050	DECOD-P 91-14-033	360-21	DECOD-W 91-06-037	360-44-050	DECOD-P 91-14-033
360-15-060	DECOD-P 91-14-033	360-21-010	DECOD-P 91-14-033	360-44-060	DECOD-P 91-14-033

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
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360-44-080	DECOD-P 91-14-033	365-90-020	AMD 91-04-017	371-08-240	AMD 91-03-028
360-44-090	DECOD-P 91-14-033	365-90-030	REP 91-04-017	371-08-245	REP 91-03-028
360-44-100	DECOD-P 91-14-033	365-90-040	AMD 91-04-017	371-12	REP-C 91-03-027
360-44-110	DECOD-P 91-14-033	365-90-050	REP 91-04-017	371-12-010	REP 91-03-028
360-44-120	DECOD-P 91-14-033	365-90-070	AMD 91-04-017	371-12-020	REP 91-03-028
360-44-130	DECOD-P 91-14-033	365-90-080	AMD 91-04-017	371-12-030	REP 91-03-028
360-44-140	DECOD-P 91-14-033	365-90-090	AMD 91-04-017	371-12-040	REP 91-03-028
360-44-150	DECOD-P 91-14-033	365-190-010	NEW 91-07-041	371-12-050	REP 91-03-028
360-44-990	DECOD-P 91-14-033	365-190-020	NEW 91-07-041	371-12-060	REP 91-03-028
360-45-010	DECOD-P 91-14-033	365-190-030	NEW 91-07-041	371-12-070	REP 91-03-028
360-46	DECOD-W 91-06-037	365-190-040	NEW 91-07-041	371-12-080	REP 91-03-028
360-46-010	DECOD-P 91-14-033	365-190-050	NEW 91-07-041	371-12-090	REP 91-03-028
360-46-020	DECOD-P 91-14-033	365-190-060	NEW 91-07-041	371-12-100	REP 91-03-028
360-46-030	DECOD-P 91-14-033	365-190-070	NEW 91-07-041	371-12-110	REP 91-03-028
360-46-040	DECOD-P 91-14-033	365-190-080	NEW 91-07-041	371-12-120	REP 91-03-028
360-46-050	DECOD-P 91-14-033	371-08	AMD-C 91-03-027	371-12-130	REP 91-03-028
360-46-060	DECOD-P 91-14-033	371-08-001	NEW 91-03-028	374-50-010	NEW-P 91-08-033
360-46-070	DECOD-P 91-14-033	371-08-002	NEW 91-03-028	374-50-020	NEW-P 91-08-033
360-46-081	DECOD-P 91-14-033	371-08-005	AMD 91-03-028	374-50-030	NEW-P 91-08-033
360-46-082	DECOD-P 91-14-033	371-08-010	AMD 91-03-028	374-50-040	NEW-P 91-08-033
360-46-090	DECOD-P 91-14-033	371-08-015	REP 91-03-028	374-50-050	NEW-P 91-08-033
360-46-100	DECOD-P 91-14-033	371-08-020	AMD 91-03-028	374-50-060	NEW-P 91-08-033
360-46-110	DECOD-P 91-14-033	371-08-030	AMD 91-03-028	374-50-070	NEW-P 91-08-033
360-46-120	DECOD-P 91-14-033	371-08-031	REP 91-03-028	374-50-080	NEW-P 91-08-033
360-46-130	DECOD-P 91-14-033	371-08-032	AMD 91-03-028	374-50-090	NEW-P 91-08-033
360-46-140	DECOD-P 91-14-033	371-08-033	NEW 91-03-028	381-10-010	NEW-P 91-10-009
360-46-150	DECOD-P 91-14-033	371-08-035	AMD 91-03-028	381-10-010	NEW 91-14-028
360-46-160	DECOD-P 91-14-033	371-08-040	AMD 91-03-028	381-10-020	NEW-P 91-10-009
360-47	DECOD-W 91-06-037	371-08-045	REP 91-03-028	381-10-020	NEW 91-14-028
360-47-010	DECOD-P 91-14-033	371-08-065	AMD 91-03-028	381-10-030	NEW-P 91-10-009
360-47-020	DECOD-P 91-14-033	371-08-071	AMD 91-03-028	381-10-030	NEW 91-14-028
360-47-030	DECOD-P 91-14-033	371-08-075	AMD 91-03-028	381-10-040	NEW-P 91-10-009
360-47-040	DECOD-P 91-14-033	371-08-080	AMD 91-03-028	381-10-040	NEW 91-14-028
360-47-050	DECOD-P 91-14-033	371-08-085	AMD 91-03-028	381-10-050	NEW-P 91-10-009
360-48	DECOD-W 91-06-037	371-08-095	REP 91-03-028	381-10-050	NEW 91-14-028
360-48-010	DECOD-P 91-14-033	371-08-100	AMD 91-03-028	381-10-060	NEW-P 91-10-009
360-48-020	DECOD-P 91-14-033	371-08-102	REP 91-03-028	381-10-060	NEW 91-14-028
360-48-030	DECOD-P 91-14-033	371-08-104	AMD 91-03-028	381-10-070	NEW-P 91-10-009
360-48-040	DECOD-P 91-14-033	371-08-105	REP 91-03-028	381-10-070	NEW 91-14-028
360-48-050	DECOD-P 91-14-033	371-08-106	NEW 91-03-028	381-10-080	NEW-P 91-10-009
360-48-060	DECOD-P 91-14-033	371-08-110	REP 91-03-028	381-10-080	NEW 91-14-028
360-48-070	DECOD-P 91-14-033	371-08-115	REP 91-03-028	381-10-090	NEW-P 91-10-009
360-48-080	DECOD-P 91-14-033	371-08-120	REP 91-03-028	381-10-090	NEW 91-14-028
360-49	DECOD-W 91-06-037	371-08-125	AMD 91-03-028	381-10-100	NEW-P 91-10-009
360-49-010	DECOD-P 91-14-033	371-08-130	AMD 91-03-028	381-10-100	NEW 91-14-028
360-49-020	DECOD-P 91-14-033	371-08-131	REP 91-03-028	381-10-110	NEW-P 91-10-009
360-49-040	DECOD-P 91-14-033	371-08-132	REP 91-03-028	381-10-110	NEW 91-14-028
360-49-050	NEW-P 91-05-090	371-08-135	REP 91-03-028	381-10-120	NEW-P 91-10-009
360-49-050	NEW 91-13-004	371-08-140	AMD 91-03-028	381-10-120	NEW 91-14-028
360-49-050	DECOD-P 91-14-033	371-08-144	AMD 91-03-028	381-10-130	NEW-P 91-10-009
360-52	DECOD-W 91-06-037	371-08-146	NEW 91-03-028	381-10-130	NEW 91-14-028
360-52-010	DECOD-P 91-14-033	371-08-147	NEW 91-03-028	381-10-140	NEW-P 91-10-009
360-52-020	DECOD-P 91-14-033	371-08-148	NEW 91-03-028	381-10-140	NEW 91-14-028
360-52-030	DECOD-P 91-14-033	371-08-155	AMD 91-03-028	381-10-150	NEW-P 91-10-009
360-52-040	DECOD-P 91-14-033	371-08-156	AMD 91-03-028	381-10-150	NEW 91-14-028
360-52-050	DECOD-P 91-14-033	371-08-160	REP 91-03-028	381-10-160	NEW-P 91-10-009
360-52-060	DECOD-P 91-14-033	371-08-162	NEW 91-03-028	381-10-160	NEW 91-14-028
360-52-070	DECOD-P 91-14-033	371-08-163	REP 91-03-028	381-10-170	NEW-P 91-10-009
360-52-080	DECOD-P 91-14-033	371-08-165	AMD 91-03-028	381-20-010	NEW-P 91-10-009
360-52-090	DECOD-P 91-14-033	371-08-175	REP 91-03-028	381-20-010	NEW 91-14-028
360-52-100	DECOD-P 91-14-033	371-08-180	AMD 91-03-028	381-20-020	NEW-P 91-10-009
360-52-110	DECOD-P 91-14-033	371-08-183	AMD 91-03-028	381-20-020	NEW 91-14-028
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360-60-010	DECOD-P 91-14-033	371-08-205	REP 91-03-028	381-20-080	NEW-P 91-10-009
360-60-020	DECOD-P 91-14-033	371-08-210	REP 91-03-028	381-20-080	NEW 91-14-028
360-60-030	DECOD-P 91-14-033	371-08-215	AMD 91-03-028	381-20-090	NEW-P 91-10-009
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381-20-110	NEW-P	91-10-009	381-60-170	NEW	91-14-029	388-15-208	AMD-S	91-04-039
381-20-110	NEW	91-14-028	381-60-180	NEW	91-14-029	388-15-208	AMD	91-08-011
381-20-120	NEW-P	91-10-009	381-70-010	NEW	91-14-029	388-15-209	AMD-S	91-04-039
