Washington State Register

JANUARY 2, 1992

OLYMPIA, WASHINGTON

ISSUE 92-01

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This issue contains documents officially filed not later than December 19, 1991

STATE PRINTING PLANT 3 OLYMPIA, WASHINGTON

CITATION

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

PUBLIC INSPECTION OF DOCUMENTS

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

REPUBLICATION OF OFFICIAL DOCUMENTS

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

CERTIFICATE

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

DENNIS W. COOPER
Code Reviser

STATE MAXIMUM INTEREST RATE

(Computed and filed by the State Treasurer under RCW 19.52.025)

The maximum allowable interest rate applicable for the month of January 1992 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 1992 pursuant to RCW 63.14.130(1)(a) is eleven point seven five percent (11.75%).

The maximum allowable retail installment contract service charge for the purchase of a motor vehicle pursuant to RCW 63.14.130(2)(a) is ten point seven five percent (10.75%) for the first calendar quarter of 1992.

The maximum allowable retail installment contract service charge for the purchase of a vessel pursuant to RCW 63.14.130(3)(a) is eleven point two five percent (11.25%) for the fourth calendar quarter of 1991.

WASHINGTON STATE REGISTER

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POSTMASTER: SEND ADDRESS CHANGES TO:

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Legislative Building
Olympia, WA 98504

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

Raymond W. Haman
Chairman, Statute Law Committee

Dennis W. Cooper
Code Reviser

Gary Reid
Chief Assistant Code Reviser

Kerry S. Radcliff
Editor

Joyce Matzen
Subscription Clerk

STYLE AND FORMAT OF THE WASHINGTON STATE REGISTER

1. ARRANGEMENT OF THE REGISTER

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

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

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

(a) **Proposed rules** are those rules pending permanent adoption by an agency and are set forth in eight point type.

(b) **Adopted rules** have been permanently adopted and are set forth in ten point type.

(c) **Emergency rules** have been adopted on an emergency basis and are set forth in ten point oblique type.

3. PRINTING STYLE—INDICATION OF NEW OR DELETED MATERIAL

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

(a) In amendatory sections—
  (i) underlined material is new material;
  (ii) deleted material is ((~~lined out and bracketed between double parentheses~~));

(b) Complete new sections are prefaced by the heading NEW SECTION;

(c) The repeal of an entire section is shown by listing its WAC section number and caption under the heading REPEALER.

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

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

5. EFFECTIVE DATE OF RULES

(a) Permanently adopted agency rules normally take effect thirty days after the rules and the agency order adopting them are filed with the code reviser's office. This effective date may be delayed or advanced and such an effective date will be noted in the promulgation statement preceding the text of the rule.

(b) Emergency rules take effect upon filing with the code reviser's office unless a later date is provided by the agency. They remain effective for a maximum of one-hundred-twenty days from the date of filing.

(c) Rules of the state Supreme Court generally contain an effective date clause in the order adopting the rules.

6. EDITORIAL CORRECTIONS

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

7. INDEX AND TABLES

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

1991 – 1992

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*
91-16	Jul 10	Jul 24	Aug 7	Aug 21	Sep 10
91-17	Jul 24	Aug 7	Aug 21	Sep 4	Sep 24
91-18	Aug 7	Aug 21	Sep 4	Sep 18	Oct 8
91-19	Aug 21	Sep 4	Sep 18	Oct 2	Oct 22
91-20	Sep 4	Sep 18	Oct 2	Oct 16	Nov 5
91-21	Sep 25	Oct 9	Oct 23	Nov 6	Nov 26
91-22	Oct 9	Oct 23	Nov 6	Nov 20	Dec 10
91-23	Oct 23	Nov 6	Nov 20	Dec 4	Dec 24
91-24	Nov 6	Nov 20	Dec 4	Dec 18	Jan 7, 1992
92-01	Nov 21	Dec 5	Dec 19, 1991	Jan 2, 1992	Jan 22
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92-03	Dec 26, 1991	Jan 8, 1992	Jan 22	Feb 5	Feb 25
92-04	Jan 8	Jan 22	Feb 5	Feb 19	Mar 10
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92-21	Sep 23	Oct 7	Oct 21	Nov 4	Nov 24
92-22	Oct 7	Oct 21	Nov 4	Nov 18	Dec 8
92-23	Oct 21	Nov 4	Nov 18	Dec 2	Dec 22
92-24	Nov 4	Nov 18	Dec 2	Dec 16	Jan 5, 1993

[1]All documents are due at the code reviser's office by 12:00 noon on or before the applicable closing date for inclusion in a particular issue of the Register; see WAC 1-21-040.

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

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

WSR 92-01-001
RULES COORDINATOR
CODE REVISER'S OFFICE
[Filed December 5, 1991, 9:19 a.m.]

In accordance with RCW 34.05.310, the rules coordinator for the Code Reviser's Office is Kerry S. Radcliff, Code Reviser's Office, P.O. Box 40551, Olympia, WA 98504-0551, phone 753-7470 comm, 234-7470 scan.

Gary Reid
Chief Assistant
Code Reviser

WSR 92-01-002
NOTICE OF PUBLIC MEETINGS
EDMONDS COMMUNITY COLLEGE
[Memorandum—December 5, 1991]

Monday, December 9, 1991, 3:30 p.m.
Lynnwood Hall, Room 424
3:30 - 5:00

The facilities for this meeting are free of mobility barriers and interpreters for deaf individuals and brailled or taped information for blind individuals will be provided upon request when adequate notice is given.

WSR 92-01-003
NOTICE OF PUBLIC MEETINGS
PIERCE COLLEGE
[Memorandum—December 3, 1991]

The board of trustees of Community College District Number Eleven (Pierce College) adopted the meeting schedule shown below for 1992 at their November 6, 1991, regular meeting.

The board of trustees of Community College District Number Eleven will hold their regular meetings on the second Wednesday of each month. These meetings will be open to the public and advertised accordingly (RCW 42.30.075).

1992 REGULAR MEETING SCHEDULE

DATE	TIME	LOCATION
January 8	12:30 p.m.	Pierce College Board Room (325H)
February 12	12:30 p.m.	Pierce College at Puyallup
March 11	12:30 p.m.	Pierce College Board Room (325H)
April 8	12:30 p.m.	Pierce College at Ft. Lewis
May 13	12:30 p.m.	Pierce College at Puyallup
June 10	12:30 p.m.	Pierce College Board Room (325H)
July 8	12:30 p.m.	Pierce College at Puyallup
	(No meeting is scheduled for August.)	
September 9	12:30 p.m.	Pierce College Board Room (325H)
October 14	12:30 p.m.	Pierce College at Puyallup
November 11	12:30 p.m.	Pierce College Board Room (325H)
December 9	12:30 p.m.	Pierce College Board Room (325H)

Special meetings may be called for at any time by the chairman or a majority vote of the board. All special meetings will be publicly advertised at least 24 hours prior to being convened, and are open to the public.

WSR 92-01-004
RULES COORDINATOR
PIERCE COLLEGE
[Filed December 5, 1991, 2:19 p.m.]

The rules coordinator for this institution shall have an office located at the Office of the President with the following mailing address: Christine D. Givens, Executive Assistant, Office of the President, Pierce College, 9401 Farwest Drive S.W., Tacoma, WA 98498.

Frank B. Brouillet
President

WSR 92-01-005
NOTICE OF PUBLIC MEETINGS
INTERAGENCY COMMITTEE
FOR OUTDOOR RECREATION
[Memorandum—December 4, 1991]

The following is the adopted meeting schedule for the IAC committee for 1992:

March 19-20, 1992	Olympia
July 23-24, 1992	To be announced
September 24-25, 1992	Olympia
November 19-20, 1992	Olympia

WSR 92-01-006
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
LABOR AND INDUSTRIES
(Board of Boiler Rules)
[Memorandum—November 26, 1991]

As per chapter 42.30 RCW, Open Public Meeting Act, the time and place of regular meetings for the Board of Boiler Rules for 1992 will be held on the following dates in January, March, May, September and November 1992 commencing at 10:00 a.m. A study day, which is open to the public, is for board discussion only and will be held on the Monday preceding the board meeting.

Date	Location
January 13, 1992 (Study)	Bellevue L&I Office
January 14, 1992	Bellevue L&I Office
March 16, 1992 (Study)	Bellevue L&I Office
March 17, 1992	Bellevue L&I Office
May 18, 1992 (Study)	Olympia
May 19, 1992	Olympia
September 21, 1991 [1992] (Study)	Kennewick L&I Office
September 22, 1991 [1992]	Kennewick L&I Office
November 16, 1992 (Study)	Bellevue L&I Office
November 17, 1992	Bellevue L&I Office

WSR 92-01-007
NOTICE OF PUBLIC MEETINGS
TACOMA COMMUNITY COLLEGE
[Memorandum—December 3, 1991]

The 1992 meeting schedule for the board of trustees of Tacoma Community College District 22 is as follows:

January 9
February 13
March 12
April 9
May 14
June 10
July 9
August 13
September 10
October 8
November 12
December 10

All regularly scheduled meetings of the board will be held at 4 p.m. in the John Binns Room of the college.

WSR 92-01-008
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF HEALTH
(Board of Chiropractic Examiners)
[Memorandum—December 4, 1991]

The following future meeting dates have been scheduled for the Washington State Board of Chiropractic Examiners for the year 1992.

February 13, 1992
March 12, 1992
May 14, 1992
June 11, 1992
August 13, 1992
September 10, 1992
October 8, 1992
November 12, 1992

WSR 92-01-009
PERMANENT RULES
DEPARTMENT OF AGRICULTURE
(Tree Fruit Research Commission)
[Filed December 5, 1991, 2:32 p.m.]

Date of Adoption: November 26, 1991.

Purpose: To increase the assessment on Washington tree fruit.

Citation of Existing Rules Affected by this Order: Amending WAC 16-560-06001.

Statutory Authority for Adoption: RCW 15.26.140 and 15.26.150.

Pursuant to notice filed as WSR 91-13-105 on June 19, 1991.

Changes Other than Editing from Proposed to Adopted Version: The proposal to increase the industry services fund level from one hundred thousand dollars to one million dollars was not acted upon. Therefore, the amendment was deleted.

Continuance filed as WSR 91-20-077 on September 27, 1991.

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

November 26, 1991
Fred Valentine
Chairman

AMENDATORY SECTION (Amending Order 8, Resolution No. 8, filed 6/30/86, effective 8/1/86)

WAC 16-560-06001 ASSESSMENT RATES. There is hereby levied on all commercial tree fruit produced in this state or held out as being produced in this state for fresh or processing use, an assessment of ((~~twenty-five cents~~)) one dollar per ton on all such tree fruit: PROVIDED, That such assessment for cherries shall be two dollars per ton: PROVIDED, ((~~That such assessment for pears, shall not be more than one dollar per ton: PROVIDED FURTHER,~~)) That such assessment for apples for fresh shipment shall be at the rate of ((~~one and one-quarter~~)) two and one-half cents per hundred pounds gross billing weight for the 1992 crop year, three and three-quarters cents per hundred pounds gross billing weight for the 1993 crop year, and five cents per hundred pounds gross billing weight for the 1994 crop year and each year thereafter: PROVIDED FURTHER, That such assessment for processed apples shall be at the rate of fifty cents per ton for the 1992 crop year, seventy-five cents per ton for the 1993 crop year, and one dollar per ton for the 1994 crop year, and each year thereafter.

There is hereby established pursuant to RCW 15.26-.155 an additional assessment for an industry services fund for programs related to sanitation, planting, production, harvesting, handling, processing and shipping. The assessment shall be set annually by the commission, upon approval of two-thirds of the voting members of the commission, to create and maintain this fund at or near one hundred thousand dollars. If this fund should inadvertently exceed one hundred thousand dollars due to larger crops than estimated or the addition of interest earned, the excess shall be credited to the following year's fund.

In consideration of maintaining this industry services fund, the commission shall annually consult with the affected industry and grower organizations.

WSR 92-01-010
RULES COORDINATOR
WASHINGTON STATE PATROL
[Filed December 5, 1991, 2:45 p.m.]

In accordance with RCW 34.05.310, the rules coordinator for the Washington State Patrol is Trooper Ronald J. Sandberg. The following is the mailing address: Washington State Patrol, General Administration Building, AX-12, P.O. Box 42607, Olympia, WA 98504-2407, phone (206) 753-4453.

George B. Tellevik
Chief

WSR 92-01-011
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF LICENSING
(Motorcycle Safety Education Advisory Board)
[Memorandum—December 4, 1991]

The meeting schedule for the advisory board is as follows:

February 7, 1992, Vancouver, Washington, 7:00 p.m., public meeting, Hazel Dell Department of License Office, 8000 N.E. 13th Avenue, Vancouver.

April 17, 1992, Bellingham, Washington, 7:00 p.m., public meeting, at Park Motel, 101 North Samish Way, Bellingham.

June 5, 1992, Kennewick, Washington, 7:00 p.m., public meeting, Kennewick Department of License Office, 3311 West Clearwater, Suite 110, Kennewick.

August 14, 1992, Lacey, Washington, 7:00 p.m., public meeting, Lacey Department of License Office, 4507 Woodview Drive S.E., Lacey.

October 2, 1992, Spokane, Washington, 7:00 p.m., public meeting, Westside Honda/Yamaha, Geiger Road, Spokane.

December 4, 1992, Seattle, Washington, 7:00 p.m., public meeting, SeaTac Red Lion Motor Inn, 18740 Pacific Highway South, Seattle.

If you have any questions, please contact Don Mapp, Coordinator Traffic Safety Programs, Department of Licensing, Driver Examining, at (206) 586-1424 or (206) 753-2487.

WSR 92-01-012
EMERGENCY RULES
WILDLIFE COMMISSION
[Order 522—Filed December 5, 1991, 3:35 p.m.]

Date of Adoption: December 5, 1991.

Purpose: To close the 1991-92 Canada goose season in Cowlitz County and on all lands in Clark County outside the boundaries of the Ridgefield National Wildlife Refuge.

Citation of Existing Rules Affected by this Order: Amending WAC 232-28-415.

Statutory Authority for Adoption: RCW 77.12.040.

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

Reasons for this Finding: The 1991-92 southwest Washington Canada goose season was adopted by the Wildlife Commission on August 15, 1991, to be open 15 days during the period November 23, 1991, through January 11, 1992. The season was limited to selected weekend days and weekdays due to continued low population levels of dusky Canada geese in 1991. At the time the season was adopted, the agency stated its intent to recommend closure of the season in specific areas of southwestern Washington if the harvest of dusky Canada geese exceeded area harvest quotas. The harvest quota of 40 dusky Canada geese is projected to be exceeded on December 7, 1991, for the area comprised of Cowlitz County and all lands in Clark County outside the boundaries of the Ridgefield National Wildlife Refuge. The harvest of Canada geese in this area must be restricted to ensure protection of remaining dusky Canada goose breeding stock for future production, while retaining recreational opportunity in areas of southwest Washington with lower harvest rates for dusky Canada geese.

Effective Date of Rule: Immediately.

December 5, 1991
Curt Smitch
Director
for Dean A. Lydig
Chair

AMENDATORY SECTION (Amending Order 510, filed 9/10/91, effective 10/11/91)

WAC 232-28-415 1991-92 MIGRATORY WATERFOWL HUNTING SEASONS

Ducks

Western Washington

8:00 a.m. Oct. 12-20, 1991 and Nov. 17-Jan. 5, 1992

Daily bag limit: 4 ducks—to include not more than 3 mallards, not more than 1 hen mallard, not more than 1 pintail (either sex) and not more than 2 redheads, 2 canvasbacks, or 1 of each.

Possession limit: 8 ducks—to include not more than 6 mallards, not more than 2 hen mallards, not more than 2 pintails (either sex) and not more than 4 shall be canvasbacks and/or redheads.

Eastern Washington

Noon Oct. 12-20, 1991 and Nov. 10, 1991-Jan. 5, 1992

Daily bag limit: 4 ducks—to include not more than 3 mallards, not more than 1 hen mallard, not more than 1 pintail (either sex) and not more than 2 redheads, 2 canvasbacks, or 1 of each.

Possession limit: 8 ducks—to include not more than 6 mallards, not more than 2 hen mallards, not more than 2 pintails (either sex), and not more than 4 shall be canvasbacks and/or redheads.

Coot (Mudhen)

Same areas, dates, and shooting hours as the general duck season.
Daily bag limit: 25 coots.
Possession limit: 25 coots.

Common Snipe

Same areas, dates, and shooting hours as the general duck season.
Daily bag limit: 8 snipe.
Possession limit: 16 snipe.

Skagit Wildlife Area Shotgun Shell Restriction

It is unlawful to have in possession more than 15 shotgun shells or to fire more than 15 shells in one day on the farmed island segment of the Skagit public hunting area, between the south fork of the Skagit River and Fresh Water Slough.