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381-30-010	NEW	91-14-029	381-70-070	NEW	91-14-029	388-15-216	AMD-S	91-04-039
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381-30-030	NEW	91-14-029	381-70-090	NEW	91-14-029	388-15-216	AMD-P	91-16-056
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381-30-050	NEW	91-14-029	381-70-110	NEW	91-14-029	388-15-840	AMD-P	91-16-056
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381-60-020	NEW	91-14-029	388-14-415	AMD-P	91-04-002	388-37-030	AMD-P	91-16-074
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388-53A-060	REP	91-15-087	388-77-600	AMD	91-04-041	388-95-360	AMD-E	91-14-071
388-53A-070	REP-P	91-12-066	388-77-600	AMD	91-05-010	388-95-380	AMD-P	91-05-008
388-53A-070	REP	91-15-087	388-77-600	AMD	91-05-058	388-95-380	AMD-E	91-05-009
388-53A-080	REP-P	91-12-066	388-77-600	AMD	91-08-050	388-95-380	AMD	91-09-017
388-53A-080	REP	91-15-087	388-77-610	AMD	91-04-041	388-95-395	AMD-P	91-12-022
388-53A-090	REP-P	91-12-066	388-77-610	AMD	91-05-010	388-95-395	AMD-E	91-12-029
388-53A-090	REP	91-15-087	388-77-610	AMD	91-05-058	388-95-395	AMD	91-15-085

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388-96-722	AMD-P	91-09-066	388-155-230	NEW	91-04-048	390-37-210	REP-P	91-13-089
388-96-722	AMD	91-12-026	388-155-240	NEW	91-04-048	390-37-210	REP	91-16-072
388-96-760	AMD-P	91-09-066	388-155-250	NEW	91-04-048	392-101-010	AMD-P	91-13-053
388-96-760	AMD	91-12-026	388-155-260	NEW	91-04-048	392-101-015	NEW	91-02-095
388-96-901	AMD-P	91-09-066	388-155-270	NEW	91-04-048	392-115-005	NEW-P	91-03-001
388-96-901	AMD	91-12-026	388-155-280	NEW	91-04-048	392-115-005	NEW	91-07-007
388-96-904	AMD-P	91-09-066	388-155-285	NEW-W	91-11-026	392-115-010	NEW-P	91-03-001
388-96-904	AMD	91-12-026	388-155-290	NEW	91-04-048	392-115-010	NEW	91-07-007
388-99-020	AMD	91-07-011	388-155-295	NEW	91-04-048	392-115-015	NEW-P	91-03-001
388-99-040	AMD-P	91-05-008	388-155-310	NEW	91-04-048	392-115-015	NEW	91-07-007
388-99-040	AMD-E	91-05-009	388-155-320	NEW	91-04-048	392-115-020	NEW-P	91-03-001
388-99-040	AMD	91-09-017	388-155-330	NEW	91-04-048	392-115-020	NEW	91-07-007
388-100-005	AMD-P	91-14-067	388-155-340	NEW	91-04-048	392-115-025	NEW-P	91-03-001
388-100-005	AMD-E	91-14-072	388-155-350	NEW	91-04-048	392-115-025	NEW	91-07-007
388-100-010	AMD-P	91-14-067	388-155-360	NEW	91-04-048	392-115-030	NEW-P	91-03-001
388-100-010	AMD-E	91-14-072	388-155-370	NEW	91-04-048	392-115-030	NEW	91-07-007
388-100-015	AMD-P	91-14-067	388-155-380	NEW	91-04-048	392-115-035	NEW-P	91-03-001
388-100-015	AMD-E	91-14-072	388-155-390	NEW	91-04-048	392-115-035	NEW	91-07-007
388-100-020	AMD-P	91-14-067	388-155-400	NEW	91-04-048	392-115-040	NEW-P	91-03-001
388-100-020	AMD-E	91-14-072	388-155-410	NEW	91-04-048	392-115-040	NEW	91-07-007
388-100-025	AMD-P	91-14-067	388-155-420	NEW	91-04-048	392-115-045	NEW-P	91-03-001
388-100-025	AMD-E	91-14-072	388-155-430	NEW	91-04-048	392-115-045	NEW	91-07-007
388-100-030	AMD-P	91-14-067	388-155-440	NEW	91-04-048	392-115-050	NEW-P	91-03-001
388-100-030	AMD-E	91-14-072	388-155-450	NEW	91-04-048	392-115-050	NEW	91-07-007
388-100-035	AMD-P	91-14-067	388-155-460	NEW	91-04-048	392-115-055	NEW-P	91-03-001
388-100-035	AMD-E	91-14-072	388-155-470	NEW	91-04-048	392-115-055	NEW	91-07-007
388-150-005	AMD-P	91-03-127	388-155-480	NEW	91-04-048	392-115-060	NEW-P	91-03-001
388-150-005	AMD-E	91-03-128	388-155-490	NEW	91-04-048	392-115-060	NEW	91-07-007
388-150-005	AMD	91-07-013	388-155-500	NEW	91-04-048	392-115-065	NEW-P	91-03-001
388-150-020	AMD-P	91-12-024	390-05-210	AMD-W	91-11-104	392-115-065	NEW	91-07-007
388-150-020	AMD-E	91-12-028	390-05-210	AMD-P	91-11-105	392-115-070	NEW-P	91-03-001
388-150-020	AMD	91-15-084	390-05-210	AMD	91-14-041	392-115-070	NEW	91-07-007
388-150-100	AMD-P	91-03-127	390-14-045	AMD-P	91-13-089	392-115-075	NEW-P	91-03-001
388-150-100	AMD-E	91-03-128	390-14-045	AMD	91-16-072	392-115-075	NEW	91-07-007
388-150-100	AMD	91-07-013	390-16-240	NEW-P	91-10-056	392-115-080	NEW-P	91-03-001
388-150-180	AMD-P	91-03-127	390-16-240	NEW	91-14-041	392-115-080	NEW	91-07-007
388-150-180	AMD-E	91-03-128	390-16-308	AMD-W	91-11-104	392-115-085	NEW-P	91-03-001
388-150-180	AMD	91-07-013	390-16-308	AMD-P	91-11-105	392-115-085	NEW	91-07-007
388-150-210	AMD-P	91-03-127	390-16-308	AMD	91-14-041	392-115-090	NEW-P	91-03-001
388-150-210	AMD-E	91-03-128	390-16-312	NEW-W	91-11-104	392-115-090	NEW	91-07-007
388-150-210	AMD	91-07-013	390-16-312	NEW-P	91-11-105	392-115-095	NEW-P	91-03-001
388-150-280	AMD-P	91-03-127	390-16-312	NEW	91-14-041	392-115-095	NEW	91-07-007
388-150-280	AMD-E	91-03-128	390-20-0101	AMD-C	91-06-034	392-115-100	NEW-P	91-03-001
388-150-280	AMD	91-07-013	390-20-0101	AMD	91-09-021	392-115-100	NEW	91-07-007
388-150-390	AMD-P	91-03-127	390-20-052	AMD-P	91-13-089	392-115-105	NEW-P	91-03-001
388-150-390	AMD-E	91-03-128	390-20-052	AMD	91-16-072	392-115-105	NEW	91-07-007
388-150-390	AMD	91-07-013	390-24-031	NEW-P	91-07-027	392-115-110	NEW-P	91-03-001
388-150-450	AMD-P	91-03-127	390-24-031	NEW	91-10-057	392-115-110	NEW	91-07-007
388-150-450	AMD-E	91-03-128	390-28-050	REP-P	91-16-071	392-115-115	NEW-P	91-03-001
388-150-450	AMD	91-07-013	390-37-060	AMD-P	91-13-089	392-115-115	NEW	91-07-007
388-155	NEW-C	91-03-038	390-37-060	AMD	91-16-072	392-115-120	NEW-P	91-03-001
388-155-005	NEW	91-04-048	390-37-085	NEW-P	91-15-025	392-115-120	NEW	91-07-007
388-155-010	NEW	91-04-048	390-37-085	NEW-W	91-15-051	392-115-125	NEW-P	91-03-001
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388-155-060	NEW	91-04-048	390-37-120	NEW-P	91-13-089	392-115-140	NEW	91-07-007
388-155-070	NEW	91-04-048	390-37-120	NEW	91-16-072	392-115-145	NEW-P	91-03-001
388-155-080	NEW	91-04-048	390-37-130	NEW-P	91-13-089	392-115-145	NEW	91-07-007
388-155-090	NEW	91-04-048	390-37-130	NEW	91-16-072	392-115-150	NEW-P	91-03-001
388-155-100	NEW	91-04-048	390-37-132	NEW-P	91-13-089	392-115-150	NEW	91-07-007
388-155-110	NEW	91-04-048	390-37-132	NEW	91-16-072	392-115-155	NEW-P	91-03-001
388-155-120	NEW	91-04-048	390-37-134	NEW-P	91-13-089	392-115-155	NEW	91-07-007
388-155-130	NEW	91-04-048	390-37-134	NEW	91-16-072	392-117-005	NEW-P	91-09-025
388-155-140	NEW	91-04-048	390-37-136	NEW-P	91-13-089	392-117-005	NEW	91-13-054
388-155-150	NEW	91-04-048	390-37-136	NEW	91-16-072	392-117-010	NEW-P	91-09-025
388-155-160	NEW	91-04-048	390-37-140	NEW-P	91-13-089	392-117-010	NEW	91-13-054
388-155-165	NEW	91-04-048	390-37-140	NEW	91-16-072	392-117-015	NEW-P	91-09-025
388-155-170	NEW	91-04-048	390-37-142	NEW-P	91-13-089	392-117-015	NEW	91-13-054
388-155-180	NEW	91-04-048	390-37-142	NEW	91-16-072	392-117-020	NEW-P	91-09-025
388-155-190	NEW	91-04-048	390-37-144	NEW-P	91-13-089	392-117-020	NEW	91-13-054
388-155-200	NEW	91-04-048	390-37-144	NEW	91-16-072	392-117-025	NEW-P	91-09-025
388-155-210	NEW	91-04-048	390-37-150	AMD-P	91-13-089	392-117-025	NEW	91-13-054

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392-117-030	NEW	91-13-054	392-125-026	NEW	91-07-063	392-140-369	NEW	91-02-094
392-117-035	NEW-P	91-09-025	392-125-027	NEW-P	91-03-050	392-140-370	NEW	91-02-094
392-117-035	NEW	91-13-054	392-125-027	NEW	91-07-063	392-140-371	NEW	91-02-094
392-117-040	NEW-P	91-09-025	392-125-030	AMD-P	91-03-050	392-140-372	NEW	91-02-094
392-117-040	NEW	91-13-054	392-125-030	AMD	91-07-063	392-140-373	NEW	91-02-094
392-117-045	NEW-P	91-09-025	392-125-085	AMD-P	91-03-050	392-140-374	NEW	91-02-094
392-117-045	NEW	91-13-054	392-125-085	AMD	91-07-063	392-140-375	NEW	91-02-094
392-117-050	NEW-P	91-09-025	392-125-085	AMD	91-07-063	392-140-376	NEW	91-02-094
392-117-050	NEW	91-13-054	392-127-004	AMD-P	91-12-006	392-140-377	NEW	91-02-094
392-121-108	AMD	91-02-096	392-127-004	AMD	91-16-011	392-140-378	NEW	91-02-094
392-121-133	AMD	91-02-096	392-127-006	AMD-P	91-12-006	392-140-379	NEW	91-02-094
392-121-136	AMD	91-02-096	392-127-006	AMD	91-16-011	392-140-380	NEW	91-02-094
392-121-182	AMD	91-02-096	392-127-011	AMD-P	91-12-006	392-140-381	NEW	91-02-094
392-121-184	NEW-P	91-04-088	392-127-011	AMD	91-16-011	392-140-390	NEW	91-02-094
392-121-184	NEW	91-08-038	392-127-700	NEW	91-03-129	392-140-391	NEW	91-02-094
392-121-265	AMD	91-02-097	392-127-703	NEW	91-03-129	392-140-392	NEW	91-02-094
392-121-268	AMD	91-02-097	392-127-705	NEW	91-03-129	392-140-393	NEW	91-02-094
392-121-269	NEW	91-02-097	392-127-710	NEW	91-03-129	392-142-005	AMD-P	91-12-006
392-121-270	AMD	91-02-097	392-127-715	NEW	91-03-129	392-142-005	AMD	91-16-011
392-121-272	AMD	91-02-097	392-127-720	NEW	91-03-129	392-142-095	AMD-P	91-12-006
392-121-280	AMD	91-02-097	392-127-725	NEW	91-03-129	392-142-095	AMD	91-16-011
392-121-295	AMD	91-02-097	392-127-730	NEW	91-03-129	392-142-235	AMD-P	91-12-006
392-121-297	REP	91-02-097	392-127-735	NEW	91-03-129	392-142-235	AMD	91-16-011
392-121-299	AMD	91-02-097	392-127-740	NEW	91-03-129	392-142-250	AMD-P	91-12-006
392-121-500	NEW	91-07-006	392-127-745	NEW	91-03-129	392-142-250	AMD	91-16-011
392-121-500	AMD-P	91-10-105	392-127-750	NEW	91-03-129	392-145-015	AMD-P	91-03-074
392-121-500	AMD	91-14-038	392-127-755	NEW	91-03-129	392-145-015	AMD	91-06-032
392-121-505	NEW	91-07-006	392-127-760	NEW	91-03-129	392-145-015	AMD-W	91-16-032
392-121-505	AMD-P	91-10-105	392-127-765	NEW	91-03-129	392-145-030	AMD-P	91-03-074
392-121-505	AMD	91-14-038	392-127-770	NEW	91-03-129	392-145-030	AMD	91-06-032
392-121-510	NEW	91-07-006	392-127-775	NEW	91-03-129	392-145-030	AMD-W	91-16-032
392-121-510	AMD-P	91-10-105	392-127-780	NEW	91-03-129	392-151-003	NEW-P	91-10-085
392-121-510	AMD	91-14-038	392-127-785	NEW	91-03-129	392-151-003	NEW	91-15-016
392-121-515	NEW	91-07-006	392-127-790	NEW	91-03-129	392-151-005	AMD-P	91-10-085
392-121-520	NEW	91-07-006	392-127-795	NEW	91-03-129	392-151-005	AMD	91-15-016
392-121-525	NEW	91-07-006	392-127-800	NEW	91-03-129	392-151-010	AMD-P	91-10-085
392-121-530	NEW	91-07-006	392-127-805	NEW	91-03-129	392-151-010	AMD	91-15-016
392-121-535	NEW	91-07-006	392-127-810	NEW	91-03-129	392-151-010	AMD	91-15-016
392-121-540	NEW	91-07-006	392-127-815	NEW	91-03-129	392-151-015	AMD-P	91-10-085
392-121-545	NEW	91-07-006	392-127-820	NEW	91-03-129	392-151-015	AMD	91-15-016
392-122-010	AMD	91-03-118	392-127-825	NEW	91-03-129	392-151-017	NEW-P	91-10-085
392-122-100	AMD	91-03-118	392-127-830	NEW	91-03-129	392-151-017	NEW	91-15-016
392-122-106	AMD	91-03-118	392-140-224	AMD-P	91-09-026	392-151-020	AMD-P	91-10-085
392-122-107	AMD	91-03-118	392-140-224	AMD	91-12-021	392-151-020	AMD	91-15-016
392-122-110	AMD	91-03-118	392-140-257	AMD-P	91-04-089	392-151-035	AMD-P	91-10-085
392-122-115	REP	91-03-118	392-140-257	AMD	91-08-039	392-151-035	AMD	91-15-016
392-122-120	AMD	91-03-118	392-140-336	AMD-P	91-12-006	392-151-040	AMD-P	91-10-085
392-122-125	REP	91-03-118	392-140-336	AMD	91-16-011	392-151-040	AMD	91-15-016
392-122-145	AMD	91-03-118	392-140-337	AMD-P	91-12-006	392-151-045	AMD-P	91-10-085
392-122-165	NEW	91-03-118	392-140-337	AMD	91-16-011	392-151-045	AMD	91-15-016
392-122-200	AMD	91-03-118	392-140-340	NEW	91-02-094	392-151-050	AMD-P	91-10-085
392-122-206	NEW	91-03-118	392-140-341	NEW	91-02-094	392-151-050	AMD	91-15-016
392-122-210	AMD	91-03-118	392-140-342	NEW	91-02-094	392-151-055	AMD-P	91-10-085
392-122-215	REP	91-03-118	392-140-343	NEW	91-02-094	392-151-055	AMD	91-15-016
392-122-230	AMD	91-03-118	392-140-345	NEW	91-02-094	392-151-060	AMD-P	91-10-085
392-122-235	AMD	91-03-118	392-140-346	NEW	91-02-094	392-151-060	AMD	91-15-016
392-122-240	REP	91-03-118	392-140-347	NEW	91-02-094	392-151-095	AMD-P	91-10-085
392-122-245	REP	91-03-118	392-140-348	NEW	91-02-094	392-151-095	AMD	91-15-016
392-122-250	REP	91-03-118	392-140-349	NEW	91-02-094	392-151-105	AMD-P	91-10-085