It is unlawful to hunt waterfowl from a moving boat or any free-floating device that is not in a fixed position which is either anchored or secured to shore in Port Susan Bay, Skagit Bay, Padilla Bay, and Samish Bay.

Geese (except Brant, Cackling and Aleutian Canada Geese)

Western Washington

Oct. 12-Dec. 29, 1991 in Island, Skagit, Snohomish, and Whatcom counties.

The Skagit-Fraser population of lesser snow geese has had very low productivity during the past three years on Wrangel Island, U.S.S.R. If the 1991 wintering population is below 35,000 or the percentage of juveniles in the wintering flock is below 10 percent, the snow goose season will be closed early.

Daily bag limit: 3 geese.
Possession limit: 6 geese.

Oct. 12, 1991-Jan. 12, 1992 in all other parts of Western Washington EXCEPT: Canada geese in Clark, Cowlitz, Pacific, and Wahkiakum counties. (See seasons and special requirements for these counties below.)
Daily bag limit: 3 geese.
Possession limit: 6 geese.

**Special Canada Goose Season for Clark, Cowlitz, Pacific, and Wahkiakum counties:*

The Canada goose season in parts of Clark, Cowlitz, Pacific, and Wahkiakum counties will be closed early if dusky Canada goose harvests exceed area quotas which collectively total 90 geese.

Canada goose season is OPEN on Ridgefield National Wildlife Refuse (Clark county) and in Wahkiakum County ((~~in Clark, Cowlitz, and Wahkiakum counties~~)) only on the following dates from 8:00 a.m. to 4:00 p.m.:

Nov. 23, 27, 1991 Jan. 2, 4, 8, 11, 1992
Dec. 1, 3, 7, 11, 15, 17, 21, 26, 28, 1991

Canada goose season is OPEN in Cowlitz County and on all lands in Clark County outside the boundaries of the Ridgefield National Wildlife Refuge only on the following dates from 8:00 a.m. to 4:00 p.m.:

Nov. 23, 27, 1991
Dec. 1, 3, 1991
Canada goose season is OPEN in Pacific County from 8:00 a.m. to 4:00 p.m., Saturdays and Wednesdays only, Nov. 23, 1991-Jan. 11, 1992.

Bag limits for both areas:
Daily bag limit: 2 geese.
Possession limit: 4 geese.

Hunting only by written authorization from the Washington Department of Wildlife. Hunters who maintained a valid 1990 written authorization card will be mailed a 1991 authorization card prior to the 1991 season. Hunters who did not attend a 1990 class or maintain a valid 1990 authorization card must attend a goose identification class at a Department of Wildlife office to receive authorization. With the authorization, hunters will receive a hunter activity and harvest report form. Hunters must carry the authorization card and harvest report form while hunting. Immediately after taking a Canada goose into possession, hunters must record in ink the information required on the harvest report form. When leaving a hunt site, successful hunters must go directly to the nearest check station to have geese tagged and to have written authorization validated for continued participation in the 1991-92 season. Written authorization will be revoked in the event that a hunter does not comply with requirements listed above regarding recording harvest on the harvest report form and checking of birds.

Eastern Washington

Saturdays, Sundays, and Wednesdays only, from noon Oct. 12, 1991-Jan. 12, 1992 and on Nov. 11, 28, 29, Dec. 25, 1991, and Jan. 1, 1992 in Adams, Benton, Douglas, Franklin, Grant, Kittitas, Lincoln, Okanogan, Spokane, and Walla Walla counties; and east of Satus Pass (U.S. Highway 97) in Klickitat County.

Daily bag limit: 3 geese.
Possession limit: 6 geese.

Noon Oct. 12, 1991-Jan. 12, 1992 in all other parts of Eastern Washington.
Daily bag limit: 3 geese.
Possession limit: 6 geese.

Extended Season: Jan. 13-19, 1992 in Adams, Benton, Douglas, Franklin, Grant, Kittitas, Klickitat, Lincoln, Walla Walla, and Yakima counties.
Daily bag limit: 3 geese.
Possession limit: 6 geese.

Brant

Open in Pacific, Skagit, and Whatcom counties on the following dates: Dec. 7, 8, 10, 11, 12, 14, 15, 17, 19, 21, 22, 1991.

WRITTEN AUTHORIZATION REQUIRED: All hunters participating in this season are required to obtain written authorization from a Washington Department of Wildlife office. Application forms must be delivered to a Department office no later than 5:00 p.m. on November 10 or postmarked on or before November 10. With the authorization, hunters will receive a hunter activity and harvest report form. Immediately after taking a brant into possession, hunters must record in ink the information required on the harvest report form. Return of the harvest report form is mandatory. Those hunters not returning the harvest report form to the Department of

Wildlife by Jan. 31, 1992 will be ineligible to participate in the 1992 brant season.

Daily bag limit: 2 brant.
Possession limit: 4 brant.

Swans, Cackling and Aleutian Canada Geese

Season closed statewide.

STEEL SHOT ZONES

It is unlawful to possess while hunting for or to take ducks, geese, or coots with shotshells or a muzzleloader shotgun loaded with any metal other than steel in all areas of Washington.

Skagit Wildlife Area Restriction. It is unlawful to possess while hunting, shot shells or a muzzleloader shotgun loaded with any metal other than steel on the Skagit Wildlife Area.

SPECIAL CLOSURES AND REGULATIONS

Special Closures

Columbia River

It is unlawful to hunt waterfowl, coot, or snipe on or within one-fourth mile of the Columbia River in the following areas:

—Between Rock Island Dam and Winesap in Chelan County and between Rock Island Dam and a point in Douglas County perpendicular to Winesap.

—Between the railroad bridge at Wishram and east along the Columbia River to the grain elevator at Roosevelt.

—Between Chief Joseph Dam and the mouth of Nespelem Creek in Okanogan and Douglas counties.

—From the old Hanford townsite (wooden tower) powerline crossing in Sec. 30, T13N, R28E, to Vernita Bridge (Highway 24).

—On or within one-fourth mile of Badger and Foundation Islands in Walla Walla County.

It is unlawful to hunt game birds on the Columbia River or from any island in the Columbia River in the following areas:

—From the mouth of Glade Creek (River Marker 57) to the old townsite of Paterson (River Marker 67) in Benton County, except the hunting of game birds is permitted from the main shoreline of the Columbia River in this area. (Check with Umatilla National Wildlife Refuge for other federal regulations for this area.)

—Between the public boat launch at Sunland Estates in Grant County (Wanapum Pool) and a point perpendicular in Kittitas County; upstream to the posted marker 200 yards north of Quilomene Bay and a point perpendicular in Grant County, including islands.

Snake River

It is unlawful to hunt waterfowl, coot, or snipe in the following areas:

—On or within one-half mile of the Snake River from the Highway 12 bridge upriver to Lower Monumental Dam.

—On or within one-fourth mile of the Snake River between the Interstate Highway 12 bridges at Clarkston, downstream to the Lower Granite Dam.

Yakima River

It is unlawful to hunt waterfowl, coot, or snipe within one-fourth mile of the Yakima River in the following areas:

—From the Sunnyside-Mabton Road bridge downstream to the Euclid Road bridge (4 miles).

—From the Grant Avenue bridge (steel bridge) north of Prosser downstream 2-1/2 miles, to the powerline.

I-82 Ponds

It is unlawful to hunt waterfowl, coot, or snipe in the following area:

—Those waters under Department of Wildlife ownership known as Ponds 1, 2, 3, and 6 north and east of Interstate 82 and south and east of S.R. 12 from the city limits of Union Gap to the Zillah/Toppenish Road.

Padilla Bay

It is unlawful to hunt waterfowl, coot, or snipe in the following areas:

—Swinomish Spit Game Reserve—Beginning at the Burlington Northern railroad tracks on the west shoreline of the Swinomish Channel; then in a northwesterly direction along the west side of the Swinomish Channel to the red channel mark buoy N "20" (as indicated on Navigation Map #18427, 13th Ed., July 16, 1983); thence 6,000 feet ENE (East-northeast)/thence 3,300 feet SSE (South-southeast); thence 4,200 feet SW (southwest) to the dike at the sound end of Padilla Bay; thence continue westerly along said dike to the intersection of the Burlington Northern railroad tracks and the east shoreline of the Swinomish Channel; thence continue along said railroad tracks (across swing bridge) to the west shore line of the Swinomish Channel and the point of beginning.

—Bayview Game Reserve—Beginning at a point on the Bayview-Edison Road 750 feet south of the intersection of the Bayview Cemetery Entrance road; thence 4,000 feet WNW (west-northwest); thence 5,750 feet NNW (north-northwest); thence 3,750 feet ENE (east-northeast) to the northwest corner of Padilla Bay Tract No. 532; thence east to the northeast corner of Padilla Bay Tract No. 532; thence SSE (south-southeast) to the Bayview-Edison Road; thence southerly along said road to the point of beginning.

FALCONRY SEASONS

Ducks, Coots, and Snipe

Western Washington

Oct. 12–20, 1991; Nov. 17–Jan. 12, 1992; and Jan. 30–Mar. 10, 1992

Eastern Washington

Oct. 12–20, 1991, Nov. 10–Dec. 29, 1991 and Jan. 30–Mar. 10, 1992

Daily bag limit: 3, straight or mixed bag.
Possession limit: 6, straight or mixed bag.

Geese

Oct. 12, 1991–Jan. 26, 1992, statewide
Daily bag limit: 3, straight or mixed bag.
Possession limit: 6, straight or mixed bag.

WSR 92-01-013
WITHDRAWAL OF PROPOSED RULES
DEPARTMENT OF AGRICULTURE
[Filed December 6, 1991, 8:19 a.m.]

This is to officially request that the proposal to amend the rules relating to varroa mite quarantine, WAC 16-470-010 and 16-470-015, and 16-470-600 through 16-470-635, WSR 91-20-081 filed on September 27, 1991, be withdrawn.

At the public hearing held in Yakima at 1:30 p.m. on November 20, 1991, it was determined that industry was no longer supportive of the quarantine. The department will move to repeal the quarantine at a later date.

William E. Brookreson
Assistant Director
Plant Services Division

WSR 92-01-014
PERMANENT RULES
DEPARTMENT OF LICENSING
[Filed December 6, 1991, 10:14 a.m.]

Date of Adoption: December 6, 1991.

Purpose: To implement sections 6 and 7, chapter 339, Laws of 1991.

Citation of Existing Rules Affected by this Order: Amending WAC 308-77-034 and 308-77-040.

Statutory Authority for Adoption: RCW 82.38.260.

Pursuant to notice filed as WSR 91-21-133 on October 23, 1991.

Changes Other than Editing from Proposed to Adopted Version: None except to include the word "of" inadvertently left out to be deleted.

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

December 6, 1991
Mary Riveland
Director

AMENDATORY SECTION [(Amending Order PFT 90-04, filed 6/14/90)]

WAC 308-77-034 SPECIAL FUEL USER'S LICENSE. A special fuel user's license must be obtained by any person wishing to purchase special fuel without payment of the special fuel tax at the time of purchase. It must also be obtained by any person operating a diesel vehicle with a gross vehicle weight of over ((~~twelve~~)) twenty-six thousand pounds into the state of Washington from another state or province. This includes vehicles bearing Washington license plates. Persons using special fuel for heating purposes only are allowed to purchase special fuel without payment of the special fuel tax without obtaining a special fuel license.

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

AMENDATORY SECTION [(Amending Order PFT 90-04, filed 6/14/90)]

WAC 308-77-040 ISSUANCE OF LICENSE. A special fuel supplier or dealer who wishes to conduct separate businesses at different locations will be issued a license for each business upon request and filing an application for a license and a bond (if required) for each. The license shall be displayed or kept available for inspection at the place of each business where fuel is sold and delivered to users.

A special fuel supplier or dealer having more than one place of business holding a single license shall reproduce the license and keep a photocopy on display at each additional place of business, each place of storage from which special fuel is sold or delivered, and in each motor vehicle used to transport special fuel owned by him for sale, delivery or use, and in addition, must identify by location and capacity all bulk storage plants of #1 and #2 distillates capable of being used as vehicle fuel as required by the department.

A special fuel user who wishes to conduct separate businesses at different locations or to operate two or more separate fleets of motor vehicles will be issued a license for each separate business or fleet upon request and filing an application for a license and a bond (if required) for each location or fleet. The license shall be displayed or be kept available for inspection at the owner's principal place of business and a reproduced copy thereof shall be carried in each motor vehicle entering this state from another state or province. A special fuel tax trip permit may be purchased by a user entering this state in lieu of a special fuel license. The user must be the registered owner and/or lessee of the vehicle, or a dealer of motor vehicles. Operators of vehicles having two axles and ((~~with~~)) a gross vehicle weight ((~~of~~)) or registered gross vehicle weight exceeding ((~~more than twelve~~)) twenty-six thousand pounds, or having three or more axles regardless of weight, or a combination of vehicles, when the combination exceeds twenty-six thousand pounds gross vehicle weight, will require a special fuel license or a special fuel tax trip permit to enter this state.

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

NEW SECTION

WAC 308-77-215 MITIGATION OF PENALTIES AND INTEREST. The department, in it's discretion, may mitigate, extinguish or adjust penalties and interest arising from late or missing fuel tax returns, unpaid or underpaid taxes, lack of complete records to support reported fuel usage, or license revocation penalties, when reasonable cause is shown by the taxpayer or as indicated from the records on file with the department that failure to comply with the requirements of this chapter was not intentional or unreasonable.

The department, after review of records furnished and/or tax returns available, may take into consideration a taxpayer's history of underpayments and overpayments, late payment(s), late filing of tax returns, or incomplete records in arriving at it's decision to mitigate.

Taxpayers who fail to pay assessed taxes on a timely basis may have late payment penalties and interest mitigated if the individual, partnership or corporation is able to establish that failure to take such payment action within a thirty-day period after service of an assessment was based upon an internal business or employee oversight, or other unavoidable reasonable circumstance.

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

WSR 92-01-015
PERMANENT RULES
DEPARTMENT OF LICENSING
[Filed December 6, 1991, 10:16 a.m.]

Date of Adoption: December 6, 1991.

Purpose: To implement section 8, chapter 339, Laws of 1991.

Statutory Authority for Adoption: RCW 82.42.040 and 82.42.100.

Pursuant to notice filed as WSR 91-21-134 on October 23, 1991.

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

December 6, 1991
Mary Riveland
Director

NEW SECTION

WAC 308-78-090 MITIGATION OF PENALTIES AND INTEREST. The department, in it's discretion, may mitigate, extinguish or adjust penalties and interest arising from late or missing fuel tax returns, unpaid or underpaid taxes, lack of complete records to support reported fuel usage, or license revocation penalties, when reasonable cause is shown by the taxpayer or as indicated from the records on file with the department that failure to comply with the requirements of this chapter was not intentional or unreasonable.

The department, after review of records furnished and/or tax returns available, may take into consideration a taxpayer's history of underpayments and overpayments, late payment(s), late filing of tax returns, or incomplete records in arriving at it's decision to mitigate.

Taxpayers who fail to pay assessed taxes on a timely basis may have late payment penalties and interest mitigated if the individual, partnership or corporation is able to establish that failure to take such payment action within a 30 day period after service of an assessment was based upon an internal business or employee oversight, or other unavoidable reasonable circumstance.

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

WSR 92-01-016
PERMANENT RULES
DEPARTMENT OF LICENSING
[Filed December 6, 1991, 10:18 a.m.]

Date of Adoption: December 6, 1991.

Purpose: To implement section 1, chapter 339, Laws of 1991.

Statutory Authority for Adoption: RCW 82.36.435.

Pursuant to notice filed as WSR 91-21-135 on October 23, 1991.

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

December 6, 1991
Mary Riveland
Director

NEW SECTION

WAC 308-72-710 MITIGATION OF PENALTIES AND INTEREST. The department, in it's discretion, may mitigate, extinguish or adjust penalties and interest arising from late or missing fuel tax returns, unpaid or underpaid taxes, lack of complete records to support reported fuel usage, or license revocation penalties, when reasonable cause is shown by the taxpayer or as indicated from the records on file with the department that failure to comply with the requirements of this chapter was not intentional or unreasonable.

The department, after review of records furnished and/or tax returns available, may take into consideration a taxpayer's history of underpayments and overpayments, late payment(s), late filing of tax returns, or incomplete records in arriving at it's decision to mitigate.

Taxpayers who fail to pay assessed taxes on a timely basis may have late payment penalties and interest mitigated if the individual, partnership or corporation is able to establish that failure to take such payment action within a 30 day period after service of an assessment was based upon an internal business or employee oversight, or other unavoidable reasonable circumstance.

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

WSR 92-01-017
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF AGRICULTURE
(Bulb Commission)
[Memorandum—December 2, 1991]

The meetings of the Washington State Bulb Commission will be held as follows: The first meeting will be in May at either the Mt. Vernon or Puyallup Agricultural Experimental Station at noon at our annual field day. The second meeting will be in November or December at the Sea–Tac Marriott Hotel, Seattle, Washington at 3 p.m. at our annual short course. The dates are not definite because of availability of research scientists, research plot availability, meeting room schedules, and weather conditions.