392-122-265	REP-W	91-13-071	392-140-350	NEW	91-02-094	392-151-105	AMD	91-15-016
392-122-270	AMD	91-03-118	392-140-351	NEW	91-02-094	392-151-120	AMD-P	91-10-085
392-122-600	AMD	91-03-118	392-140-352	NEW	91-02-094	392-151-120	AMD	91-15-016
392-122-605	AMD	91-03-118	392-140-353	NEW	91-02-094	392-151-125	AMD-P	91-10-085
392-122-610	AMD	91-03-118	392-140-354	NEW	91-02-094	392-151-125	AMD	91-15-016
392-122-700	AMD	91-03-118	392-140-355	NEW	91-02-094	392-151-130	AMD-P	91-10-085
392-122-800	AMD	91-03-118	392-140-356	NEW	91-02-094	392-151-130	AMD	91-15-016
392-122-805	AMD	91-03-118	392-140-357	NEW	91-02-094	392-151-135	AMD-P	91-10-085
392-122-910	NEW	91-03-118	392-140-358	NEW	91-02-094	392-151-135	AMD	91-15-016
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392-125-014	NEW	91-07-063	392-140-360	NEW	91-02-094	392-151-140	AMD	91-15-016
392-125-015	AMD-P	91-03-050	392-140-361	NEW	91-02-094	392-151-145	REP-P	91-10-085
392-125-015	AMD	91-07-063	392-140-362	NEW	91-02-094	392-151-145	REP	91-15-016
392-125-020	AMD-P	91-03-050	392-140-362	NEW	91-02-094	392-151-150	REP-P	91-10-085
392-125-020	AMD	91-07-063	392-140-363	NEW	91-02-094	392-151-150	REP	91-15-016
392-125-025	AMD-P	91-03-050	392-140-364	NEW	91-02-094	392-160	AMD-C	91-11-028
392-125-025	AMD	91-07-063	392-140-365	NEW	91-02-094	392-160-015	AMD-P	91-07-062
392-125-025	AMD-P	91-03-050	392-140-366	NEW	91-02-094	392-160-020	AMD-P	91-07-062
392-125-025	AMD	91-07-063	392-140-367	NEW	91-02-094			

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392-162-095	AMD-P 91-13-052	400-12-510	REP-P 91-15-090	415-114-040	NEW-P 91-06-089
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392-163-345	AMD-P 91-14-037	400-12-520	REP-P 91-15-090	415-114-040	NEW 91-11-061
392-163-355	AMD-P 91-14-037	400-12-525	NEW-P 91-15-090	415-114-040	AMD 91-13-049
392-163-435	AMD-P 91-14-037	400-12-530	REP-P 91-15-090	415-114-040	REP-P 91-16-091
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392-191-001	AMD-P 91-12-006	400-12-545	NEW-P 91-15-090	415-114-050	NEW 91-11-061
392-191-001	AMD 91-16-011	400-12-550	REP-P 91-15-090	415-114-050	RE-AD 91-13-049
392-191-007	AMD-P 91-12-006	400-12-555	NEW-P 91-15-090	415-114-050	REP-P 91-16-091
392-191-007	AMD 91-16-011	400-12-560	REP-P 91-15-090	415-114-055	NEW-P 91-10-108
392-191-030	AMD-P 91-12-006	400-12-565	NEW-P 91-15-090	415-114-055	NEW 91-13-049
392-191-030	AMD 91-16-011	400-12-570	REP-P 91-15-090	415-114-055	REP-P 91-16-091
392-191-035	AMD-P 91-12-006	400-12-600	REP-P 91-15-090	415-114-060	NEW-P 91-06-089
392-191-035	AMD 91-16-011	400-12-605	NEW-P 91-15-090	415-114-060	NEW-C 91-10-108
392-191-040	AMD-P 91-12-006	400-12-610	REP-P 91-15-090	415-114-060	RE-AD 91-11-061
392-191-040	AMD 91-16-011	400-12-615	NEW-P 91-15-090	415-114-060	RE-AD 91-13-049
392-191-060	REP-P 91-10-104	400-12-620	REP-P 91-15-090	415-114-060	REP-P 91-16-091
392-191-060	REP 91-16-026	400-12-625	NEW-P 91-15-090	415-114-070	NEW-C 91-10-108
392-191-065	REP-P 91-10-104	400-12-630	REP-P 91-15-090	415-114-070	NEW 91-13-049
392-191-065	REP 91-16-026	400-12-635	NEW-P 91-15-090	415-114-070	REP-P 91-16-091
392-191-070	REP-P 91-10-104	400-12-640	REP-P 91-15-090	415-114-100	NEW-P 91-16-091
392-191-070	REP 91-16-026	400-12-650	REP-P 91-15-090	415-114-200	NEW-P 91-16-091
392-191-075	REP-P 91-10-104	400-12-660	REP-P 91-15-090	415-114-300	NEW-P 91-16-091
392-191-075	AMD-P 91-12-006	400-12-700	AMD-P 91-15-090	415-114-400	NEW-P 91-16-091
392-191-075	AMD 91-16-011	402-70-010	AMD-W 91-08-059	415-114-500	NEW-P 91-16-091
392-191-075	REP 91-16-026	402-70-020	AMD-W 91-08-059	415-114-550	NEW-P 91-16-091
392-191-080	REP-P 91-10-104	402-70-030	AMD-W 91-08-059	415-114-600	NEW-P 91-16-091
392-191-080	REP 91-16-026	402-70-040	NEW-W 91-08-059	415-114-700	NEW-P 91-16-091
392-191-085	REP-P 91-10-104	402-70-045	NEW-W 91-08-059	415-115-010	NEW-P 91-10-109
392-191-085	AMD-P 91-12-006	402-70-050	AMD-W 91-08-059	415-115-010	NEW 91-13-030
392-191-085	AMD 91-16-011	402-70-055	NEW-W 91-08-059	415-115-020	NEW-P 91-10-109
392-191-085	REP 91-16-026	402-70-060	NEW-W 91-08-059	415-115-020	NEW 91-13-030
392-191-090	REP-P 91-10-104	402-70-062	NEW-W 91-08-059	415-115-030	NEW-P 91-10-109
392-191-090	REP 91-16-026	402-70-064	NEW-W 91-08-059	415-115-030	NEW 91-13-030
392-191-095	REP-P 91-10-104	402-70-066	NEW-W 91-08-059	415-115-040	NEW-P 91-10-109
392-191-095	REP 91-16-026	402-70-068	NEW-W 91-08-059	415-115-040	NEW 91-13-030
392-192-005	AMD-P 91-12-006	402-70-070	AMD-W 91-08-059	415-115-050	NEW-P 91-10-109
392-192-005	AMD 91-16-011	402-70-077	NEW-W 91-08-059	415-115-050	NEW 91-13-030
392-192-040	AMD-P 91-12-006	402-70-080	AMD-W 91-08-059	415-115-060	NEW-P 91-10-109
392-192-040	AMD 91-16-011	402-70-085	NEW-W 91-08-059	415-115-060	NEW 91-13-030
392-198-005	NEW-P 91-14-035	402-70-090	AMD-W 91-08-059	415-115-070	NEW-P 91-10-109
392-198-010	NEW-P 91-14-035	415-04-020	AMD-P 91-16-092	415-115-070	NEW 91-13-030
392-198-015	NEW-P 91-14-035	415-06-090	AMD-P 91-16-093	415-115-080	NEW-P 91-10-109
392-198-020	NEW-P 91-14-035	415-10-041	NEW 91-03-013	415-115-080	NEW 91-13-030
392-198-025	NEW-P 91-14-035	415-100-045	NEW 91-03-013	415-115-090	NEW-P 91-10-109
392-198-030	NEW-P 91-14-035	415-100-051	NEW 91-03-013	415-115-090	NEW 91-13-030
392-202-003	AMD 91-03-119	415-100-055	NEW 91-03-013	415-115-100	NEW-P 91-10-109
392-202-080	AMD-P 91-14-036	415-104-108	AMD-P 91-16-094	415-115-100	NEW 91-13-030
392-202-110	AMD-P 91-14-036	415-104-201	NEW 91-03-014	415-115-110	NEW-P 91-10-109
392-202-115	AMD-P 91-14-036	415-104-205	NEW 91-03-014	415-115-110	NEW 91-13-030
392-202-120	AMD-P 91-14-036	415-104-211	NEW 91-03-014	415-115-120	NEW-P 91-10-109
399-30-030	AMD-P 91-14-093	415-104-215	NEW 91-03-014	415-115-120	NEW 91-13-030
399-30-040	AMD-P 91-14-093	415-108-320	NEW 91-03-015	415-116-010	NEW-P 91-10-107