WSR 92-01-018
NOTICE OF PUBLIC MEETINGS
TRANSPORTATION COMMISSION
[Memorandum—December 4, 1991]

The December Washington State Transportation Commission meeting will be held on Thursday, December 19, 1991, at 9:00 a.m. in the Transportation Commission Conference Room – 1D2, Transportation Building, Olympia, Washington. There will be subcommittee meetings on Wednesday, December 8.

WSR 92-01-019
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF LICENSING
[Memorandum—December 4, 1991]

1992 SCHEDULE OF REGULAR BOARD MEETINGS
BOARD OF REGISTRATION FOR ARCHITECTS

Meeting Date	Location	Time
February 7	University of Washington Faculty Conference Room 2nd Floor, Gould Hall Seattle, Washington	9:00 a.m.
April 9	Professional Licensing Building Conference Room, 3rd Floor 2424 Bristol Court Olympia, WA	1:00 p.m.
April 10	Washington State University Carpenter Hall Pullman, Washington	9:00 a.m.
May 22	Wyndham Garden Hotel 18118 Pacific Highway South Seattle, WA	9:00 a.m.
August 7	Red Lion at the Quay 100 Columbia Street Vancouver, WA	9:00 a.m.
November 6	Wyndham Garden Hotel 18118 Pacific Highway South Seattle, WA	9:00 a.m.
December 4	Wyndham Garden Hotel 18118 Pacific Highway South Seattle, WA	9:00 a.m.

WSR 92-01-020
RULES COORDINATOR
WASHINGTON SCHOOL FOR THE DEAF
[Filed December 6, 1991, 10:26 a.m.]

I would like to inform you that I am the designated rules coordinator for the Washington School for the Deaf.

Larry W. Drotz, Rules Coordinator
Washington School for the Deaf
611 Grand Boulevard
Mailstop S–26
Vancouver, WA 98661

If you have any questions please feel free to call me at (206) 254–9062 or 476–6620 scan.

Larry W. Drotz, Director
Executive Services

WSR 92-01-021
RULES COORDINATOR
WASHINGTON STATE SCHOOL FOR THE BLIND
[Filed December 6, 1991, 10:27 a.m.]

I would like to inform you that I am the designated rules coordinator for the Washington State School for the Blind.

Larry W. Drotz, Rules Coordinator
Washington State School for the Blind
611 Grand Boulevard
Mailstop S–26
Vancouver, WA 98661

If you have any questions please feel free to call me at (206) 254–9062 or 476–6620 scan.

Larry W. Drotz, Director
Executive Services

WSR 92-01-022
NOTICE OF PUBLIC MEETINGS
STATE BOARD OF EDUCATION
[Memorandum—December 6, 1991]

SCHEDULE OF REGULAR MEETING DATES AND LOCATIONS
1992 CALENDAR YEAR

January 23–24, 1992	ESD 113 601 McPhee Road S.W. Thurston Room Olympia, WA 98502 (206) 586–2933
March 26–27, 1992	ESD 113 601 McPhee Road S.W. Thurston Room Olympia, WA 98502 (206) 586–2933
May 21–22, 1992	Caravel Motel 322 West Woodin Avenue Chelan, WA 98816 (509) 682–2582

July 22–23–24, 1992	Silverdale Hotel 3073 Bucklin Hill Road Silverdale, WA 98383 (206) 698–1000
September 24–25, 1992	Horthwest ESD 189 205 Stewart Road Mount Vernon, WA 98273 (206) 424–9573
November 19–20, 1992	Sea–Tac Holiday Inn 17338 Pacific Highway South Seattle, WA 98188 (206) 248–1000

WSR 92-01-023
PERMANENT RULES
DEPARTMENT OF HEALTH
(State Board of Nursing)

[Order 222B—Filed December 6, 1991, 11:19 a.m.]

Date of Adoption: November 22, 1991.

Purpose: Minor changes in the training requirements for RNs in private and public school settings teaching unlicensed persons to provide clean intermittent catheterization for students.

Citation of Existing Rules Affected by this Order: Amending WAC 246–839–820.

Statutory Authority for Adoption: RCW 18.88.080.

Pursuant to notice filed as WSR 91–20–171 on October 2, 1991.

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

December 2, 1991
Patricia O. Brown
Executive Secretary

AMENDATORY SECTION (Amending Order 116B, filed 3/18/91, effective 4/18/91)

WAC 246–839–820 PROVISION FOR CLEAN, INTERMITTENT CATHETERIZATION IN SCHOOLS. Public school districts and private schools that offer classes for any of the grades kindergarten through twelve may provide for clean, intermittent catheterization of students or assisted self–catheterization of students who are in the custody of the school district at the time in accordance with the following rules:

(1) The student's file shall contain a written request from the parent(s) or guardian for the clean, intermittent catheterization of the student.

(2) The student's file shall contain written permission from the parent(s) or guardian for the performance of the clean, intermittent catheterize procedure by the nonlicensed school employee.

(3) The student's file shall contain a current written order for clean, intermittent catheterization from the student's physician and shall include written instructions for the procedure. The order shall be reviewed and/or revised each school year.

(4) The student's file shall contain written, current, and unexpired instructions from a registered nurse licensed under chapter 18.88 RCW regarding catheterization which include (a) a designation of the school district or private school employee or employees who may provide for the catheterization, and (b) a description of the nature and extent of any required supervision.

(5) The service shall be offered to all handicapped students and may be offered to the nonhandicapped students, at the discretion of the school board.

(6) The licensed registered nurse shall develop instructions specific to the needs of the student. These shall be made available to the nonlicensed school employee and shall be updated each school year.

(7) The supervision of the self–catheterizing student shall be based on the needs of the student and the skill of the nonlicensed school employee.

(8) The licensed registered nurse, designated by the school board, shall be responsible for the training of the nonlicensed school employees who are assigned to perform clean, intermittent catheterization of the students.

(9) The training of the nonlicensed school employee shall include but not be limited to:

(a) An initial inservice training ((~~of at least ten hours~~)), length determined by the licensed registered nurse.

(b) An update of the instructions and a review of the procedure each school year.

(c) Anatomy, physiology, and pathophysiology of the urinary system including common anomalies for the ((~~preschool through adolescent aged student~~)) appropriate age group served.

(d) Techniques common to the urinary catheterization procedure.

(e) Identification and care of the required equipment.

(f) Common signs and symptoms of infection and recommended procedures to prevent the development of infections.

(g) Identification of the psychosocial needs of the parent/guardian and the students with emphasis on the needs for privacy and confidentiality.

(h) Documentation requirements.

(i) Communication skills including the requirements for reporting to the registered nurse or the physician.

(j) Medications commonly prescribed for the clean, intermittent catheterization patient and their side effects.

(k) Contraindications for clean, intermittent catheterization and the procedure to be followed if the nonlicensed school employee is unable to catheterize the student.

(l) Training in catheterization specific to the student's needs.

(m) Developmental growth patterns of the ((~~preschool through adolescent aged student~~)) appropriate age group served.

(n) Utilization of a teaching model to demonstrate catheterization techniques with return demonstration performed by the nonlicensed school employee, if a model is available.

(10) The training of the nonlicensed school employee shall be documented in the employee's permanent file.

WSR 92-01-024
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF AGRICULTURE
(Apple Advertising Commission)
[Memorandum—December 3, 1991]

The annual meeting of the Washington State Apple Advertising Commission will be held on Wednesday, March 18, 1992, in Wenatchee, Washington, pursuant to RCW 42.30.075.

WSR 92-01-025
NOTICE OF PUBLIC MEETINGS
CONVENTION AND TRADE CENTER
[Memorandum—December 4, 1991]

The board of directors of the Washington State Convention and Trade Center will meet on Wednesday, December 11, 1991, at 2:00 p.m., in the 5th Floor Board Room of the Convention Center, 800 Convention Place, Seattle.

If you have any questions regarding this meeting, please call 447-5000.

WSR 92-01-026
RULES COORDINATOR
DEPARTMENT OF NATURAL RESOURCES
[Filed December 6, 1991, 2:03 p.m.]

In accordance with RCW 34.05.310(3), the rules coordinator for the Department of Natural Resources is Dave Dietzman, SEPA Center, Lands and Minerals Division, 7211 Cleanwater Lane, P.O. Box 47014, Olympia, WA 98504, phone (206) 586-6382, 321-6382 scan.

James A. Stearns
Supervisor

WSR 92-01-027
PERMANENT RULES
DEPARTMENT OF NATURAL RESOURCES
[Order 587—Filed December 6, 1991, 2:07 p.m.]

Date of Adoption: November 27, 1991.

Purpose: To conform the DNR's rules on adjudicative proceedings to department practice.

Citation of Existing Rules Affected by this Order: Amending WAC 332-08-125, 332-08-315, and 332-08-515.

Statutory Authority for Adoption: RCW 34.05.220 (1)(a).

Pursuant to notice filed as WSR 91-21-138A on October 23, 1991.

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

December 5, 1991
James A. Stearns
Department Supervisor

AMENDATORY SECTION (Amending Order 573, filed 6/17/91)

WAC 332-08-125 APPLICATION FOR ADJUDICATIVE PROCEEDING — PLACE OF FILING. (1) An application for adjudicative proceeding concerning surface mining operations under chapter 78.44 RCW must be filed at the following address:

ATTN: Regulatory Programs Manager
Division of Geology and Earth Resources
Department of Natural Resources
4224 S.E. 6th Avenue, Rowesix Bldg. 1
Lacey, WA 98503

(2) An application for adjudicative proceeding concerning the revocation of permission to install and maintain a private recreational dock under RCW 79.90.105 and WAC 332-30-144 must be filed at the following address:

Division Manager
Division of Aquatic Lands
Department of Natural Resources
202 John A. Cherberg Bldg., Mailstop QW-21
Olympia, WA 98504

(3) Applications for adjudicative proceedings concerning notices to comply issued under RCW 76.09.090 and WAC 222-46-030 (forest practices), performance bond permit adjustments under RCW 78.44.120 (surface mining), and notices of deficiency issued under RCW 78.44.140 (surface mining) are governed by WAC 332-08-515.

(((3)) 4) Applications for adjudicative proceedings in all other cases must be filed at the following address:

Office of the Supervisor
Department of Natural Resources
201 John A. Cherberg Bldg., Mailstop QW-21
Olympia, WA 98504

AMENDATORY SECTION (Amending Order 573, filed 6/17/91)

WAC 332-08-315 BURDEN OF PROOF. (1) Unless otherwise ordered by the presiding officer or required by law, the burden of proof in adjudicative proceedings pursuant to RCW 34.05.413 through RCW 34.05.476 shall be as follows:

(a) In proceedings concerning the denial of an application for a surface mining permit or disapproval of a reclamation plan under RCW 78.44.100, the applicant has the burden of proof.

(b) In proceedings concerning the modification of a reclamation plan under RCW 78.44.100, the department has the burden of proof.

(c) In proceedings concerning a permit cancellation under RCW 78.44.140, the department has the burden of proof.

(d) In civil penalty proceedings and proceedings concerning stop work orders under RCW 78.44.160, the department has the burden of proof.

(e) In proceedings concerning the revocation of permission to install and maintain a private recreational dock under RCW 79.90.105 and WAC 332-30-144, the department has the burden of proof.

(f) In all other cases, the proponent of an order has the burden of proof.

(2) Unless otherwise ordered by the presiding officer or required by law, the standard of proof in adjudicative proceedings pursuant to RCW 34.05.413 through RCW 34.05.476 shall be a preponderance of the evidence.

AMENDATORY SECTION (Amending Order 573, filed 6/17/91)

WAC 332-08-515 BRIEF ADJUDICATIVE PROCEEDINGS—APPLICATION PROCEDURE. (1) An application for a BAP must be in writing, and must specify the factual basis for appeal and the issue to be adjudicated in the proceeding.

(2) An application for a BAP concerning a notice to comply issued under RCW 76.09.090 and WAC 222-46-030 must be filed within fifteen days after the date of service of the notice to comply. The application must be filed at the following address:

Office of the Supervisor
Department of Natural Resources
201 John A. Cherberg Bldg., Mailstop QW-21
Olympia, WA 98504

(3) An application for a BAP concerning a performance bond permit adjustment under RCW 78.44.120 must be filed within fifteen days after service of the notice adjusting the performance bond amount specified in the operating permit. The application must be filed ((~~at the following address:~~

~~ATTN: Regulatory Programs Manager~~
~~Division of Geology and Earth Resources~~
~~Department of Natural Resources~~
~~4224 S.E. 6th Avenue, Rowesix Bldg. 1~~
~~Lacey, WA 98503~~))

with the department's Region Office that issued the notice. A list of the department's Region Offices and their addresses appears in WAC 332-10-030. The application should be addressed to the attention of the Surface Mining Contact Person. Upon receiving an application for a BAP concerning a performance bond permit adjustment, the department may choose to use the formal procedures of RCW 34.05.413 through RCW 34.05.476 and WAC 332-08-005 through WAC 332-08-405, and may choose not to use BAP procedures.

(4) An application for a BAP concerning a notice of deficiency issued under RCW 78.44.140 must be filed within fifteen days after service of the notice of deficiency. The application must be filed ((~~at the following address:~~

~~ATTN: Regulatory Programs Manager~~
~~Division of Geology and Earth Resources~~
~~Department of Natural Resources~~
~~4224 S.E. 6th Avenue, Rowesix Bldg. 1~~
~~Lacey, WA 98503~~))

with the department's Region Office that issued the notice. A list of the department's Region Offices and their addresses appears in WAC 332-10-030. The application should be addressed to the attention of the Surface Mining Contact Person. Upon receiving an application for a BAP concerning a notice of deficiency, the department may choose to use the formal procedures of RCW 34.05.413 through RCW 34.05.476 and WAC 332-08-005 through WAC 332-08-405, and may choose not to use BAP procedures.

WSR 92-01-028
PROPOSED RULES
HIGHER EDUCATION PERSONNEL BOARD
[Filed December 6, 1991, 2:41 p.m.]

Continuance of WSR 91-21-129 and 91-20-140.

Title of Rule: WAC 251-01-010 Administrative employees; 251-01-155 Executive employees; 251-01-320 Professional employees; 251-01-395 Supervisor; 251-09-025 Schedule changes; 251-09-030 Overtime; and 251-18-180 Eligible lists—Definition—Composition.

Purpose: To clarify Higher Education Personnel Board rules relative to the Fair Labor Standards Act.

Statutory Authority for Adoption: RCW 28B.16.100.

Statute Being Implemented: Chapter 28B.16 RCW.

Summary: Modifications create consistency between the Higher Education Personnel Board rules and the criteria of the Fair Labor Standards Act.

Name of Agency Personnel Responsible for Drafting: Jamie McNamara, 1202 Black Lake Boulevard, FT-11, Olympia, 98504, 753-0653; Implementation and Enforcement: John Spitz, Director, 1202 Black Lake Boulevard, FT-11, Olympia, 98504, 753-3731.

Name of Proponent: Higher Education Personnel Board, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: These rules apply to situations to which Fair Labor Standards Act also applies. The proposed modifications clarify the relationship between the two.

Proposal Changes the Following Existing Rules: Modifies definitions section to more closely match Fair Labor Standards Act standards; clarify that hours worked during a schedule change period are subject to the overtime provisions of WAC 251-09-030 and Fair Labor Standards Act; clarify computation of overtime pay or time off; and eliminate reference to Higher Education Personnel Board definitions and insert reference to Fair Labor Standards Act.

Hearing Location: Centralia College, Centralia, Washington, on February 6, 1992, at 10:00 a.m.

Submit Written Comments to: 1202 Black Lake Boulevard, P.O. Box 40918, Olympia, WA 98504-0918, by February 5, 1992.

Date of Intended Adoption: February 6, 1992.

November 20, 1991
John A. Spitz
Director

WSR 92-01-029
NOTICE OF PUBLIC MEETINGS
HIGHER EDUCATION PERSONNEL BOARD
[Memorandum—December 6, 1991]

BOARD MEETING DATES AND LOCATIONS - 1992

January 9	University of Washington
February 6	Centralia College
March 5	University of Washington
April 2	The Evergreen State College
May 7	University of Washington
June 4	University of Washington
July 2	University of Washington
August 6	South Seattle Community College
September 3	University of Washington
September 24	North Seattle Community College
October 1	University of Washington
November 5	University of Washington
December 3	University of Washington

WSR 92-01-030
RULES COORDINATOR
HIGHER EDUCATION PERSONNEL BOARD
[Filed December 6, 1991, 2:45 p.m.]

In accordance with RCW 34.05.310(3), the following information is provided for publication in the Washington State Register: Agency Rules Coordinator, Sandra Brownrigg, 1202 Black Lake Boulevard, P.O. Box 40918, Olympia, WA 98504-0918.

John A. Spitz
Director

WSR 92-01-031
PERMANENT RULES
HIGHER EDUCATION PERSONNEL BOARD
[Filed December 6, 1991, 2:47 p.m., effective February 1, 1992]

Date of Adoption: November 27, 1991.

Purpose: To correct a reference within the rule to another WAC.

Citation of Existing Rules Affected by this Order: Amending WAC 251-10-080 Reasonable accommodation—Reemployment.

Statutory Authority for Adoption: RCW 28B.16.100.

Pursuant to notice filed as WSR 91-21-044 on October 11, 1991.

Effective Date of Rule: February 1, 1992.

December 2, 1991
John A. Spitz
Director

AMENDATORY SECTION (Amending Order 176, filed 3/23/89, effective 5/1/89)

WAC 251-10-080 REASONABLE ACCOMMODATION—REEMPLOYMENT. Each institution shall provide the access to reemployment provided in this section for former permanent classified employees of the institution who have submitted a written request to the personnel officer for reemployment within three years of separation pursuant to WAC 251-10-070. The provisions outlined in this section are requirements of either the former employee or the institution but need not necessarily be performed in the order listed.

(1) To be eligible for reemployment the former employee must:

(a) Complete and submit an application(s) for reemployment;

(b) Submit to the personnel officer a physician's statement affirming the former employee's fitness to return to work and specifying any work restrictions due to a physical, sensory, or mental disability of the individual;

(i) The physician's statement must directly reference the duties specified in the job description for the position(s) or class(es) for which the former employee may be qualified;

(ii) If the physician's statement provides inadequate information, the former employee will obtain the necessary clarification from the physician or will provide a release to the institution to communicate directly with the physician regarding the disabling condition as it relates to employment. Such information will be obtained at the former employee's expense;

(iii) The employer may require that the former employee be examined by a physician of the employer's choice and at the employer's expense.

(c) Meet the minimum qualifications and pass the examination for the class(es).

(2) The institution will provide assistance, such as the following, to the individual seeking reemployment under this section:

(a) Assessment of job classes for which the former employee is qualified;

(b) Assistance regarding the employment/application process;

(c) Placement on appropriate eligible lists through the competitive process per WAC 251-17-090 (2) and (4);

(d) Access to institution staff training programs relevant to job categories for which the former employee might become qualified.

WSR 92-01-032
RULES COORDINATOR
OFFICE OF
INSURANCE COMMISSIONER
[Filed December 6, 1991, 3:19 p.m.]

In accordance with RCW 34.05.310(3), the rules coordinator for the Insurance Commissioner is Arloween Manley, 200 Insurance Building, Mailstop AQ-21, Olympia, WA 98504-0321, phone (206) 753-2406 or 234-2406 scan.

Dick Marquardt
Insurance Commissioner
By Robert E. Johnson
Deputy Commissioner

WSR 92-01-033
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 91-146—Filed December 6, 1991, 4:22 p.m., effective December 7, 1991, 11:59 p.m.]

Date of Adoption: December 6, 1991.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-47-724.

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 opening in Area 7B provides opportunity to harvest the nontreaty share of chum salmon originating from the Nooksack-Samish region, and is necessary to reduce wastage. All other Puget Sound areas are closed to prevent overharvest of local salmon stocks.

Effective Date of Rule: 11:59 p.m., December 7, 1991.

December 6, 1991
Joseph R. Blum
Director

NEW SECTION

WAC 220-47-725 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY. Notwithstanding the provisions of Chapter 220-47 WAC, effective 11:59 PM Saturday December 7, 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:

**Area 7B - Gillnets using 6-inch minimum mesh, and purse seines, may fish continuously until 11:59 PM Saturday December 14.*

**Areas 4B, 5, 6, 6A, 6B, 6C, 6D, 7, 7A, 7C, 7D, 7E, 8, 8A, 8D, 9, 9A, 10, 10A, 10C, 10D, 10E, 10F, 10G, 11, 11A, 12, 12A, 12B, 12C, 12D, 13, 13A, 13C, 13D, 13E, 13F, 13G, 13H, 13I, 13J, and 13K, 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 11:59 PM Saturday December 7, 1991:

WAC 220-47-724 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY (91-144)

WSR 92-01-034
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Filed December 6, 1991, 6:10 p.m.]

Date of Adoption: December 6, 1991.

Purpose: Close the commercial crab season.

Citation of Existing Rules Affected by this Order: Amending WAC 220-52-046.

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: Recent samples of Dungeness crab have been found to have levels of domoic acid in crab viscera above the level of human health concern, according to the Departments of Health and Agriculture. Given the concern for human health, the Department of Fisheries sees a potential for impact on the economic well-being of the industry.

Effective Date of Rule: Immediately.

December 6, 1991
Judith Freeman
for Joseph R. Blum
Director

NEW SECTION

WAC 220-52-04600V CRAB FISHERY — SEASONS AND AREAS. Notwithstanding the provisions of WAC 220-52-046, effective 12:01 a.m. Saturday, December 7, 1991, and until further notice, it shall be unlawful to land or possess any crab from coastal, Pacific Ocean, Grays Harbor, Willapa Harbor or Columbia River waters.

All commercial crab gear must be removed from coastal, Pacific Ocean, Grays Harbor, Willapa Harbor and Columbia River waters by 12:01 a.m. Tuesday, December 10, 1991.

WSR 92-01-035
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Filed December 6, 1991, 6:15 p.m.]

Date of Adoption: December 6, 1991.

Purpose: Personal use rule.

Citation of Existing Rules Affected by this Order: Amending WAC 220-56-330.

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: Recent samples of Dungeness crab have been found to have levels of domoic acid in crab viscera above the level of human health concern. Given the concern for human health, the Department of Fisheries sees a potential of wastage as fishers learn of the potential health hazard associated with eating the crab resource and discarding the resource in their possession.

Effective Date of Rule: Immediately.

December 6, 1991
Judith Freeman
for Joseph R. Blum
Director

NEW SECTION

WAC 220-56-33000D CRAB AREAS AND SEASONS. Notwithstanding the provisions of WAC 220-56-330, effective 12:01 a.m. Saturday, December 7, 1991, and until further notice, it shall be unlawful to fish for or possess crab for personal use from coastal, Pacific Ocean, Grays Harbor, Willapa Harbor and Columbia River waters.

WSR 92-01-036
NOTICE OF PUBLIC MEETINGS
PARKS AND RECREATION COMMISSION
[Memorandum—December 9, 1991]

On December 6, 1991, the Washington State Parks and Recreation Commission adopted the following 1992 regular meeting schedule for eight meetings to be held in designated locations throughout the state. A tour of nearby state parks or other areas of recreational interest will be held the preceding day.

MONTH	TOUR DATE	MEETING DATE	LOCATION
January	30	31	Spokane
March	12	13	Longview
April	23	24	Walla Walla
June	4	5	Bremerton
July	16	17	San Juan Islands
September	10	11	Wenatchee
October	22	23	Bellingham
December	3	4	Seattle

All commission meetings will begin at 9:00 a.m. on the day scheduled. The exact locations are yet to be determined for the tour sites and commission meeting site.

However, the January meeting will be held at the Quality Inn, Valley Suites, East 8923 Mission Street, Spokane.

Locations for the next regular meetings will be announced at the close of each regular meeting and may also be obtained thereafter by writing to the State Parks Director at: Washington State Parks and Recreation Commission, P.O. Box 42650, KY-11, Olympia, WA 98504-2650 or by calling (206) 753-5758.

In accordance with Executive Order 83-19, meeting sites will be selected which are barrier free to the greatest extent feasible. Braille or taped agenda items for the visually impaired and interpreters for those with hearing impairments will be provided if requested with adequate notice. Such requests should usually be made at least 10 working days in advance of the scheduled meeting date and should be sent to the state parks' address in the above paragraph.

WSR 92-01-037
RULES COORDINATOR
PARKS AND RECREATION COMMISSION
[Filed December 9, 1991, 1:02 p.m.]

In accordance with RCW 34.05.310, this letter is to inform you that the Washington State Parks and Recreation Commission's rules coordinator is: Nina Carter, Executive Assistant, Washington State Parks and Recreation Commission, 7150 Cleanwater Lane, Mailstop KY-11, P.O. Box 42650, Olympia, WA 98504-5711, phone (206) 753-6179, 234-6179 scan.

Cleve Pinnix
Director

WSR 92-01-038
PROPOSED RULES
PARKS AND RECREATION COMMISSION
[Filed December 9, 1991, 1:06 p.m.]

Original Notice.

Title of Rule: Fort Worden state park reservation system.

Purpose: Changes reservation system at Fort Worden in compliance with management study.

Statutory Authority for Adoption: RCW 43.51.040(2).

Statute Being Implemented: Chapter 43.51 RCW.

Summary: Changes reservation system from telephone, followed by a mail-in request, to only a mail-in

or walk-in system. Reduces minimum recreational vehicle requirement for use of rally area from 25 to 10.

Reasons Supporting Proposal: This will simplify the park campsite reservation system and implements a recommendation from the 1990 Fort Worden management study.

Name of Agency Personnel Responsible for Drafting: Wayne McLaughlin, State Parks, 7150 Cleanwater Lane, Olympia, WA, 753-2029; Implementation and Enforcement: Dennis Smith, State Parks, 7150 Cleanwater Lane, Olympia, WA, 753-2029.

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: The rule changes clarify and simplify the reservation system at Fort Worden state park. Tentative reservations may not be made over the telephone, now, all reservations must be made by mail or in person. Reduces minimum recreational vehicle requirement for use of rally area from 25 to 10.

Proposal Changes the Following Existing Rules: WAC 352-32-25002 is amended to delete the current practice of telephoning a reservation and then mailing in a reservation request.

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

Hearing Location: Quality Inn, Valley Suites, East 8923 Mission, Spokane, WA 99206, on January 31, 1992, at 9:00 a.m.

Submit Written Comments to: Dennis Smith, State Parks, 7150 Cleanwater Lane, Olympia, WA 98504, by January 15, 1992.

Date of Intended Adoption: January 31, 1992.

December 9, 1991
Nina Carter
Executive Assistant

AMENDATORY SECTION (Amending Order 98, filed 11/24/86)

WAC 352-32-25002 CAMPSITE AND RALLY AREA RESERVATIONS—FORT WORDEN STATE PARK. (1) Advance individual campsite reservations will be available at Fort Worden State Park. They may be made throughout the year for no more than ten consecutive nights within the current and first succeeding calendar month, except that a continuous reservation may carry from the end of the first succeeding month into the beginning of the next succeeding month. Reservations may be made by mail, or in person, at Fort Worden State Park, and will require a completed application, the first night's camping fee and the nonrefundable reservation fee provided for in WAC 352-32-035. ((~~All reservations will be processed at 8:30 a.m. on the first day of the month. Mail-in reservation requests postmarked the twentieth day of the preceding month or later will be held at the park until processed in order of arrival.~~)) Mail-in reservations will be processed in the order that they are received. Reservation requests postmarked earlier than the twentieth day of the preceding month will be returned to the sender. ((~~Tentative reservations may be made by telephone, but must be followed by a mailing containing the first night's camping fee, the reservation fee and completed application postmarked within five days of the tentative telephone reservation to become a confirmed reservation.~~)) Reservation of campsites will not be accepted by telephone. Walk-in reservations will be accepted beginning the first day of the current month for the current month and the first succeeding month. During the period from the Friday before Memorial Day through Labor Day an individual may reserve no more than ten campsites for use at the same time, and, may reserve campsites for no more than ten nights in each calendar month. Other state parks are subject to continuous occupancy rules provided for in WAC 352-32-030(6).

(2) Reservations for a specific campsite will not be guaranteed.

A refund of the first night's camping fee will be issued for any reservation which is not used, provided a cancellation request is made in person, by mail, or by telephone prior to 5:00 p.m. on the first day of the reservation. Campers will be declared no-show and, in addition to the nonrefundable reservation fee, will forfeit their reservation as well as the first night's camping fee if they have not cancelled and if the reservation is not claimed by 8:00 a.m. on the day after the confirmed arrival date.

(3) Campers who arrive at the park without a reservation may use unreserved campsites for up to ten consecutive nights during the period from May 1 through September 30 and fifteen consecutive nights during the period from October 1 through April 30, beginning the day of arrival, on a first-come-first-served basis, without paying a reservation fee.

(4) Advance reservations will be available for groups of self-contained recreational vehicles in the Fort Worden State Park rally area. The group must have a minimum of ((~~twenty-five~~)) ten recreational vehicles and may not exceed two hundred recreational vehicles. The nonrefundable reservation fee for the rally area will be $2.00 per recreational vehicle, or $100.00 total, whichever is greater. The rally area camping fee is $4.00 per night. Rally area reservations may be made by contacting Fort Worden State Park.

WSR 92-01-039
RULES COORDINATOR
DEPARTMENT OF INFORMATION SERVICES
[Filed December 9, 1991, 1:24 p.m.]

I have recently designated Stephen Plunkett, assistant director, administrative services division, as our agency rules coordinator. Steve will continue to serve in this function throughout the coming year, and may be contacted as follows: Department of Information Services, Stephen Plunkett, Assistant Director, Administrative Services Division, 1110 Jefferson Street S.E., PC-11, P.O. Box 42440, Olympia, WA 98504-2440, phone (206) 753-7277.

Dennis Jones
Deputy Director

WSR 92-01-040
RULES OF COURT
STATE SUPREME COURT
[December 5, 1991]

IN THE MATTER OF RESCISSION OF CJC CANON 3 (A)(7) AND THE ADOPTION OF NEW GR 16	No. 25700-A-493 ORDER

The Court having considered the rescission of CJC Canon 3 (A)(7) and the adoption of proposed New Rule GR 16 and comment thereto and having determined that the Rules will aid in the prompt and orderly administration of justice and having further determined that an emergency exists which necessitates an early adoption;

Now, therefore, it is hereby

ORDERED:

(a) That proposed New Rule GR 16 and comment thereto are adopted.

(b) That pursuant to the emergency provisions of GR 9(i), the Rules will be published expeditiously in the

Washington Reports and will become effective upon publication.

(c) That CJC Canon 3 (A)(7) is rescinded.

DATED at Olympia, Washington this 5th day of December, 1991.

	Dore, C/J
	Andersen, J.
Brachtenbach, J.	Smith, J.
Durham, J.	Guy, J.
Dolliver, J.	Johnson, J.

CANON 3 (a)~~(7)~~

~~(7) A judge may permit broadcasting, televising, recording, and taking photographs in the courtroom during sessions of the court, including recesses between sessions, under the following conditions:~~

~~(a) Permission shall have first been expressly granted by the judge and under such conditions as the judge may prescribe;~~

~~(b) The media personnel will not distract participants or impair the dignity of the proceedings; and~~

~~(c) No witness, juror, or party who expresses any prior objection to the judge shall be photographed nor shall the testimony of such a witness, juror, or party be broadcast or telecast. Notwithstanding such objection, the judge may allow the broadcasting, televising, recording, or photographing of other portions of the proceedings.~~

~~ILLUSTRATIVE BROADCAST GUIDELINES~~

~~1. Officers of Court. The judge has the authority to direct whether broadcast equipment may be taken within the courtroom. Broadcast newspersons should advise the bailiff prior to the start of a court session that they desire to electronically record and/or broadcast live from within the courtroom. The bailiff may have prior instructions from the judge as to where the broadcast reporter and/or camera operator may position themselves. In the absence of any directions from the judge or bailiff, the position should be behind the front row of spectator seats by the least used aisleway or other unobtrusive but viable location.~~

~~2. Pooling. Unless the judge directs otherwise, no more than one television camera should be taking pictures in the courtroom (as presently constructed) at any one time. Where coverage is by both radio and television, the microphones used by television should also serve for radio and radio should be permitted to feed from the television sound system. Multiple radio if any, should be provided by a junction box. It should be the responsibility of each broadcast news representative present at the opening of each session of court to achieve an understanding with all other broadcast representatives as to who will function at any given time, or, in the alternative, how they will pool their photographic coverage. This understanding should be reached outside the courtroom and without imposing on the judge or court personnel.~~

~~Broadcast coverage outside the courtroom should be handled with care and discretion, but need not be pooled.~~

~~3. Broadcast Equipment. All running wires used should be securely taped to the floor. All broadcast equipment should be handled as inconspicuously and quietly as reasonably possible. Sufficient film and/or tape capacities should be provided to obviate film and/or tape changes except during court recess. No camera should give any indication of whether it is or is not operating such as a red light on some studio cameras. No additional lights should be used without the specific approval of the presiding judge and then only as the judge may specifically approve as may be needed in the case of appellate hearings.~~

~~4. Decorum. Broadcast representatives' dress should not set them apart unduly from other trial spectators. Camera operators should not move tripod mounted cameras except during court recesses. All broadcast equipment should be in place and ready to function no less than 15 minutes before the beginning of each session of court.~~

~~ILLUSTRATIVE PRINT MEDIA GUIDELINES~~

~~1. The judge has authority to direct whether photographs may be taken within the courtroom. The photographer should advise the bailiff, prior to the start of a court session, that photographs are desired. The bailiff may have prior instructions from the judge as to where the photographer may be positioned. In the absence of any directions from the judge or bailiff, the photographer should remain behind the front row of spectator seats.~~

~~2. Unless the judge directs otherwise, no more than one still picture photographer is to be taking pictures in the courtroom at any one time. It is the responsibility of each photographer present at the opening of each session of court to achieve an understanding with all other photographers present as to which will function at any given time, or, in the alternative, how they will pool their photographic coverage. This understanding must be reached outside the courtroom and without imposing on the judge or court personnel.~~

~~3. The photographers' dress and equipment should not set them apart unduly from other trial spectators. Cameras which operate without flash and with a minimum of noise should be utilized.~~

~~4. The photographer's movements in and out of the courtroom and while taking pictures should be unobtrusive. The photographer should not, for example, assume body positions inappropriate for spectators.~~

GR 16
[VERSION III]
CAMERAS IN THE COURTROOM

Broadcasting, televising, recording, and taking photographs in the courtroom is authorized during sessions of the court, including recesses between sessions, under the following conditions:

(a) Permission shall have first been expressly granted by the judge and under such conditions as the judge may prescribe; and

(b) The media personnel will not distract participants or impair the dignity of the proceedings.