399-30-042	AMD-P 91-14-093	415-108-322	NEW 91-03-015	415-116-010	NEW 91-13-029
399-30-045	AMD-P 91-14-093	415-108-324	NEW 91-03-015	415-116-020	NEW-P 91-10-107
399-30-050	AMD-P 91-14-093	415-108-326	NEW 91-03-015	415-116-020	NEW 91-13-029
399-30-060	AMD-P 91-14-093	415-112-040	AMD-P 91-16-095	415-116-030	NEW-P 91-10-107
399-30-065	AMD-P 91-14-093	415-112-720	NEW 91-03-016	415-116-030	NEW 91-13-029
399-40-020	AMD-P 91-14-092	415-112-722	NEW 91-03-016	415-116-040	NEW-P 91-10-107
400-06-070	AMD-P 91-15-089	415-112-725	NEW 91-03-016	415-116-040	NEW 91-13-029
400-06-170	AMD-P 91-15-089	415-112-727	NEW 91-03-016	415-116-050	NEW-P 91-10-107
400-12	PREP 91-05-066	415-114-010	NEW-P 91-06-089	415-116-050	NEW 91-13-029
400-12-110	AMD-P 91-15-090	415-114-010	NEW-C 91-10-108	417-01-100	NEW-E 91-09-052
400-12-120	AMD-P 91-15-090	415-114-010	NEW 91-11-061	417-01-100	NEW-P 91-15-028
400-12-200	AMD-P 91-15-090	415-114-010	RE-AD 91-13-049	417-01-105	NEW-E 91-09-052
400-12-210	AMD-P 91-15-090	415-114-010	REP-P 91-16-091	417-01-105	NEW-P 91-15-028
400-12-220	AMD-P 91-15-090	415-114-020	NEW-P 91-06-089	417-01-110	NEW-E 91-09-052
400-12-300	REP-P 91-15-090	415-114-020	NEW-C 91-10-108	417-01-110	NEW-P 91-15-028
400-12-305	NEW-P 91-15-090	415-114-020	NEW 91-11-061	417-01-115	NEW-E 91-09-052
400-12-310	REP-P 91-15-090	415-114-020	RE-AD 91-13-049	417-01-115	NEW-P 91-15-028
400-12-320	AMD-P 91-15-090	415-114-020	REP-P 91-16-091	417-01-120	NEW-E 91-09-052
400-12-400	AMD-P 91-15-090	415-114-030	NEW-P 91-06-089	417-01-120	NEW-P 91-15-028
400-12-410	AMD-P 91-15-090	415-114-030	NEW-C 91-10-108	417-01-125	NEW-E 91-09-052
400-12-415	NEW-P 91-15-090	415-114-030	NEW 91-11-061	417-01-125	NEW-P 91-15-028
400-12-420	AMD-P 91-15-090	415-114-030	RE-AD 91-13-049	417-01-130	NEW-E 91-09-052

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
417-01-130	NEW-P	91-15-028	434-26-035	NEW-P	91-13-022	434-42-975	NEW-W	91-07-003
417-01-135	NEW-E	91-09-052	434-26-040	NEW-P	91-13-022	434-42-980	NEW-P	91-03-125
417-01-135	NEW-P	91-15-028	434-26-045	NEW-P	91-13-022	434-42-980	NEW-E	91-03-126
417-01-140	NEW-E	91-09-052	434-26-050	NEW-P	91-13-022	434-42-980	REP-E	91-07-002
417-01-140	NEW-P	91-15-028	434-26-055	NEW-P	91-13-022	434-42-980	NEW-W	91-07-003
417-01-145	NEW-E	91-09-052	434-26-060	NEW-P	91-13-022	434-42-985	NEW-P	91-03-125
417-01-145	NEW-P	91-15-028	434-26-065	NEW-P	91-13-022	434-42-985	NEW-E	91-03-126
417-01-150	NEW-E	91-09-052	434-26-900	NEW-P	91-13-022	434-42-985	REP-E	91-07-002
417-01-150	NEW-P	91-15-028	434-40-010	AMD-E	91-14-080	434-42-985	NEW-W	91-07-003
417-01-155	NEW-E	91-09-052	434-40-050	AMD-E	91-14-080	434-75-010	NEW-P	91-13-016
417-01-155	NEW-P	91-15-028	434-40-060	AMD-E	91-14-080	434-75-020	NEW-P	91-13-016
417-02-100	NEW-E	91-13-020	434-40-070	AMD-E	91-14-080	434-75-030	NEW-P	91-13-016
417-02-100	NEW-P	91-15-028	434-40-080	AMD-E	91-14-080	434-75-040	NEW-P	91-13-016
417-02-105	NEW-E	91-13-020	434-40-180	AMD-E	91-14-080	434-75-050	NEW-P	91-13-016
417-02-105	NEW-P	91-15-028	434-42-900	NEW-P	91-03-125	434-75-060	NEW-P	91-13-016
417-02-110	NEW-E	91-13-020	434-42-900	NEW-E	91-03-126	434-75-070	NEW-P	91-13-016
417-02-110	NEW-P	91-15-028	434-42-900	REP-E	91-07-002	434-75-080	NEW-P	91-13-016
417-02-115	NEW-E	91-13-020	434-42-900	NEW-W	91-07-003	434-75-090	NEW-P	91-13-016
417-02-115	NEW-P	91-15-028	434-42-905	NEW-P	91-03-125	434-75-100	NEW-P	91-13-016
417-02-120	NEW-E	91-13-020	434-42-905	NEW-E	91-03-126	434-75-110	NEW-P	91-13-016
417-02-120	NEW-P	91-15-028	434-42-905	REP-E	91-07-002	434-75-120	NEW-P	91-13-016
417-02-125	NEW-E	91-13-020	434-42-905	NEW-W	91-07-003	434-75-130	NEW-P	91-13-016
417-02-125	NEW-P	91-15-028	434-42-910	NEW-P	91-03-125	434-75-140	NEW-P	91-13-016
417-02-130	NEW-E	91-13-020	434-42-910	NEW-E	91-03-126	434-75-150	NEW-P	91-13-016
417-02-130	NEW-P	91-15-028	434-42-910	REP-E	91-07-002	434-75-160	NEW-P	91-13-016
417-02-135	NEW-E	91-13-020	434-42-910	NEW-W	91-07-003	434-75-170	NEW-P	91-13-016
417-02-135	NEW-P	91-15-028	434-42-915	NEW-P	91-03-125	434-75-180	NEW-P	91-13-016
417-02-140	NEW-E	91-13-020	434-42-915	NEW-E	91-03-126	434-75-190	NEW-P	91-13-016
417-02-140	NEW-P	91-15-028	434-42-915	REP-E	91-07-002	434-75-200	NEW-P	91-13-016
417-02-145	NEW-E	91-13-020	434-42-915	NEW-W	91-07-003	434-75-210	NEW-P	91-13-016
417-02-145	NEW-P	91-15-028	434-42-920	NEW-P	91-03-125	434-75-220	NEW-P	91-13-016
417-02-150	NEW-E	91-13-020	434-42-920	NEW-E	91-03-126	434-75-230	NEW-P	91-13-016
417-02-150	NEW-P	91-15-028	434-42-920	REP-E	91-07-002	434-75-240	NEW-P	91-13-016
417-02-155	NEW-E	91-13-020	434-42-920	NEW-W	91-07-003	434-75-250	NEW-P	91-13-016
417-02-155	NEW-P	91-15-028	434-42-925	NEW-P	91-03-125	434-75-260	NEW-P	91-13-016
417-06-100	NEW-E	91-13-021	434-42-925	NEW-E	91-03-126	434-75-270	NEW-P	91-13-016
417-06-100	NEW-P	91-15-028	434-42-925	REP-E	91-07-002	434-75-280	NEW-P	91-13-016
417-06-110	NEW-E	91-13-021	434-42-925	NEW-W	91-07-003	434-75-290	NEW-P	91-13-016
417-06-110	NEW-P	91-15-028	434-42-930	NEW-P	91-03-125	434-75-300	NEW-P	91-13-016
417-06-120	NEW-E	91-13-021	434-42-930	NEW-E	91-03-126	434-75-310	NEW-P	91-13-016
417-06-120	NEW-P	91-15-028	434-42-930	REP-E	91-07-002	434-75-320	NEW-P	91-13-016
417-06-130	NEW-E	91-13-021	434-42-930	NEW-W	91-07-003	434-75-330	NEW-P	91-13-016
417-06-130	NEW-P	91-15-028	434-42-935	NEW-P	91-03-125	434-75-340	NEW-P	91-13-016
417-06-140	NEW-E	91-13-021	434-42-935	NEW-E	91-03-126	434-75-350	NEW-P	91-13-016
417-06-140	NEW-P	91-15-028	434-42-935	REP-E	91-07-002	434-840-900	NEW-E	91-14-079
417-06-150	NEW-E	91-13-021	434-42-935	NEW-W	91-07-003	434-840-901	NEW-E	91-14-079
417-06-150	NEW-P	91-15-028	434-42-940	NEW-P	91-03-125	434-840-902	NEW-E	91-14-079
417-06-160	NEW-E	91-13-021	434-42-940	NEW-E	91-03-126	434-840-903	NEW-E	91-14-079