Comment

While the Illustrative Broadcast Guidelines and Illustrative Print Media Guidelines formerly contained in Code of Judicial Conduct Canon 3 (A)(7) are not adopted as a part of this rule, they may continue to serve the bench, bar and press as examples of how cameras in the courtroom may be addressed.

Reviser's note: The brackets and enclosed material in the text above occurred in the copy filed by the State Supreme Court and appear in the Register pursuant to the requirements of RCW 34.08.040.

WSR 92-01-041
PROPOSED RULES
DEPARTMENT OF REVENUE
[Filed December 9, 1991, 2:10 p.m.]

Original Notice.

Title of Rule: Amending WAC 458-20-166 Hotels, motels, boarding houses, rooming houses, resorts, summer camps, trailer camps, etc.

Purpose: This rule provides tax reporting information to persons in the business of selling lodging and related services.

Statutory Authority for Adoption: RCW 82.32.300.

Statute Being Implemented: Title 82 RCW.

Summary: This rule is amended to clarify how telephone services are taxable when provided by hotels, motels, and related businesses.

Name of Agency Personnel Responsible for Drafting and Implementation: Les Jaster, 711 Capitol Way, #400, Olympia, (206) 586-7150; and Enforcement: Ed Faker, 711 Capitol Way, #400, Olympia, (206) 753-5579.

Name of Proponent: Department of Revenue, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This rule provides tax reporting information to persons selling lodging. The rule is amended to explain how telephone services are taxable when provided by hotels and motels. The rule also explains how sellers are taxable for sales to the federal government. The rule also discusses special hotel/motel taxes.

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): We are not aware of any administrative or economic impact to the industries affected by this rule.

Hearing Location: Evergreen Plaza Building, 2nd Floor Conference Room, 711 Capitol Way South, Olympia, WA, on January 29, 1992, at 9:30 a.m.

Submit Written Comments to: Les Jaster, Rules Coordinator, Department of Revenue, Mailstop AX-02, P.O. Box 47460, FAX (206) 586-7603, Olympia, WA 98504-7460, by January 29, 1992.

Date of Intended Adoption: February 12, 1992.

December 9, 1991
Edward L. Faker
Assistant Director

AMENDATORY SECTION (Amending Order 88-6, filed 9/27/88)

WAC 458-20-166 HOTELS, MOTELS, BOARDING HOUSES, ROOMING HOUSES, RESORTS, SUMMER CAMPS, TRAILER CAMPS, ETC. (1) Introduction. This section explains the taxation of the business activity of providing lodging and related services. In addition to retail sales tax and B&O, this section explains the special hotel/motel tax, the convention and trade center tax, and the taxation of emergency housing furnished to the homeless.

(2) Definitions. The following definitions apply to this section.

(a) A hotel, motel, boarding house, rooming house, apartment hotel, resort lodge, ((~~auto or tourist camp~~)) bed and breakfast facility, recreational vehicle park, and bunkhouse, as used in this ((~~ruling~~)) section, includes all establishments which are held out to the public as ((~~an inn, hotel, public lodging house, or place~~)) such where sleeping accommodations may be obtained, whether with or without meals or facilities for preparing meals. It will be presumed that the establishments defined above are conferring a license to use real estate, as distinguished from a rental of real estate, where the occupant is a transient. Conversely, where the occupant who receives lodging is or has become a nontransient, it will be conclusively presumed that the occupancy is under a rental or lease of real property.

(i) The ((~~foregoing~~)) above terms do not include establishments in the business of renting real estate, such as apartments, nor do these terms include hospitals, sanitariums, nursing homes, rest homes, and similar institutions. ((~~Further,~~)) The terms generally do not include private lodging houses, dormitories, bunkhouses, etc., operated by or on behalf of business and industrial firms or schools solely for the accommodation of employees of such firms((~~, and~~)) or students which are not held out to the public as a place where sleeping accommodations may be obtained. However, educational institutions who sell overnight lodging to persons other than students may be subject to the provisions of this section and should also refer to WAC 458-20-167.

(ii) The terms do not include guest ranches or summer camps which, in addition to supplying meals and lodging, offer special recreation facilities and instruction in sports, boating, riding, outdoor living, etc.

(b) A "boarding house", as used in this section, is an establishment selling meals on the average to five or more persons, exclusive of members of the immediate family. ((~~Where~~)) When meals are furnished to less than five persons, exclusive of members of the immediate family, the establishment will not be considered as engaging in the business of operating a boarding house.

(c) A "trailer camp" as used in this section is an establishment making a charge for the rental of space to transients for locating or parking house trailers, campers, mobile homes, tents ((~~and the like~~)), etc. which provide sleeping or living accommodations for the occupants. Additional charges for utility services ((~~will be deemed~~)) are a part of the charge made for the rental.

(d) The term "transient" as used in this section means: Any guest, resident, or other occupant to whom lodging and other services are furnished under a license to use real property and who does not continuously occupy the premises for a period of one month. Any such occupant who remains in continuous occupancy for more than one month, shall be deemed a transient as to the first month of occupancy, unless such occupant has contracted in advance to remain one month. A person who has contracted in advance and does remain in continuous occupancy for one month, will be deemed a nontransient from the start of the occupancy.

((~~(2) It will be presumed that the establishments first defined above are conferring a license to use real estate, as distinguished from a rental of real estate, where the occupant is a transient. Conversely,~~

~~where the occupant who receives lodging is or has become a nontransient, it will be conclusively presumed that the occupancy is under a rental or lease of real property.~~))

(3) Business and occupation tax. The tax liability of hotels, motels, boarding houses, rooming houses, resorts, summer camps, trailer camps, etc., is as follows:

(a) Retailing. Amounts derived from the charge made to transients for the furnishing of lodging; charges for such services as the rental of radio and television sets and the rental of rooms, space and facilities not for lodging, such as ballrooms, display rooms, meeting rooms, etc., and including automobile parking or storage; also amounts derived from the sale of tangible personal property at retail are taxable under this classification. See "retail sales tax" below for a more detailed explanation of the charges included ((~~herein as~~)) in the retailing.

(b) ((~~service and other business activities. Taxable under this classification are amounts derived from the rental of sleeping accommodations by private lodging houses, and by dormitories, bunkhouses, etc., operated by or on behalf of business and industrial firms and which are not held out to the public as a place where sleeping accommodations may be obtained;~~)) Service and other business activities. Included in this classification are commissions received, amounts derived from accommodations not available to the public, certain unsegregated charges, and amounts received from certain coin operated laundries.

(i) Hotels, motels, and similar businesses may receive commissions from various sources. These commissions are generally taxable under the service and other business activities classification. The following are examples of such commissions:

(A) Commissions received from acting as a laundry agent for guests when someone other than the hotel provides the laundry service (see WAC 458-20-165) ((~~and commissions received for the use of telephone facilities~~)).

(B) Commissions received from telephone companies for long distance telephone calls where the hotel or motel is merely acting as an agent (WAC 458-20-159) and commissions received from coin-operated telephones (WAC 458-20-245). Refer to the retail sales tax subsection below for a further discussion of telephone charges.

(C) Commissions or license fees for permitting a satellite antenna to be installed on the premises or as a commission for permitting a broadcaster or cable operator to make sales to the guest of the hotel or motel.

(D) Commissions from the rental of videos for use by guests of the hotel or motel when the hotel or motel operator is clearly making such sales as an agent for a seller.

(E) Commissions received from the operation of amusement devices. (WAC 458-20-187.)

(ii) Taxable under this classification are amounts derived from the rental of sleeping accommodations by private lodging houses, and by dormitories, bunkhouses, etc., operated by or on behalf of business and industrial firms and which are not held out to the public as a place where sleeping accommodations may be obtained.

(iii) Summer camps, guest ranches and similar establishments making an unsegregated charge for meals, lodging, instruction and the use of recreational facilities must report the gross income from such charges under ((~~this~~)) the service and other business activities classification.

(iv) This classification ((~~is~~)) also ((~~applicable~~)) applies to gross income from charges for the use of coin operated laundry facilities when such facilities are situated in an apartment house, hotel, motel, rooming house or trailer camp for the exclusive use of the tenants. (See WAC 458-20-165 for information regarding the tax liability of laundry services generally.)

(c) Charges for lodging and related services described above are subject to tax even though they may be ((~~denominated~~)) identified or characterized as membership fees or dues. (See WAC 458-20-114.)

(d) Where lodging is furnished to a nontransient, the transaction is ((~~deemed~~)) a rental of real estate which is exempt of B&O tax (RCW 82.04.390).

(4) Retail sales tax. All sales and rentals of tangible personal property by the persons defined in this section are subject to the retail sales tax.

(a) The charge made for the furnishing of lodging and other services to transients is subject to the retail sales tax. Included is the charge made by a trailer camp for the furnishing of space and other facilities. Charges for automobile parking and storage are also subject to the retail sales tax. A business providing transient lodging must complete the "transient rental income" information section of the combined excise tax return. The four digit location code must be listed along with the income received from transient lodging subject to retail sales tax for each facility located within a participating city or county.

The retail sales tax does not apply to charges for the use of coin-operated laundry facilities when such facilities are situated in an apartment house, hotel, motel, rooming house, or trailer camp for the exclusive use of the tenants.

(b) The retail sales tax applies to all retail sales which includes, but is not limited to, the following sales:

(i) Food and beverages (including room service) and in the case of meals sold under a "two meals for the price of one" promotion, the taxable selling price is the actual amount received as payment for the meals;

(ii) Laundry services if provided by the hotel/motel in the hotel's name;

(iii) Banquet room services;

(iv) Equipment rentals;

(v) Mandatory gratuities;

(vi) Employee meals (WAC 458-20-119);

(vii) Telephone charges (except those specified in this rule and WAC 458-20-245);

(viii) Movie rentals;

(ix) Hotel owned vending machines dispensing beverages or other tangible personal property (WAC 458-20-187); and

(x) Dancing cover charges.

(c) A charge for providing extended television reception to guests of a hotel or motel is additional consideration from the sale of lodging and subject to retail sales tax.

(d) Telephone charges to a guest for local telephone calls are taxable under the retailing B&O and retail sales tax classifications. These charges are considered part of the lodging services provided to the guest. See service and other activities business and occupation tax above for transactions involving coin-operated telephones located in hotels/motels and commissions paid by telephone companies to hotels/motels for long distance calls.

(e) If the hotel/motel is acting as an agent for a telephone service provider who provides long distance telephone service to the guest, the actual telephone charges are not taxable income to the hotel/motel. These amounts are advances and reimbursements (see WAC 458-20-111 and 458-20-159). Any commission received by the hotel/motel from the telephone service provider is taxable under the service and other business activities classification. Any additional handling or other charge which the hotel/motel may add to the actual long distance telephone charge is taxable under the retailing and retail sales tax classifications.

(f) If the hotel/motel leases telephone lines and then provides telephone services for a charge to its guests, these charges are taxable under the retailing and retail sales tax classifications. In this case the hotel/motel is in the telephone business. (See WAC 458-20-245.) The hotel/motel may give a resale certificate to the provider of the leased lines and is not subject to the payment of retail sales tax to the provider of the leased lines.

((~~(b)~~)) (g) An occupant does not become entitled to a refund of retail sales tax paid for lodging as a transient by reason of having remained one month and having thereby qualified as a nontransient.

((~~(c) Effective July 1, 1988, there is an exemption from the retail sales tax, convention and trade center tax, and the special hotel/motel tax on the charge made for the furnishing of emergency lodging to homeless persons purchased via a shelter voucher program administered by cities, towns, and counties or private organizations that provide emergency food and shelter services.~~

~~(d)~~)) (h) Except ((~~as to~~)) for guest ranches and summer camps ((~~as described herein~~)), when a lump sum is charged for lodging to nontransients and for meals furnished, the retail sales tax must ((~~nevertheless~~)) be ((~~paid~~)) collected upon the fair selling price of such meals((~~, and~~)). Unless accounts are kept showing ((~~such~~)) the fair selling price, the tax will be computed upon double the cost of the meals served((~~, and~~)). The cost ((~~shall~~)) includes the price paid for food and drinks served, the cost of preparing and serving meals, and all other costs incidental thereto, including an appropriate portion of overhead expenses. ((~~The retail sales tax is not applicable to charges for the use of coin operated laundry facilities when such facilities are situated in an apartment house, hotel, motel, rooming house or trailer camp for the exclusive use of the tenants.~~

~~(e)~~)) (i) All ((~~sales~~)) purchases of tangible personal property ((~~to such persons~~)) by a lodging provider, except ((~~such~~)) property ((~~as is to be resold as tangible personal property~~)) purchased for resale are subject to the retail sales tax. ((~~In this regard,~~)) Included are all

((~~sales~~)) purchases of tangible personal property for use ((~~in the furnishing of~~)) to provide lodging and related services, such as beds and other furnishings, are subject to the retail sales tax((;)). The charge ((~~made~~)) for lodging ((~~being~~)) and related services is for services rendered and not for the ((~~sale~~)) resale of any tangible property ((~~as such;~~)). Included are items such as soap, towels, linens, laundry, laundry supply services and furnishings. See WAC 458-20-244 ((~~(Rule 244)~~)) for sales to persons operating guest ranches and summer camps of food supplies for use in the preparation of meals served to guests when such persons make an unsegregated charge for meals, lodging, and services and report such charges under the classification service and other activities as ((~~herein provided~~)) explained above.

(j) Sales to the Unites States government are not subject to retail sales tax. However, it may be difficult for hotels and motels to determine if the sale is actually to the federal government or is only a sale to an employee of the federal government. Sales to employees of the federal government are fully taxable notwithstanding that the employee ultimately will be reimbursed for the cost of lodging. The department of revenue has identified four methods of billing or payment which are presumed to be sales to the federal government. They are:

(i) Charges made through the use of a VISA I.M.P.A.C. card (International Merchant Purchase Authorization Card). The VISA I.M.P.A.C. cards include the embossed legend "U.S. Government Tax Exempt." The account number on each card begins with the prefix "4716."

(ii) Charges made through Diner's Club Corporate Charge Card (the card contains the statement "For Official Use Only"). There are two Diner's Club Corporate Charge Cards now available to federal employees. Only one is sales tax exempt. The card providing the exemption is embossed with the name of the employee followed by the statement "for official use only." This card is used by federal agencies to pay for group lodging.

(iii) The lodging is paid by government voucher or government check payable directly to the hotel/motel.

(iv) A cash purchase made on behalf of the federal government by a federal employee who gives the seller a federal standard form SF 1165. A cash purchase by a federal employee made on behalf of the federal government qualifies for a sales tax exemption provided that the federal employee presents a federal standard form SF 1165 to document the fact that the purchase is made on behalf of the federal agency out of petty cash funds. The vendor (hotel/motel) is required to sign form SF 1165 to signify receipt of cash for the purchase. The vendor must retain a photocopy of SF 1165, describing the item purchased, to document the sales tax exemption.

(5) Special hotel/motel tax. Beginning in October 1987, some locations in the state have been authorized to charge a special hotel/motel tax. (See chapters 67.28 and 36.100 RCW.) If a business is in one of these locations, an additional tax is charged and reported under the special hotel/motel portion of the tax return. The four digit location code, the amount received for the lodging, and the tax rate must be completed for each location in which the lodging is provided. The tax applies without regard to the number of lodging units except that the tax of chapter 36.100 RCW applies only if there are forty or more lodging units. The tax only applies to the charge for the rooms to be used for lodging by transients. Additional charges for telephone services, laundry, or other incidental charges are not subject to the special hotel/motel tax. Neither is the charge for use of meeting rooms, banquet rooms, or other special use rooms subject to this tax.

(6) Convention and trade center tax. Businesses selling lodging to transients, having sixty or more units located in King County, must charge their customers the convention and trade center tax and report the tax under the "convention and trade center" portion of the tax return.

(a) A business having more than sixty units which are rented to transients and nontransients will be subject to the convention and trade center tax only if the business has at least sixty rooms which are available or being used for transient lodging. For example, a business with one hundred forty total rooms of which ninety-five are rented to nontransients is not subject to the convention and trade center tax.

(b) The tax only applies to the charge for the rooms to be used for lodging by transients. Additional charges for telephone services, laundry, or other incidental charges are not subject to the convention and trade center tax. Neither is the charge for use of meeting rooms, banquet rooms, or other special use rooms subject to the convention and trade center tax.

(c) The four digit location code, amount received for the lodging, and the tax rate must be completed for each location in which the lodging is provided.

(7) Furnishing emergency lodging to homeless. Effective July 1, 1988, there is an exemption from the retail sales tax, convention and trade center tax, and the special hotel/motel tax on the charge made for the furnishing of emergency lodging to homeless persons purchased via a shelter voucher program administered by cities, towns, and counties or private organizations that provide emergency food and shelter services. This form of payment does not influence the required minimum of transient rooms available for use as transient lodging under the "convention and trade center tax" or under the "special hotel/motel tax."

WSR 92-01-042
PROPOSED RULES
DEPARTMENT OF REVENUE
[Filed December 9, 1991, 2:13 p.m.]

Original Notice.

Title of Rule: Amending WAC 458-20-18801 Prescription drugs, prosthetic and orthotic devices, ostomic items, and medically prescribed oxygen.

Purpose: This rule provides tax reporting information to sellers and purchasers of prescription drugs, prosthetic and orthotic devices, ostomic items, and medically prescribed oxygen.

Statutory Authority for Adoption: RCW 82.32.300.

Statute Being Implemented: Title 82 RCW.

Summary: The retail sales tax and use tax exemption for prescription drugs is clarified to indicate that it includes reagents, needles and tubing, and prescription drugs billed through floor charges.

Name of Agency Personnel Responsible for Drafting and Implementation: Les Jaster, 711 Capitol Way, #400, Olympia, (206) 586-7150; and Enforcement: Ed Faker, 711 Capitol Way, #400, Olympia, (206) 753-5579.

Name of Proponent: Department of Revenue, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The rule provides for use of an exemption certificate for purchases of drugs. It also implements chapter 250, Laws of 1991 for sales of oxygen systems when medically prescribed.

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): Negligible impact. This rule has no identifiable administrative impact.

Hearing Location: Evergreen Plaza Building, 2nd Floor Conference Room, 711 Capitol Way South, Olympia, WA, on January 29, 1992, at 9:30 a.m.

Submit Written Comments to: Les Jaster, Rules Coordinator, Department of Revenue, Mailstop AX-02, P.O. Box 47460, FAX (206) 586-7603, Olympia, WA 98504-7460, by January 29, 1992.

Date of Intended Adoption: February 12, 1992.
December 9, 1991
Edward L. Faker
Assistant Director

AMENDATORY SECTION (Amending Order 87-1, filed 2/18/87)

WAC 458-20-18801 PRESCRIPTION DRUGS, PROSTHETIC AND ORTHOTIC DEVICES, OSTOMIC ITEMS, AND MEDICALLY PRESCRIBED OXYGEN. (1) Definitions. As used in this section:

(a) "Prescription drugs" are medicines, drugs, prescription lenses, or other substances, other than food for use in the diagnosis, cure, mitigation, treatment, or prevention of disease or other ailment in humans ordered by (i) the written prescription to a pharmacist by a practitioner authorized by the laws of this state or laws of another jurisdiction to issue prescriptions, or (ii) an oral prescription of such practitioner which is reduced promptly to writing and filled by a duly licensed pharmacist, or (iii) by refilling any such written or oral prescription if such refilling is authorized by the prescriber either in the original prescription or by oral order which is promptly reduced to writing and filled by the pharmacist, or (iv) physicians or optometrists by way of written directions and specifications for the preparation, grinding, and fabrication of lenses intended to aid or correct visual defects or anomalies of humans.

(b) "Prescription" means a formula or recipe or an order ((~~therefor~~)) written by a medical practitioner for the composition, preparation and use of a healing, curative or diagnostic substance, and also includes written directions and specifications by physicians or optometrists for the preparation, grinding, and fabrication of lenses intended to aid or correct visual defects or anomalies of humans.

((~~(b)~~)) (c) "Other substances" means products such as catalytics, hormones, vitamins, and steroids, but the term generally does not include devices, instruments, equipment, and similar articles. However, "other substances" does include the needles, tubing, and the bag which are part of an intravenous set for delivery of prescription drugs. It also includes infusion pumps and catheters when used to deliver prescription drugs to a specific patient. These items are not conceptually distinct from the prescription drug solution. This same rationale applies to tubing and needles which are used in placing prescribed nutritional products in the patient's system. The stand which holds the intravenous set is not included nor are plain glass slides, plain specimen collection devices, and similar items which are used in the laboratory. This term does include diagnostic substances and reagents, including prepared slides, tubes and collection specimens devices which contain diagnostic substances and reagents at the time of purchase by a laboratory.

((~~(c) "Food" means any substance the chief general use of which is for human nourishment.~~))

(d) "Medical practitioner" means a person within the scope of RCW 18.64.011(9) who is authorized to prescribe drugs, but excluding veterinarians, and for the purposes of this rule includes also persons licensed by chapter 18.53 RCW to issue prescriptions for lenses.

(e) "Licensed dispensary" means a drug store, pharmacy, or dispensary licensed by chapter 18.64 RCW or a dispensing optician licensed by chapter 18.34 RCW.

(f) "Prosthetic devices" are artificial substitutes which ((~~physically~~)) generally replace missing parts of the human body, such as a limb, bone, joint, eye, tooth, or other organ or part thereof, and materials which become ingredients or components of prostheses.

(g) "Orthotic devices" are ((~~fitted surgical~~)) apparatus designed to activate or supplement a weakened or atrophied limb or function. They include braces, collars, casts, splints, and other ((~~specially fitted~~)) similar apparatus as well as parts thereof. Orthotic devices do not include durable medical equipment such as wheelchairs, crutches, walkers, and canes nor consumable supplies such as ((~~elastic~~)) embolism stockings, arch pads, belts, supports, bandages, and the like, whether prescribed or not.

(h) "Ostomic items" are medical supplies used by colostomy, ileostomy, and urostomy patients. These include bags, tapes, tubes, adhesives, deodorants, soaps, jellies, creams, germicides, and sundry related supplies.

(i) "Medically prescribed oxygen" means oxygen prescribed for the use in the treatment of a medical condition. For periods after July 27, 1991, this term shall include, but is not limited to, the sale or rental of oxygen concentrator systems, oxygen enricher systems, liquid oxygen systems, and gaseous, bottled oxygen systems for use by an individual under a prescription. (See RCW 82.08.0283.)

(j) "Legend drugs" are those drugs which may not be legally dispensed without a prescription. These drugs are listed in the official United States pharmacopeia or similar source. (See RCW 69.41.010(8).) WAC 246-865-010(5) requires legend drugs to have a label stating that federal law prohibits dispensing without a prescription. Also refer to RCW 69.41.010(9).

(k) "Nutrition products" are prescribed dietary substances formulated to provide balanced nutrition as a sole source of nourishment.

(2) Business and occupation tax. The business and occupation tax applies to the gross proceeds from sales of drugs, medicines, prescription lenses, or other substances used for diagnosis, cure, mitigation, treatment, or prevention of disease or other ailments in humans. Sales of these items to persons for resale are taxable under the wholesaling classification. Sales to consumers are taxable under the retailing classification. Persons who provide medical services to patients are taxable under the service and other business activities classification on the gross charge to the patient, notwithstanding that some prescription drugs may be separately charged to the patient. Persons who provide medical services should refer to WAC 458-20-151 and 458-20-168 for additional tax reporting information.

(3) Deductions. The following may be deducted from gross proceeds for computing business and occupation tax:

(a) Sales of prescription drugs and other medical and healing supplies furnished as an integral part of services rendered by a publicly operated or nonprofit hospital, nonprofit kidney dialysis facility, nursing home, or home for unwed mothers operated as a religious or charitable organization which meets all the conditions for exemption for services generally under RCW 82.04.4288 or 82.04.4289 (see WAC 458-20-168).

(4) Retail sales tax. The retail sales tax applies upon all retail sales of tangible personal property unless expressly exempted by law.

(5) Exemptions. The following exemptions apply from the retail sales tax and use tax.

(a) Legend drugs are exempt from retail sales tax or use tax when sold for use in the diagnosis, cure, mitigation, treatment, or prevention of disease or other ailments of humans. This exemption applies to all levels of sales and distribution of legend drugs, including legend drugs given away as samples. Legend drugs are exempt from sales tax when sold to hospitals, doctors, dentists, or any other medical practitioner, as well as to patients. Sellers of legend drugs are not required to retain a resale certificate or other exemption documentation from the legend drug purchaser. The exemption applies at the time of purchase even if the hospital or medical practitioner who makes such purchases will not resell the legend drug as a separate line item charge to its patient.

(b) The retail sales tax does not apply to sales ((~~to patients~~)) of nonlegend drugs, nutrition products including dietary supplements or dietary adjuncts, medicines, prescription lenses, or other substances, but only when

((~~(a)~~)) (i) Dispensed by a licensed dispensary

((~~(b)~~)) (ii) Pursuant to a written prescription

((~~(c)~~)) (iii) Issued by a medical practitioner

((~~(d)~~)) (iv) For diagnosis, cure, mitigation, treatment, or prevention of disease or other ailment in humans. (See RCW 82.08.0281.)

((~~(6) This exemption does not apply to sales of food. Thus, dietary supplements or dietary adjuncts do not qualify for this exemption even though prescribed by a physician.~~

~~(7)~~)) (c) Laboratory reagents and other diagnostic substances are exempt from retail sales tax when used as part of test prescribed to diagnose disease in humans. These items include, among others, reagents, calibrators, chemicals, gases, vacutainers with heparin or other chemicals or medicines, and prepared media. Control reagents are exempt, but only when the control reagents are used in performing tests prescribed for a patient. Reagents which are used to merely calibrate equipment and are not related to a test prescribed for a specific patient are not exempt.

(d) The retail sales tax exemption applies also to intravenous sets, including the needles and tubing, when used for the administration of drugs prescribed to a patient. This also includes catheters, infusion pumps, syringes, and similar items when used for the delivery of prescription drugs. Medical gas delivery system components, including tubes, nebulizers, ventilators, masks, cannulae and similar items, are not conceptually distinct from the prescribed gases they deliver and are exempt from retail sales or use tax. The medical delivery system includes airway devices (tubes) which are prescribed to keep a patient's airways open and to deliver medical gases.

(e) The retail sales tax does not apply to sales of prosthetic devices, orthotic devices prescribed by physicians, osteopaths, or chiropractors,

nor to sales of ostomic items((~~, medically prescribed oxygen, or hearing aids~~)). (See RCW 82.08.0283.) Sutures, pacemakers, hearing aids, and kidney dialysis machines are examples of prosthetic devices. Drainage devices which are particularly prescribed for use on or in a specific patient are exempt from sales or use taxes as prostheses because they either replace missing body parts or assist dysfunctional ones, either on a temporary or permanent basis. A prosthetic device can include a device that is implanted for cosmetic reasons. Hearing aids are also exempt when dispensed or fitted by a person licensed under chapter 18.35 RCW. A heart-lung machine used by a hospital in its surgical department is not a prosthetic device.

(f) The sale of medically prescribed oxygen is not subject to retail sales or use tax when sold to an individual having a prescription issued by a person licensed under chapter 18.57 or 18.71 RCW for use in the medical treatment of that individual.

(g) The retail sales tax does not apply to the purchase of anesthesia gases, medical gases, contrast media, or irrigation solutions when these items are used under a physician's order as part of a medical treatment for a specific patient.

((~~(8) Proof of exemption. Sales claimed to be exempt under this rule must be separately accounted for and for items requiring a prescription,~~)) (6) Proof of exemption. Persons selling legend drugs need only to substantiate that the drugs meet the definition of legend drugs and are for use in the diagnosis, cure, mitigation, treatment, prevention of disease or other ailments in humans. Resale certificates or other exemption certificates are not required for these sales. For sales to consumers of nonlegend drugs, sellers must retain in their files the written prescription bearing the signature of the medical practitioner who issued the prescription and the name of the patient for whom prescribed. See also WAC 458-20-150 Optometrists, ophthalmologists, and oculists; 458-20-151 Dentists, dental laboratories and physicians; and 458-20-168 Hospitals.

(((~~(9)~~))) (a) Hospitals and physicians who purchase drugs for use in providing medical services to patients may purchase the drugs without payment of retail sales tax if the drugs will only be dispensed under a physician's order. It is not required that the hospital or physician make a specific charge to the patient for drugs dispensed under a physician's order for the drug purchase to be exempt from retail sales or use tax. This also includes the purchases of intravenous sets, catheters, infusion pumps, syringes, and similar items which will be used for delivery of prescription drugs. The hospital or physician may give the nonlegend drug supplier an exemption certificate. The certificate should be retained by the seller for a period of five years after the last sale covered by the certificate. Certificates should not be sent to the department of revenue. The certificate should be in the following form:

Prescription drug exemption certificate

_____

(name of purchaser)

_____

(address of purchaser)

I hereby certify: That I am a registered Washington taxpayer. I may legally prescribe or dispense drugs or other substances. I further certify that the drugs and other substances listed below purchased from ..... (name of vendor) will be prescribed and used for the treatment of illness or ailments of human beings. I shall maintain invoices and prescriptions or such other records as are necessary to account for the disposition of the drugs or other substances for which I have not paid retail sales tax. In the event that any such drug or substance is used without a prescription being issued, it is understood that I am required to report and pay use tax measured by its purchase price. If I have indicated that this is a blanket certificate, this certificate shall be considered part of each order which I may hereafter give to you, unless otherwise specified, and shall be valid for a period of four years or until revoked by me in writing. Description of drugs and other substances to be purchased:

.....

.....

.....

.....

Dated: .....

Single Purchase ..... Blanket Certificate .....

(indicate by check mark if certificate is for a single purchase or continuing purchases)

_____

(signature of purchaser or authorized agent)

(title)

_____

(Revenue registration number of buyer)

(b) A blanket exemption certificate may be given if there will be continuing purchases from a particular supplier. Blanket exemption certificates should be renewed at intervals not to exceed four years. The purchaser should indicate by an appropriate check mark on the certificate whether the certificate is being used for a single purchase or will be for continuing purchases. It is unnecessary to list each and every drug on the exemption certificate if all drugs purchased from a particular supplier are exempt.

(7) Use tax. The use tax does not apply to the use of articles and products which are exempt from sales tax as specified herein. (See RCW 82.12.0277.) This includes legend drugs which are given away as samples.

(8) Examples. The following examples identify a number of facts and then state a conclusion. These examples should be used only as a general guide. The tax status of each situation must be determined after a review of all of the facts and circumstances.

(a) ABC Hospital purchases both legend and nonlegend drugs. These drugs are held in inventory and dispensed to patients only under the written order of the patient's physician. These drugs are not billed specifically to the patient, but the cost is recovered through a general floor charge to the patient. ABC Hospital may purchase these drugs without payment of sales or use tax.

(b) ABC Hospital purchases reagents for use in its laboratory which are nonlegend drugs. Laboratory reagents are chemical compounds used to promote reactions in the laboratory to aid in determining disease pathology and are not administered directly to the patient. These reagents are used for three purposes consisting of tests on the tissue from a specific patient, a control reagent which is not applied to the tissue from the patient but is used to measure or control the reaction, and a reagent used to calibrate equipment. The reagents used for the first two purposes may be purchased without payment of sales or use tax. The reagents for the calibration of equipment are also exempt if the equipment is calibrated as part of tests for a specific patient. Reagents used to calibrate equipment that is not part of a prescribed test for a patient are taxable.

(c) XY Blood Bank purchases reagents which are nonlegend drugs. These reagents are used in determining the blood type and presence of disease. The blood is sold to local hospitals. The purchase of these reagents is taxable since they are not used to provide treatment for a specific patient.

WSR 92-01-043
EMERGENCY RULES
BATES TECHNICAL COLLEGE
[Filed December 9, 1991, 4:18 p.m.]

Date of Adoption: November 27, 1991.

Purpose: To adopt a rule establishing regular meeting dates.

Statutory Authority for Adoption: RCW 42.30.075 (the last paragraph) and 28B.50.140(13).