417-06-160	NEW-P	91-15-028	434-42-940	REP-E	91-07-002	434-840-904	NEW-E	91-14-079
417-06-170	NEW-E	91-13-021	434-42-940	NEW-W	91-07-003	434-840-905	NEW-E	91-14-079
417-06-170	NEW-P	91-15-028	434-42-945	NEW-P	91-03-125	434-840-906	NEW-E	91-14-079
419-14-030	AMD-P	91-03-107	434-42-945	NEW-E	91-03-126	434-840-907	NEW-E	91-14-079
419-14-030	AMD	91-06-063	434-42-945	REP-E	91-07-002	434-840-908	NEW-E	91-14-079
419-14-040	AMD-P	91-03-107	434-42-945	NEW-W	91-07-003	434-840-909	NEW-E	91-14-079
419-14-040	AMD	91-06-063	434-42-950	NEW-P	91-03-125	434-840-910	NEW-E	91-14-079
419-14-090	AMD-P	91-03-107	434-42-950	NEW-E	91-03-126	434-840-920	NEW-E	91-14-079
419-14-090	AMD	91-06-063	434-42-950	REP-E	91-07-002	434-840-921	NEW-E	91-14-079
419-14-100	AMD-P	91-03-107	434-42-950	NEW-W	91-07-003	434-840-922	NEW-E	91-14-079
419-14-100	AMD	91-06-063	434-42-955	NEW-P	91-03-125	434-840-923	NEW-E	91-14-079
419-14-110	AMD-P	91-03-107	434-42-955	NEW-E	91-03-126	434-840-930	NEW-E	91-14-079
419-14-110	AMD	91-06-063	434-42-955	REP-E	91-07-002	434-840-931	NEW-E	91-14-079
419-18-030	AMD-P	91-03-106	434-42-955	NEW-W	91-07-003	434-840-932	NEW-E	91-14-079
419-18-030	AMD	91-06-062	434-42-960	NEW-P	91-03-125	434-840-933	NEW-E	91-14-079
419-18-040	AMD-P	91-03-106	434-42-960	NEW-E	91-03-126	434-840-934	NEW-E	91-14-079
419-18-040	AMD	91-06-062	434-42-960	REP-E	91-07-002	434-840-940	NEW-E	91-14-079
419-18-050	AMD-P	91-03-106	434-42-960	NEW-W	91-07-003	434-840-941	NEW-E	91-14-079
419-18-050	AMD	91-06-062	434-42-965	NEW-P	91-03-125	434-840-942	NEW-E	91-14-079
419-18-060	AMD-P	91-03-106	434-42-965	NEW-E	91-03-126	434-840-943	NEW-E	91-14-079
419-18-060	AMD	91-06-062	434-42-965	REP-E	91-07-002	434-840-944	NEW-E	91-14-079
419-18-070	AMD-P	91-03-106	434-42-965	NEW-W	91-07-003	434-840-945	NEW-E	91-14-079
419-18-070	AMD	91-06-062	434-42-970	NEW-P	91-03-125	434-840-946	NEW-E	91-14-079
434-26-005	NEW-P	91-13-022	434-42-970	NEW-E	91-03-126	434-840-947	NEW-E	91-14-079
434-26-010	NEW-P	91-13-022	434-42-970	REP-E	91-07-002	440-44-050	REP-W	91-08-059
434-26-015	NEW-P	91-13-022	434-42-970	NEW-W	91-07-003	440-44-057	REP-W	91-08-059
434-26-020	NEW-P	91-13-022	434-42-975	NEW-P	91-03-125	440-44-058	REP-W	91-08-059
434-26-025	NEW-P	91-13-022	434-42-975	NEW-E	91-03-126	440-44-059	REP-W	91-08-059
434-26-030	NEW-P	91-13-022	434-42-975	REP-E	91-07-002	440-44-060	REP-W	91-08-059

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
440-44-062	REP-W	91-08-059	448-12-260	REP	91-06-022	448-15-070	NEW-P	91-03-124
440-44-085	REP-P	91-15-061	448-12-270	REP-S	91-03-123	448-15-070	NEW-W	91-16-077
440-44-085	REP-E	91-15-064	448-12-270	REP	91-06-022	448-15-080	NEW-P	91-03-124
446-16-080	AMD-P	91-16-099	448-12-280	REP-S	91-03-123	448-15-080	NEW-W	91-16-077
446-20-500	AMD-P	91-15-045	448-12-280	REP	91-06-022	456-09-210	AMD-P	91-04-084
446-20-510	AMD-P	91-15-045	448-12-290	REP-S	91-03-123	456-09-210	AMD	91-07-038
446-20-515	AMD-P	91-15-045	448-12-290	REP	91-06-022	456-09-325	AMD-P	91-04-084
446-65	AMD-P	91-16-098	448-12-300	REP-S	91-03-123	456-09-325	AMD	91-07-038
446-65-005	NEW-E	91-06-050	448-12-300	REP	91-06-022	456-09-365	AMD-P	91-04-084
446-65-005	NEW	91-06-066	448-12-320	REP-S	91-03-123	456-09-365	AMD	91-07-038
446-65-005	AMD-P	91-16-098	448-12-320	REP	91-06-022	456-10-360	AMD-P	91-04-083
446-65-010	NEW-E	91-06-050	448-12-330	REP-S	91-03-123	456-10-360	AMD	91-07-039
446-65-010	NEW	91-06-066	448-12-330	REP	91-06-022	456-10-547	NEW-P	91-04-083
446-65-010	AMD-P	91-16-098	448-12-340	REP-S	91-03-123	456-10-547	NEW	91-07-039
446-75-010	NEW-P	91-07-045	448-12-340	REP	91-06-022	458-14-010	REP	91-07-040
446-75-010	NEW-E	91-07-046	448-13-010	NEW-S	91-03-123	458-14-020	REP	91-07-040
446-75-010	NEW	91-11-046	448-13-010	NEW	91-06-022	458-14-030	REP	91-07-040
446-75-020	NEW-P	91-07-045	448-13-020	NEW-S	91-03-123	458-14-040	REP	91-07-040
446-75-020	NEW-E	91-07-046	448-13-020	NEW	91-06-022	458-14-045	REP	91-07-040
446-75-020	NEW	91-11-046	448-13-030	NEW-S	91-03-123	458-14-050	REP	91-07-040
446-75-030	NEW-P	91-07-045	448-13-030	NEW	91-06-022	458-14-052	REP	91-07-040
446-75-030	NEW-E	91-07-046	448-13-040	NEW-S	91-03-123	458-14-055	REP	91-07-040
446-75-030	NEW	91-11-046	448-13-040	NEW	91-06-022	458-14-060	REP	91-07-040
446-75-040	NEW-P	91-07-045	448-13-050	NEW-S	91-03-123	458-14-062	REP	91-07-040
446-75-040	NEW-E	91-07-046	448-13-050	NEW	91-06-022	458-14-065	REP	91-07-040
446-75-040	NEW	91-11-046	448-13-060	NEW-S	91-03-123	458-14-070	REP	91-07-040
446-75-050	NEW-P	91-07-045	448-13-060	NEW	91-06-022	458-14-075	REP	91-07-040
446-75-050	NEW-E	91-07-046	448-13-070	NEW-S	91-03-123	458-14-080	REP	91-07-040
446-75-050	NEW	91-11-046	448-13-070	NEW	91-06-022	458-14-085	REP	91-07-040
446-75-060	NEW-P	91-07-045	448-13-080	NEW-S	91-03-123	458-14-086	REP	91-07-040
446-75-060	NEW-E	91-07-046	448-13-080	NEW	91-06-022	458-14-090	REP	91-07-040
446-75-060	NEW	91-11-046	448-13-090	NEW-S	91-03-123	458-14-091	REP	91-07-040
446-75-070	NEW-P	91-07-045	448-13-090	NEW	91-06-022	458-14-092	REP	91-07-040
446-75-070	NEW-E	91-07-046	448-13-100	NEW-S	91-03-123	458-14-094	REP	91-07-040
446-75-070	NEW	91-11-046	448-13-100	NEW	91-06-022	458-14-098	REP	91-07-040
446-75-080	NEW-P	91-07-045	448-13-110	NEW-S	91-03-123	458-14-100	REP	91-07-040
446-75-080	NEW-E	91-07-046	448-13-110	NEW	91-06-022	458-14-110	REP	91-07-040
446-75-080	NEW	91-11-046	448-13-120	NEW-S	91-03-123	458-14-115	REP	91-07-040
448-12-010	REP-S	91-03-123	448-13-120	NEW	91-06-022	458-14-120	REP	91-07-040
448-12-010	REP	91-06-022	448-13-130	NEW-S	91-03-123	458-14-121	REP	91-07-040
448-12-015	REP-S	91-03-123	448-13-130	NEW	91-06-022	458-14-122	REP	91-07-040
448-12-015	REP	91-06-022	448-13-140	NEW-S	91-03-123	458-14-125	REP	91-07-040
448-12-016	REP-S	91-03-123	448-13-140	NEW	91-06-022	458-14-126	REP	91-07-040
448-12-016	REP	91-06-022	448-13-150	NEW-S	91-03-123	458-14-130	REP	91-07-040