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: An emergency exists at Bates Technical College which is a newly established state agency which just had its board of trustees appointed by the governor last month. There exists a need to establish regular meeting dates for the board to carry out its authority to do all those things necessary to establish a new technical college. Limited special meeting agendas do not suffice.

Effective Date of Rule: Immediately.

December 6, 1991
Jon G. Thorpe
Senior Vice-President

CHAPTER 495A-104 WAC

NEW SECTION

WAC 495A-104-010 REGULAR MEETING DATES. Regular meetings of the Board of Trustees of Bates Technical College are held at Bates Technical College, 1101 South Yakima Avenue, Tacoma, Washington, at 2:00 p.m. on the third Wednesday of each month. The annual regular meeting schedule is also published in the Washington State Register on or about the close of each calendar year.

WSR 92-01-044
PROPOSED RULES
DEPARTMENT OF REVENUE
[Filed December 9, 1991, 4:30 p.m.]

Original Notice.

Title of Rule: Amending WAC 458-20-132 Automobile dealers/demonstrator and executive vehicles.

Purpose: To amend the rule to clarify use tax liability of automobile dealers for vehicles removed from inventory for personal or demonstration use.

Statutory Authority for Adoption: RCW 82.32.300.

Statute Being Implemented: Title 82 RCW.

Summary: The rule includes new language dealing with use of vehicles by manufacturers and distributors. It provides a new reporting method for use of loaner cars.

Name of Agency Personnel Responsible for Drafting and Implementation: Les Jaster, 711 Capitol Way, #400, Olympia, (206) 586-7150; and Enforcement: Ed Faker, 711 Capitol Way, #400, Olympia, (206) 753-5579.

Name of Proponent: Department of Revenue, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This rule provides use tax reporting information to automobile dealers for vehicles used for personal use and demonstration.

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): We are not aware of any administrative economic burden placed on any business.

Hearing Location: Evergreen Plaza Building, 2nd Floor Conference Room, 711 Capitol Way South, Olympia, WA, on January 29, 1992, at 9:30 a.m.

Submit Written Comments to: Les Jaster, Rules Coordinator, Department of Revenue, Mailstop AX-02, P.O. Box 47460, FAX (206) 586-7603, Olympia, WA 98504-7460, by January 29, 1992.

Date of Intended Adoption: February 12, 1992.

December 9, 1991
Edward L. Faker
Assistant Director

AMENDATORY SECTION (Amending Order ET 86-5, filed 4/3/86)

WAC 458-20-132 AUTOMOBILE DEALERS/DEMONSTRATOR AND EXECUTIVE VEHICLES. (1) Introduction. This section accounts for the unique practices of the retail automobile dealer's industry and reflects administrative notice of the customs of this trade. The tax reporting formulas explained in this rule represent((s)) a compromise of tax liabilities and offsetting deductions. It recognizes that demonstrators and ((~~executive used~~)) vehicles used by executives or persons associated with a dealer are actually used for limited periods of time without significantly affecting their marketability or retail selling value, and that such used vehicles have a high trade-in value when returned to inventory for sale.

((~~DEFINITIONS~~))

(2) Definitions. The following definitions apply to this section.

(a) The terms "demonstration" and "demonstrator((;))" ((~~as used in this section,~~)) mean the use of automobiles provided by dealers to their ((~~employees or other representatives~~)) sales staff, without charge, for any personal or business reason other than (or in addition to) the mere display of such vehicles to prospective purchasers.

(((~~3~~))) (b) The term "display((;))" ((~~as used herein,~~)) means the showing for sale of vehicles to prospective purchasers, at or near the dealer's premises, including the short term test driving, operating, and examining by prospective purchasers.

(((~~4~~))) (c) The term "executive use vehicle," as used herein, means any vehicle from sales inventory, used by any person associated with the automobile dealership for personal driving, other than for demonstration or display purposes as defined above, when such person does not have a recent model vehicle registered and licensed in that person's own name on which retail sales tax was paid.

(d) The term "recent model vehicle" refers to a car of the current model year or either of the two preceding model years.

(e) The terms "purchase price" and "total cost" mean the amount charged to the dealer for the purchase of a vehicle and includes any additional charges for accessories installed on the vehicle. If the vehicle was acquired through a trade-in by a customer, these terms then mean the trade-in value given to the customer by the dealer (with consideration of underallowances and overallowances) as well as any costs of refurbishing and repairs in preparing the vehicle for resale or use. These values will generally be the amounts shown as the vehicle cost within the dealer's inventory records.

(f) The phrase "pickup truck" refers only to trucks having a commercial pickup body rated at three-quarter ton capacity or less.

((~~BUSINESS AND OCCUPATION TAX~~

~~(5)~~)) (3) Business and occupation tax. Automobile dealers are taxable under the retailing classification upon ((~~sales~~)) the sale or lease of automobiles to their employees or other representatives for personal use, including demonstration. The business and occupation tax does not apply upon the transfer of vehicles to employees or other representatives((~~, where no sale occurs,~~)) for their personal use, including demonstration where no sale occurs.

((~~RETAIL SALES TAX~~

~~(6)~~)) (4) Retail sales tax. The retail sales tax applies upon ((~~sales~~)) the sale or lease of automobiles, parts, and accessories by dealers to their employees or other representatives for the personal use((~~, of~~)) by such persons ((~~including demonstration~~)). The retail sales tax does not apply to the display of automobiles where no sale takes place.

((~~USE TAX~~

~~(7)~~)) (5) Use tax. The use tax does not apply to the display of automobiles by dealers, their employees or other representatives. Neither does use tax apply upon the personal use or demonstration of automobiles which have been sold or leased to dealers' employees or other representatives and upon which the retail sales tax has been paid. Also, use tax does not apply upon demonstrator vehicles if no such vehicles are actually used. However, where an automobile dealer purchases a passenger car or pickup truck without paying a retail sales tax ((~~in respect thereto,~~)) and uses such car or truck for personal use or demonstration purposes, the use tax ((~~is applicable irrespective of the fact that~~)) applies even if such personal car or demonstrator may later be sold by the dealer. ((~~As used in this section the phrase "pickup truck" refers only to trucks having a commercial pickup body rated at three-quarter ton capacity or less.~~

~~(8)~~)) (6) Computation of use tax. For practical purposes, automobile dealers may elect to compute the use tax upon the use of demonstrators ((~~(but not on service cars) as follows:~~)) by sales staff on either a "one per one hundred vehicles sold" basis or on an "actual number of demonstrators used" basis. Use of the one per one hundred vehicles sold method will satisfy the use tax liability for personal or business use of demonstrators by sales staff employed by a new car dealer. However, the one per one hundred vehicles sold method will not satisfy the use tax liability for the personal or business use of vehicles by persons other than sales staff employed by the dealership.

((~~(9)~~)) (a) One per one hundred demonstrator reporting basis. The use of demonstrators is subject to the use tax on the basis of one demonstrator for each one hundred new automobiles and pickup trucks, or fractional part of such number, of all makes or models sold at retail including lease transactions during a calendar year. The use tax on each such demonstrator ((~~shall be~~)) is measured by twenty-five percent of the average selling price ((~~to be based upon the total selling price~~)), including dealer preparation, transportation, and factory or dealer installed accessories, of all makes and models of new passenger cars and new pickup trucks sold during the preceding calendar year divided by the number of such units sold: PROVIDED, That the first such vehicle reported during any calendar year shall be subject to use tax measured by the full average retail selling price. ((~~The computation is as follows:~~

~~Retail Sales Volume/Preceding Year~~ ~~Use Tax Rate (for 1st vehicle reported)~~

~~x Average Selling Price x~~

~~Total Units Sold/Preceding Year~~ ~~.25 x Use Tax Rate (for subsequent vehicles reported)~~))

The average retail selling price is computed by dividing the total retail sales of new passenger cars and trucks in the preceding year by the total units sold in the preceding year. Thus, for example, a dealer with $3,000,000.00 in gross sales for ((~~1985~~)) the previous year, who sold 250 units that year derives an average selling price of $12,000.00. The very first demonstrator use in ((~~1986~~)) the current year will be $12,000.00 multiplied by the prevailing use tax rate. All subsequent demonstrators reported in ((~~1986~~)) the current year, based upon the formula of one demonstrator for each one hundred units sold, will be $3,000.00 multiplied by the prevailing use tax rate.

((~~(10)~~)) The use tax ((~~shall be~~)) is paid as of the date of the first sale in any calendar year and subsequently upon the sale of the one hundred and first automobile or pickup truck. If a dealer sold 340 units in the current year, use tax would be due on four units (the first at one hundred percent of the average retail selling price of all new vehicles sold in the preceding year and the remaining three at twenty-five percent of the previous year's average selling price of new vehicles).

(b) Actual demonstrator reporting basis. Dealers who decide to report use tax on demonstrators on an actual basis are required to report use tax on each vehicle assigned to demonstrator use. The value is computed in the same manner as under the one per one hundred basis. The first vehicle in the current year which is used for demonstrator use is taxable on the full average selling price of all new vehicles sold in the preceding year. Additional vehicles during the year which are put to use as demonstrators are taxable at twenty-five percent of the average selling price of new vehicles sold in the preceding year.

((~~(11)~~)) (c) The ((~~foregoing~~)) above method of computation applies only in respect to use by sales staff of demonstrator vehicles operated under dealer plates or ((~~private licenses~~)) issued to the dealership. ((~~Demonstrator~~)) Vehicles which are required to be licensed ((~~otherwise~~)) other than to the dealership are presumed to be used substantially for purposes other than demonstration and are subject to the use tax measured by the actual value (purchase price) of such vehicles.

((~~(12)~~)) (d) Change in reporting method. When an automobile dealer has elected to report the use tax ((~~as above provided~~)) under the "one per one hundred basis", or upon the actual number of demonstrators used, it will not be permitted to change the manner of reporting without the written consent of the department of revenue.

Dealers are required to provide reasonably accurate records reflecting the use of dealer plates.

((~~(13)~~)) (7) Executive vehicles – personal use of vehicles by executives and persons associated with a dealer. When a dealer or a person associated with a dealer (firm executive, corporate officer ((~~or~~)), partner, or manager) does not have a recent model car registered and licensed in its own name and regularly uses either one or various new cars from ((~~stock~~)) inventory for personal driving (whether or not such cars are also used for demonstration purposes) the use tax ((~~will be applicable~~)) applies to the value of one such car for each two calendar years in addition to the tax ((~~otherwise applicable~~)) which applies to demonstrator use by sales staff. The ((~~term "recent model car" refers to a car of the current model year or of either of the two preceding model years. In such cases, the~~)) measure of the use tax ((~~shall be~~)) is the same as the measure ((~~herein approved~~)) for the computation of use tax on subsequently used demonstrator vehicles, that is, twenty-five percent of the average selling price of all makes and models of new passenger cars and pickup trucks sold at retail during the preceding year.

((~~(14)~~)) (a) The dealer may not include within the executive car reporting method the use of a new vehicle which is not of the type or model of new vehicles authorized to be sold by the dealer's franchise agreement. The executive car reporting method applies only to vehicles removed from inventory for use by the executives. Vehicles purchased specifically for use by the executives are taxable on the purchase price of each vehicle.

(b) No use tax in addition to that outlined above will be due if members of the immediate family of the executive also use a vehicle from inventory which is not otherwise licensed or required to be licensed. "Immediate family" includes only the spouse and children of the executive who live in the same household as the executive.

(8) Vehicles used by automobile manufacturers or distributors. Automobile manufacturers or distributors will often assign vehicles to their employee representatives for demonstration purposes, sales solicitation and personal use in the state. It is common practice to replace these vehicles frequently so that several vehicles may be used by a company representative during the course of the year. Under these circumstances, the department of revenue will allow computation of the use tax based on the average selling price of all new cars sold in the preceding year multiplied by the maximum complement of cars of each

model year in use at any time during the year. The tax is due at the start of the model year. No use tax is due on the usual turnover or replacement of cars within the model year.

(9) Vehicles loaned to nonprofit or other organizations. The use tax ((~~is applicable~~)) applies to the value of vehicles ((~~which~~)) that are required to be licensed and are loaned or donated to civic, religious, nonprofit or other organizations ((~~for continuous periods of use exceeding 72 hours, and~~)). The use tax may be computed for loaned vehicles on a value of two percent per month multiplied by the purchase price of the vehicle. Such tax is in addition to the tax on the use of demonstrators as provided ((~~herein~~)) in this rule. Vehicles that are not required to be licensed which are used for the purpose of promoting or participating in an event such as a parade, pageant, convention, or other community activity are not subject to the use tax provided the dealer obtains a temporary letter of authority or a special plate in accordance with RCW 46.16.048.

((~~(15)~~)) (10) Service department vehicles. Vehicles removed from inventory and committed to use as service vehicles ((~~or~~)), parts trucks ((~~are not entitled to the special use tax treatment explained in this rule. Full use service vehicles are used by dealers as consumers and are subject to use tax measured by their full value~~)), or service department loaner cars are subject to use tax. Dealers will often use vehicles for this purpose for only short periods of time. In recognition of this, dealers may elect to report use tax on either the purchase price of the vehicle or on two percent per month of the purchase price for each month or any fraction thereof that the vehicle is being used as a service vehicle or loaner. If use tax is reported based on total purchase price rather than on the two percent method, a trade-in deduction is allowed if the vehicle is returned to inventory and concurrently another vehicle replaces this vehicle for use as a loaner or service vehicle. The trade-in value is the wholesale value and generally will be the value recorded by the dealer in the inventory records exclusive of any refurbishing costs at the time the vehicle is returned to inventory.

((~~USED CAR DEALER'S LIABILITY~~

~~(16)~~)) (11) Used car dealer's liability. Used car dealers are not deemed to be using vehicles for ((~~demonstration~~)) display purposes and have no liability for reporting use tax on ((~~demonstrators~~)) vehicles displayed to customers, including test driving of vehicles by customers. However, where used car dealers satisfy the criteria for executive car use (no current model vehicle registered in the user's name) they are deemed to be using one executive or personal use vehicle per calendar year. In such cases use tax must be reported under the same formula as for subsequently used new demonstrator cars, that is, measured by twenty-five percent of the average selling price of all used cars sold during the preceding calendar year. Use tax also is due on all vehicles that are capitalized for accounting purposes or removed from inventory and used for personal use. In such cases, the use tax measure is the purchase price of the vehicle. If the vehicle was acquired through a trade-in by a customer, the value will generally be that recorded by the dealer in the inventory records including any costs incurred in repairing or refurbishing the vehicle. Purchase of a new car by a used car dealer and used personally by the dealer or person associated with the dealer is subject to use tax measured by the purchase price of the vehicle.

((~~(17) This section and the reporting formulas contained herein are necessary for the consistent and uniform enforcement of the revenue act of this state as contemplated under RCW 82.32.300.~~)) (12) Examples. The following examples identify a number of facts and then state a conclusion. These examples should be used only as a general guide. The tax status of each situation must be determined after a review of all of the facts and circumstances.

(a) Dealer A makes a specific charge each month to its sales person for the use of a vehicle. The sales person uses the vehicle for personal use as well as displaying the vehicle to potential customers. The dealer is required to report the gross charges under the retailing and retail sales tax classifications. No use tax is due on this vehicle.

(b) Dealer A assigns a vehicle for personal and business use to each of its new vehicle sales staff. No charge is made to the sales staff for the use of the vehicle. Dealer A is subject to use tax and may elect to report the tax on each vehicle assigned to the sales staff or may report on the "one per one hundred" method discussed above. Once a method is elected, the dealer may not change methods without approval from the department.

(c) Dealer A assigns a vehicle for personal use to its service manager. The service manager will use the vehicle for approximately 90 days when it will be replaced with another new vehicle. The service manager does not have a recent model car registered and licensed in his/her name. The dealer is subject to use tax on the vehicles assigned to the service manager. The tax will apply on only one vehicle every second year and will be measured by twenty-five percent of the average selling price of all new passenger cars and trucks sold in the previous year.

(d) Dealer A has the franchise to sell Chevrolets. Dealer A purchases a new Mercedes Benz for its personal use. The dealer attaches a "dealer plate" to this vehicle. Dealer A is subject to use tax on the purchase price of this vehicle. The dealer may not report use tax on the method authorized for reporting executive cars for this vehicle since the dealer is not an authorized dealer for this make of vehicle and the vehicle was not removed from the dealer's new vehicle inventory.

(e) Vehicle Manufacturer A has five employees who live and work from their homes in Washington. These employees call on dealers in Washington to resolve warranty disputes. Each employee is given a new vehicle at the start of the model year. The vehicle will be replaced every sixty days. Manufacturer A owes use tax on five vehicles at the start of the model year. No additional use tax will be due when these vehicles are replaced during the same model year. However, should a sixth employee be added during the course of the year, an additional vehicle will be subject to use tax.

(f) Dealer A uses a vehicle from inventory as a service truck. This vehicle is used to pick up parts from local suppliers, transportation for making emergency repairs on customer's vehicles, and similar activities. The dealer is liable for use tax on this vehicle. At its option, the dealer may report use tax on two percent per month of the purchase price of the vehicle or may report use tax on the full value of the vehicle at the time it is put to use.