448-12-020	REP-S	91-03-123	448-13-150	NEW	91-06-022	458-14-135	REP	91-07-040
448-12-020	REP	91-06-022	448-13-160	NEW-S	91-03-123	458-14-140	REP	91-07-040
448-12-030	REP-S	91-03-123	448-13-160	NEW	91-06-022	458-14-145	REP	91-07-040
448-12-030	REP	91-06-022	448-13-170	NEW-S	91-03-123	458-14-150	REP	91-07-040
448-12-040	REP-S	91-03-123	448-13-170	NEW	91-06-022	458-14-152	REP	91-07-040
448-12-040	REP	91-06-022	448-13-180	NEW-S	91-03-123	458-14-155	REP	91-07-040
448-12-050	REP-S	91-03-123	448-13-180	NEW	91-06-022	458-16-013	AMD-E	91-13-074
448-12-050	REP	91-06-022	448-13-190	NEW-S	91-03-123	458-16-020	AMD-E	91-13-074
448-12-055	REP-S	91-03-123	448-13-190	NEW	91-06-022	458-18-010	AMD-E	91-13-075
448-12-055	REP	91-06-022	448-13-200	NEW-S	91-03-123	458-18-020	AMD-E	91-13-075
448-12-060	REP-S	91-03-123	448-13-200	NEW	91-06-022	458-18-220	AMD-P	91-10-070
448-12-060	REP	91-06-022	448-13-210	NEW-S	91-03-123	458-18-220	AMD	91-15-024
448-12-070	REP-S	91-03-123	448-13-210	NEW	91-06-022	458-20-105	AMD-E	91-14-050
448-12-070	REP	91-06-022	448-13-220	NEW-S	91-03-123	458-20-109	PREP	91-03-057
448-12-075	REP-S	91-03-123	448-13-220	NEW	91-06-022	458-20-109	AMD-P	91-11-005
448-12-075	REP	91-06-022	448-14-010	REP-P	91-03-124	458-20-110	PREP	91-03-058
448-12-080	REP-S	91-03-123	448-14-010	REP-W	91-16-077	458-20-110	AMD-P	91-11-004
448-12-080	REP	91-06-022	448-14-020	REP-P	91-03-124	458-20-126	PREP	91-04-062
448-12-090	REP-S	91-03-123	448-14-020	REP-W	91-16-077	458-20-126	AMD-P	91-11-002
448-12-090	REP	91-06-022	448-14-030	REP-P	91-03-124	458-20-126	AMD	91-15-022
448-12-100	REP-S	91-03-123	448-14-030	REP-W	91-16-077	458-20-127	PREP	91-08-044
448-12-100	REP	91-06-022	448-15-010	NEW-P	91-03-124	458-20-151	PREP	91-04-061
448-12-210	REP-S	91-03-123	448-15-010	NEW-W	91-16-077	458-20-151	AMD-P	91-11-003
448-12-210	REP	91-06-022	448-15-020	NEW-P	91-03-124	458-20-151	AMD	91-15-023
448-12-220	REP-S	91-03-123	448-15-020	NEW-W	91-16-077	458-20-163	AMD	91-05-040
448-12-220	REP	91-06-022	448-15-030	NEW-P	91-03-124	458-20-164	AMD-E	91-14-049
448-12-230	REP-S	91-03-123	448-15-030	NEW-W	91-16-077	458-20-166	PREP	91-08-045
448-12-230	REP	91-06-022	448-15-040	NEW-P	91-03-124	458-20-169	PREP	91-12-062
448-12-240	REP-S	91-03-123	448-15-040	NEW-W	91-16-077	458-20-18601	NEW-E	91-14-027
448-12-240	REP	91-06-022	448-15-050	NEW-P	91-03-124	458-20-18801	PREP	91-12-002
448-12-250	REP-S	91-03-123	448-15-050	NEW-W	91-16-077	458-20-193A	PREP	91-13-073
448-12-250	REP	91-06-022	448-15-060	NEW-P	91-03-124	458-20-193B	PREP	91-13-073
448-12-260	REP-S	91-03-123	448-15-060	NEW-W	91-16-077	458-20-199	PREP	91-08-043

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WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
458-20-227	AMD	91-05-039	460-31A-670	REP	91-04-012	463-18-020	AMD	91-03-090
458-20-228	PREP	91-16-008	460-31A-675	REP	91-04-012	463-26-120	AMD	91-03-090
458-20-229	PREP	91-16-009	460-31A-680	REP	91-04-012	463-26-130	AMD	91-03-090
458-20-237	AMD	91-05-038	460-31A-685	REP	91-04-012	463-28-060	AMD	91-03-090
458-20-255	AMD-E	91-12-003	460-31A-690	REP	91-04-012	463-28-080	AMD	91-03-090
458-20-255	PREP	91-12-063	460-31A-695	REP	91-04-012	463-38-041	AMD	91-03-090
458-20-255	AMD-P	91-16-010	460-31A-700	REP	91-04-012	463-38-042	AMD	91-03-090
458-30-262	AMD	91-04-001	460-31A-705	REP	91-04-012	463-38-063	AMD	91-03-090
458-40-615	NEW-E	91-16-053	460-31A-710	REP	91-04-012	463-39-130	REP	91-03-090
458-40-660	AMD-P	91-06-052	460-31A-715	REP	91-04-012	463-39-150	AMD	91-03-090
458-40-660	AMD-E	91-06-053	460-31A-720	REP	91-04-012	463-42-680	NEW-P	91-03-132
458-40-660	AMD	91-09-030	460-31A-725	REP	91-04-012	463-42-680	NEW	91-09-040
458-40-660	AMD-P	91-10-090	460-31A-730	REP	91-04-012	463-43-060	AMD	91-03-090
458-40-660	AMD	91-14-077	460-34A-010	REP	91-04-012	463-47-060	AMD	91-03-090
458-40-670	AMD-P	91-10-090	460-34A-015	REP	91-04-012	463-50-030	AMD	91-03-090
458-40-670	AMD	91-14-077	460-34A-020	REP	91-04-012	463-54-070	AMD	91-03-090
460-11A-010	NEW-P	91-14-089	460-34A-025	REP	91-04-012	463-58-030	AMD	91-03-090
460-11A-020	NEW-P	91-14-089	460-34A-030	REP	91-04-012	468-16-010	NEW	91-04-014
460-11A-030	NEW-P	91-14-089	460-34A-035	REP	91-04-012	468-16-020	NEW	91-04-014
460-11A-040	NEW-P	91-14-089	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
460-31A-425	REP	91-04-012	460-34A-080	REP	91-04-012	468-16-120	NEW	91-04-014
460-31A-430	REP	91-04-012	460-34A-085	REP	91-04-012	468-16-130	NEW	91-04-014
460-31A-435	REP	91-04-012	460-34A-090	REP	91-04-012	468-16-140	NEW	91-04-014
460-31A-440	REP	91-04-012	460-34A-095	REP	91-04-012	468-16-150	NEW	91-04-014
460-31A-445	REP	91-04-012	460-34A-100	REP	91-04-012	468-16-160	NEW	91-04-014
460-31A-450	REP	91-04-012	460-34A-105	REP	91-04-012	468-16-170	NEW	91-04-014
460-31A-455	REP	91-04-012	460-34A-110	REP	91-04-012	468-16-180	NEW	91-04-014
460-31A-460	REP	91-04-012	460-34A-112	REP	91-04-012	468-16-190	NEW	91-04-014
460-31A-465	REP	91-04-012	460-34A-115	REP	91-04-012	468-16-200	NEW	91-04-014
460-31A-470	REP	91-04-012	460-34A-120	REP	91-04-012	468-16-210	NEW	91-04-014
460-31A-475	REP	91-04-012	460-34A-125	REP	91-04-012	468-38-035	REP-P	91-06-078
460-31A-480	REP	91-04-012	460-34A-130	REP	91-04-012	468-38-035	REP	91-10-023
460-31A-485	REP	91-04-012	460-34A-135	REP	91-04-012	468-38-050	AMD-P	91-06-078
460-31A-490	REP	91-04-012	460-34A-200	REP	91-04-012	468-38-050	AMD	91-10-023
460-31A-495	REP	91-04-012	460-36A-100	REP	91-04-012	468-38-190	AMD-P	91-06-079
460-31A-500	REP	91-04-012	460-36A-105	REP	91-04-012	468-38-190	AMD	91-10-022
460-31A-505	REP	91-04-012	460-36A-110	REP	91-04-012	468-38-260	AMD-P	91-06-078
460-31A-510	REP	91-04-012	460-36A-115	REP	91-04-012	468-38-260	AMD	91-10-023
460-31A-515	REP	91-04-012	460-36A-120	REP	91-04-012	468-38-260	AMD	91-10-054
460-31A-520	REP	91-04-012	460-36A-125	REP	91-04-012	468-38-370	REP-P	91-06-078
460-31A-525	REP	91-04-012	460-36A-130	REP	91-04-012	468-38-370	REP	91-10-023
460-31A-530	REP	91-04-012	460-36A-135	REP	91-04-012	468-38-400	REP-P	91-06-078
460-31A-535	REP	91-04-012	460-36A-140	REP	91-04-012	468-38-400	REP	91-10-023
460-31A-540	REP	91-04-012	460-36A-145	REP	91-04-012	468-38-410	REP-P	91-06-078
460-31A-545	REP	91-04-012	460-36A-150	REP	91-04-012	468-38-410	REP	91-10-023
460-31A-550	REP	91-04-012	460-36A-155	REP	91-04-012	468-54-020	AMD-P	91-12-031
460-31A-555	REP	91-04-012	460-36A-160	REP	91-04-012	468-54-040	AMD-P	91-12-031
460-31A-560	REP	91-04-012	460-36A-165	REP	91-04-012	468-54-050	AMD-P	91-12-031
460-31A-565	REP	91-04-012	460-36A-170	REP	91-04-012	468-54-065	AMD-P	91-12-031
460-31A-570	REP	91-04-012	460-36A-175	REP	91-04-012	468-54-070	AMD-P	91-12-031
460-31A-575	REP	91-04-012	460-36A-180	REP	91-04-012	468-70-030	AMD-P	91-13-024
460-31A-580	REP	91-04-012	460-36A-185	REP	91-04-012	468-70-050	AMD-P	91-13-024
460-31A-585	REP	91-04-012	460-36A-190	REP	91-04-012	468-70-060	AMD-P	91-13-024
460-31A-590	REP	91-04-012	460-36A-195	REP	91-04-012	468-70-070	AMD-P	91-13-024
460-31A-595	REP	91-04-012	460-42A-081	AMD	91-04-010	468-300-010	AMD-P	91-14-031
460-31A-600	REP	91-04-012	460-46A-020	AMD	91-04-011	468-300-010	AMD-E	91-14-032
460-31A-605	REP	91-04-012	460-46A-040	AMD	91-04-011	468-300-020	AMD-P	91-14-031
460-31A-610	REP	91-04-012	460-46A-050	AMD	91-04-011	468-300-020	AMD-E	91-14-032
460-31A-615	REP	91-04-012	460-46A-055	NEW	91-04-011	468-300-040	AMD-P	91-14-031
460-31A-620	REP	91-04-012	460-46A-061	NEW	91-04-011	468-300-040	AMD-E	91-14-032
460-31A-625	REP	91-04-012	460-46A-065	NEW	91-04-011	468-300-070	AMD-P	91-14-031
460-31A-630	REP	91-04-012	460-46A-071	NEW	91-04-011	468-300-070	AMD-E	91-14-032
460-31A-635	REP	91-04-012	460-46A-072	NEW	91-04-011	478-116-020	AMD-P	91-06-092
460-31A-640	REP	91-04-012	460-46A-095	AMD	91-04-011	478-116-020	AMD	91-11-029
460-31A-645	REP	91-04-012	460-46A-110	AMD	91-04-011	478-116-020	AMD	91-12-047
460-31A-650	REP	91-04-012	463-06-010	AMD	91-03-090	478-116-055	AMD-P	91-06-092
460-31A-655	REP	91-04-012	463-10-010	AMD	91-03-090	478-116-055	AMD	91-11-029
460-31A-660	REP	91-04-012	463-14-030	AMD	91-03-090	478-116-055	AMD	91-12-047
460-31A-665	REP	91-04-012	463-14-080	AMD	91-03-090	478-116-080	AMD-P	91-06-092

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478-116-080	AMD	91-11-029	478-160-170	AMD	91-16-001	480-09-520	NEW	91-07-024
478-116-080	AMD	91-12-047	478-160-175	AMD-P	91-11-057	480-09-610	AMD-P	91-02-105
478-116-085	REP-P	91-06-092	478-160-175	AMD	91-16-001	480-09-610	AMD	91-06-010
478-116-085	REP	91-11-029	478-160-180	REP-P	91-11-057	480-09-736	AMD-P	91-02-105
478-116-085	REP	91-12-047	478-160-180	REP	91-16-001	480-09-736	AMD	91-06-010
478-116-088	NEW-P	91-06-092	478-160-185	REP-P	91-11-057	480-12-003	AMD-P	91-10-081
478-116-088	NEW	91-11-029	478-160-185	REP	91-16-001	480-12-003	AMD	91-13-077
478-116-090	AMD-P	91-06-092	478-160-190	AMD-P	91-11-057	480-12-030	AMD-P	91-06-009
478-116-090	AMD	91-11-029	478-160-190	AMD	91-16-001	480-12-030	AMD	91-09-038
478-116-090	AMD	91-12-047	478-160-195	REP-P	91-11-057	480-12-033	AMD-P	91-06-009
478-116-110	AMD-P	91-06-092	478-160-195	REP	91-16-001	480-12-033	AMD	91-09-038
478-116-110	AMD	91-11-029	478-250-010	NEW-P	91-04-058	480-12-130	AMD-P	91-16-090
478-116-110	AMD	91-12-047	478-250-010	NEW	91-10-031	480-12-315	REP	91-06-071
478-116-130	AMD-P	91-06-092	478-250-020	NEW-P	91-04-058	480-12-322	REP-W	91-08-060
478-116-130	AMD	91-11-029	478-250-050	NEW-P	91-04-058	480-12-500	NEW	91-03-101
478-116-130	AMD	91-12-047	478-250-050	NEW	91-10-031	480-12-510	NEW	91-03-101
478-116-160	AMD-P	91-06-092	478-250-060	NEW-P	91-04-058	480-12-520	NEW	91-03-101
478-116-160	AMD	91-11-029	478-250-060	NEW	91-10-031	480-70-050	AMD	91-03-053
478-116-160	AMD	91-12-047	478-250-070	NEW-P	91-04-058	480-70-060	AMD	91-03-053
478-116-210	AMD-P	91-06-092	478-250-070	NEW	91-10-031	480-70-070	AMD	91-03-053
478-116-210	AMD	91-11-029	478-276-010	AMD-P	91-04-058	480-70-100	AMD	91-03-053
478-116-210	AMD	91-12-047	478-276-010	AMD	91-10-031	480-70-130	AMD	91-03-053
478-116-230	AMD-P	91-06-092	478-276-040	AMD-P	91-04-058	480-70-130	AMD-P	91-09-015
478-116-230	AMD	91-11-029	478-276-040	AMD	91-10-031	480-70-150	AMD	91-03-053
478-116-230	AMD	91-12-047	478-276-060	AMD-P	91-04-058	480-70-230	AMD	91-03-053
478-116-240	AMD-P	91-06-092	478-276-060	AMD	91-10-031	480-70-245	AMD-P	91-11-048
478-116-240	AMD	91-11-029	478-276-080	AMD-P	91-04-058	480-70-260	AMD	91-03-053
478-116-240	AMD	91-12-047	478-276-080	AMD	91-10-031	480-70-280	AMD	91-03-053
478-116-250	AMD-P	91-06-092	478-276-100	AMD-P	91-04-058	480-70-330	AMD	91-03-053
478-116-250	AMD	91-11-029	478-276-100	AMD	91-10-031	480-70-340	AMD	91-03-053
478-116-250	AMD	91-12-047	478-276-110	AMD-P	91-04-058	480-70-350	AMD	91-03-053
478-116-260	AMD-P	91-06-092	478-276-110	AMD	91-10-031	480-70-360	AMD	91-03-053
478-116-260	AMD	91-11-029	478-276-130	REP-P	91-04-058	480-70-390	AMD	91-03-053
478-116-260	AMD	91-12-047	478-276-130	REP	91-10-031	480-70-400	AMD	91-03-053
478-116-300	AMD-P	91-06-092	479-02-010	NEW-P	91-10-037	480-70-405	AMD	91-03-053
478-116-300	AMD	91-11-029	479-02-010	NEW	91-13-056	480-70-420	AMD	91-03-053
478-116-300	AMD	91-12-047	479-02-020	NEW-P	91-10-037	480-70-440	AMD	91-03-053
478-116-360	AMD-P	91-06-092	479-02-020	NEW	91-13-056	480-70-500	AMD	91-03-053
478-116-360	AMD	91-11-029	479-02-030	NEW-P	91-10-037	480-70-570	AMD	91-03-053
478-116-360	AMD	91-12-047	479-02-030	NEW	91-13-056	480-70-700	NEW-P	91-10-080
478-116-390	AMD-P	91-06-092	479-02-050	NEW-P	91-10-037	480-70-700	NEW-W	91-14-013
478-116-390	AMD	91-11-029	479-02-050	NEW	91-13-056	480-70-710	NEW-P	91-10-080
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