(g) Dealer A uses a new vehicle from inventory for his/her own personal use. Dealer A's spouse also uses a new vehicle. Dealer A's son who lives in the same household will occasionally use a new vehicle. All of these vehicles are operated with dealer plates attached. Dealer A does not have a recent model car licensed in Washington. Dealer A is subject to use tax on one vehicle as an "executive" car every second year as provided above.

(h) Dealer A loans a vehicle to a civic organization for a thirty-day period. The dealer is unable to obtain a temporary letter of authority for use of the vehicle under RCW 46.16.048. The dealer is liable for use tax, but the dealer may report the use tax based on two percent of the purchase price of the vehicle per month as the measure of the tax. No use tax would be due if the dealer had obtained a letter of authority under RCW 46.16.048 for the use of the vehicle.

WSR 92-01-045
PROPOSED RULES
OFFICE OF INSURANCE COMMISSIONER
[Filed December 10, 1991, 1:57 p.m.]

Original Notice.

Title of Rule: Medicare supplement—Standardized policy forms.

Purpose: To adopt rules consistent with changes in federal standards for Medicare supplement insurance policies: Limit policy forms to 10 standardized packages, establish new disclosure requirements; establish new filing requirements; establish regulatory oversight for Medicare SELECT policies; and clarify the existing prohibition on attained age rating.

Other Identifying Information: Insurance Commissioner Matter No. R 92-1.

Statutory Authority for Adoption: RCW 48.02.060, 48.20.450, 48.20.460, 48.20.470, 48.30.010, 48.44.020, 48.44.050, 48.44.070, 48.46.030, 48.46.130, and 48.46.200.

Statute Being Implemented: RCW 48.66.041, 48.66.050, 48.66.070, 48.66.100, 48.66.110, 48.66.120, 48.66.130, and 48.66.160.

Summary: Congress adopted the Omnibus Budget Reconciliation Act of 1990 (OBRA '90) and among its many provisions, it requires the states to amend their regulation of Medicare supplement insurance.

Reasons Supporting Proposal: These amendments are required to keep Washington regulation consistent with changes in federal standards for Medicare supplement insurance policies.

This proposal conforms regulation of Medicare supplement insurance policies to changes in federal Medicare laws and the NAIC model act and rule, required by OBRA '90. These rules proposed to continue the policy of this state of remaining in step with the standards required by federal law for certification of this state's Medicare supplement insurance statutes and regulations.

In order to assure the orderly implementation and conversion of Medicare supplement policies in this state to comply with federally required changes, we plan to adopt this regulation early in 1992. Effective July 1, 1992, policy forms currently being sold under the existing Medicare supplement insurance regulation may no longer be issued or issued for delivery in this state. This will allow about six months for insurers to develop new products, rates, and marketing materials. We expect that the standardized forms will begin to be available within the next several weeks because there is nothing contained in the new standards that is prohibited under current Medicare supplement insurance regulation.

The minimum standards provisions in proposed amendments to chapter 284-66 WAC, are identical to those in the NAIC model act and rule. There are a few sections of chapter 284-66 WAC which are unique to Washington or vary from the NAIC models, including: Prohibition on attained age rating and true level commissions. These changes are acceptable to the Health Care Financing Administration (HCFA) because federal law permits states to adopt rules that are "more stringent" — more protective of consumers —than the NAIC model. In addition, requirements for filing of rates and forms are more stringent than the NAIC model.

And finally, Washington has been designated to participate in a three-year, fifteen-state study project called "Medicare SELECT." The regulation of this project will be primarily left to the state based on these regulations and federal rules to be developed by HCFA.

Some problems, however, remain. The NAIC has amended the definition of "Medicare supplemental insurance" to remove the restriction of eligibility by reason of age. This brings the NAIC models into compliance with federal law which has never restricted Medicare supplement regulation to those eligible for Medicare by reason of age.

The definition of "Medicare supplemental insurance" appears in both chapter 48.66 RCW and 284-66 WAC. It is amended here to conform to the NAIC model definition in anticipation of a change in the statute during the 1992 legislative session.

In addition, regulation of rates for Medicare supplement insurance policies contemplates a "prior approval" process. Currently the commissioner does not have authority to require prior approval of Medicare supplement rates filed by health care service contractors and health maintenance organizations. Such authority will be requested during the 1992 legislative session.

Name of Agency Personnel Responsible for Drafting: Melodie Bankers, Assistant Deputy Commissioner, Insurance Building, Olympia, Washington, (206) 586-3574; Implementation and Enforcement: David H. Rodgers, Chief Deputy Commissioner, Insurance Building, Olympia, Washington, (206) 753-7300.

Name of Proponent: Dick Marquardt, Insurance Commissioner, governmental.

Rule is necessary because of federal law, 42 USC §1395ss (codifying applicable sections of OBRA '90) and NAIC model act/rule.

Explanation of Rule, its Purpose, and Anticipated Effects: OBRA '90 requires changes in regulation of Medicare supplement insurance policies sold in this state no later than July 30, 1991. These rules affect policies issued or issued for delivery on or after July 1, 1992. The effect of these amendments will standardize the choices of Medicare supplement insurance policies for senior consumers.

Consumers, in the aggregate will be benefitted by the amendments, particularly during the "open enrollment" period once a person has reached age 65 and is first enrolled in Medicare Part B. In addition, it is the intent of the federal regulation that by standardizing and simplifying choices of policy forms, consumers will be able to make more reasoned choices and that companies will be more price-competitive.

Proposal Changes the Following Existing Rules: Currently, regulation of Medicare supplement insurance policies sets minimum standards for policies sold in this state. The new regulations will standardize and simplify the choices between products to ten — which will be uniform insurer-to-insurer.

Small Business Economic Impact Statement: There is no requirement that any insurer engage in the sale of Medicare supplement insurance coverage in this state; and, therefore, no requirement that these products be developed for sale in Washington.

The commissioner recognizes that there will be start-up costs required of all insurers who choose to develop new Medicare supplement insurance policy forms. This, however, is more the result of federal action than a result of state regulation of Medicare supplement insurance policies. Development of new products, marketing materials, disclosure forms, and related items will be required of any insurer engaged in the Medicare supplement insurance business in 1992. Most changes are required by federal action; only limited differences exist that will result in added costs to transacting Medicare supplement insurance business in this state.

The rule changes may place a proportionately higher burden on small insurers than on large ones. Because the start-up costs for compliance will be similar in insurers whether they have fewer or more than fifty employees, the cost per employee will be higher in small businesses. With respect to costs per one hundred dollars of sales, the number of the insurer's employees has litle significance.

The changes to regulation of Medicare supplement insurance policies is not easily measured by the criteria of the Regulatory Fairness Act, chapter 18.85 RCW.

Hearing Location: Conference Room, Main Floor, General Administration Building, 11th and Columbia Streets, Olympia, Washington, on January 28, 1992, at 9:30 a.m.

Submit Written Comments to: Insurance Commissioner, Insurance Building, P.O. Box 40257, Olympia, WA 98504-0256, by January 28, 1992.

Date of Intended Adoption: February 4, 1992.

December 10, 1991
Dick Marquardt
Insurance Commissioner
Melodie Bankers
Assistant Deputy Commissioner
for Consumer Protection

AMENDATORY SECTION (Amending Order R 90-4, filed 3/20/90, effective 4/20/90)

WAC 284-66-010 PURPOSE. The purpose of this chapter is to effectuate the provisions of RCW 48.20.450, 48.20.460 and 48.20.470, 48.30.010, 48.44.020, 48.44.050, 48.44.070, 48.46.030, 48.46.130, 48-.46.200, and to supplement the requirements of chapter 48.66 RCW, the Medicare Supplemental Health Insurance Act; to assure the orderly implementation and conversion of Medicare supplement insurance benefits and premiums due to changes in the federal Medicare program; to provide for the reasonable simplification and standardization of the coverage, terms, and benefits of Medicare supplement insurance policies and certificates, and to eliminate policy provisions which may duplicate Medicare benefits as the federal Medicare program changes; to facilitate public understanding and comparison of such policies and to eliminate provisions contained in such policies which may be misleading or confusing; to establish minimum standards for Medicare supplement insurance, an "outline of coverage" and other disclosure requirements; to prohibit the use of certain provisions in Medicare supplemental insurance policies; to define and prohibit certain acts and practices as unfair methods of competition or unfair or deceptive acts or practices; and to establish loss ratio requirements, policy reserves, filing and reporting procedures.

AMENDATORY SECTION (Amending Order R 90-4, filed 3/20/90, effective 4/20/90)

WAC 284-66-020 APPLICABILITY AND SCOPE. (1) Subject to subsection (2) of this section, except as provided by federal law, chapter 48.66 RCW, or as otherwise specifically provided by this chapter, this chapter shall apply to every group and individual policy of disability insurance and to every subscriber contract of an ((~~insurer, fraternal benefit society, health care service contractor, or health maintenance organization~~)) issuer (other than a policy issued pursuant to a contract under section 1876 or section 1833 of the Social Security Act [42 U.S.C. section 1395 et seq.] or an issued policy under a demonstration project authorized pursuant to amendments to the Social Security Act), which relates its benefits to Medicare, or which is advertised, marketed, or designed primarily as a supplement to reimbursements under Medicare for the hospital, medical, or surgical expenses of persons eligible for Medicare ((~~by reason of age~~)). All such policies or contracts are referred to in this chapter as "Medicare supplemental insurance" or "Medicare supplement insurance policy" or "Medicare supplement coverage."

(2)(a) Medicare supplement insurance policies delivered prior to January 1, 1989, which are renewable solely at the option of the insured by the timely payment of premium shall be subject to the provisions of this chapter except with respect to WAC 284-66-060, 284-66-200, 284-66-210, 284-66-310, and 284-66-350. To the extent that the provisions of this chapter do not apply to such policies, chapter 284-55 WAC shall apply.

(b) Medicare supplement insurance policies delivered between January 1, 1989, and December 31, 1989, and which are renewable solely at the option of the insured by the timely payment of premium shall be governed by this chapter except with respect to the requirements of WAC 284-66-210 and 284-66-350.

AMENDATORY SECTION (Amending Order R 90-4, filed 3/20/90, effective 4/20/90)

WAC 284-66-030 DEFINITIONS. For purposes of this chapter:

(1) "Applicant" means:

(a) In the case of an individual Medicare supplement insurance policy, the person who seeks to contract for insurance benefits; and

(b) In the case of a group Medicare supplement insurance policy, the proposed certificate holder.

(2) "Certificate" means any certificate delivered or issued for delivery in this state under a group Medicare supplement insurance policy((~~, which policy has been delivered or issued for delivery in this state~~)) regardless of the situs of the group master policy.

(3) "Certificate form" means the form on which the certificate is delivered or issued for delivery by the issuer.

(4) "Issuer" includes insurance companies, fraternal benefit societies, health care service contractors, health maintenance organizations, and any other entity delivering or issuing for delivery Medicare supplement policies or certificates.

(5) "Direct response ((~~insurer~~)) issuer" means an ((~~insurer~~)) issuer who, as to a particular transaction, is transacting insurance directly with a potential insured without solicitation by, or the intervention of, a licensed insurance agent.

((~~(4)~~)) (6) "Disability insurance" is insurance against bodily injury, disablement or death by accident, against disablement resulting from sickness, and every insurance appertaining thereto. For purposes of this chapter, disability insurance shall include policies or contracts offered by ((~~an insurer, fraternal benefit society, health care service contractor, or health maintenance organization~~)) any issuer.

((~~(5)~~)) (7) "Health care expense costs" means expenses of a health maintenance organization or health care service contractor associated with the delivery of health care services which expenses are analogous to incurred losses of insurers. Such expenses shall not include home office and overhead costs, advertising costs, commissions and other acquisition costs, taxes, capital costs, administrative costs, and "claims" processing costs.

((~~(6) "Insurer" includes insurance companies, fraternal benefit societies, health care service contractors, and health maintenance organizations.~~

~~(7)~~)) (8) "Policy" includes agreements or contracts issued by ((~~insurers, health maintenance organizations, health care service contractors, and fraternal benefit societies~~)) any issuer.

((~~(8)~~)) (9) "Policy form" means the form on which the policy is delivered or issued for delivery by the issuer.

(10) "Premium" means all sums charged, received, or deposited as consideration for a Medicare supplement insurance policy or the continuance thereof. An assessment or a membership, contract, survey, inspection, service, or other similar fee or charge made by the ((~~insurer~~)) issuer in consideration for such policy is deemed part of the premium. "Earned premium" shall mean the "premium" applicable to an accounting period whether received before, during or after such period.

((~~(9)~~)) (11) "Replacement" means any transaction in which new Medicare supplement coverage is to be purchased, and it is known or should be known to the proposing agent or other representative of the ((~~insurer~~)) issuer, or to the proposing ((~~insurer~~)) issuer if there is no agent, that by reason of such transaction, existing Medicare supplement coverage has been or is to be lapsed, surrendered or otherwise terminated.

AMENDATORY SECTION (Amending Order R 90-4, filed 3/20/90, effective 4/20/90)

WAC 284-66-040 POLICY DEFINITIONS AND TERMS. No ((~~insurance~~)) policy or certificate may be advertised, solicited, issued for delivery in this state ((~~or renewed~~)) after July 1, 1992, as a Medicare supplement insurance policy or certificate unless such policy or certificate contains definitions or terms which conform to the requirements of this section.

(1) "Accident," "accidental injury," or "accidental means" shall be defined to employ "result" language and shall not include words which establish an accidental means test or use words such as "external, violent, visible wounds" or similar words or description or characterization.

(a) The definition shall not be more restrictive than the following: "Injury or injuries for which benefits are provided means accidental bodily injury sustained by the insured person which is the direct result of an accident, independent of disease or bodily infirmity or any other cause, and occurs while insurance coverage is in force."

(b) Such definition may provide that injuries shall not include injuries for which benefits are provided under any workers' compensation, employer's liability or similar law, or motor vehicle no-fault plan, unless prohibited by law.

(2) "Convalescent nursing home," "extended care facility," or "skilled nursing facility" shall not be defined ((~~in relation to its status, facilities and available services~~)) more restrictively than as defined in the Medicare program.

(((~~(a) A definition of such home or facility shall not be more restrictive than one requiring that it:~~

~~(i) Be operated pursuant to law;~~

~~(ii) Be approved for payment of Medicare benefits or be qualified to receive such approval, if so requested;~~

~~(iii) Be primarily engaged in providing, in addition to room and board accommodations, skilled nursing care under the supervision of a duly licensed physician;~~

~~(iv) Provide continuous twenty-four hours a day nursing service by or under the supervision of a registered graduate professional nurse (R.N.); and~~

~~(v) Maintain a daily medical record of each patient.~~

~~(b) The definition of such home or facility may provide that such term shall not be inclusive of:~~

~~(i) Any home, facility or part thereof used primarily for rest;~~

~~(ii) A home or facility for the aged or for the treatment of chemical dependency; or~~

~~(iii) A home or facility primarily used for the care and treatment of mental diseases or disorders, or custodial or educational care.~~))

(3) "Hospital" may be defined in relation to its status, facilities and available services or to reflect its accreditation by the Joint Commission on Accreditation of Health Care Organizations, but not more restrictively than as defined in the Medicare program.

(((~~(a) The definition of the term "hospital" shall not be more restrictive than one requiring that the hospital:~~

~~(i) Be an institution operated pursuant to law; and~~

~~(ii) Be primarily and continuously engaged in providing or operating, either on its premises or in facilities available to the hospital on a prearranged basis and under the supervision of a staff of duly licensed physicians, medical, diagnostic and major surgical facilities for the medical care and treatment of sick or injured persons on an inpatient basis for which charge is made; and~~

~~(iii) Provide twenty-four hour nursing services by or under the supervision of registered graduate professional nurses (R.N.'s).~~

~~(b) The definition of the term "hospital" may state that such term shall not be inclusive of:~~

~~(i) Convalescent homes, convalescent, rest, or nursing facilities;~~

~~(ii) Facilities primarily affording custodial, educational, or rehabilitory care;~~

~~(iii) Facilities for the aged or for the treatment of chemical dependency; or~~

~~(iv) Any military or veterans hospital or soldiers home or any hospital contracted for or operated by any national government or agency thereof for the treatment of members or ex-members of the armed forces, except for services rendered on an emergency basis where a legal liability exists for charges made to the individual for such services.~~))

(4) ((~~For purposes of exclusions from coverage, "mental or nervous disorders" shall not be defined more restrictively than a definition including neurosis, psychoneurosis, psychopathy, psychosis, or mental or emotional disease or disorder of any kind.~~

~~(5) "Nurses" may be defined so that the description of nurse is restricted to a type of nurse, such as registered graduate professional nurse (R.N.), a licensed practical nurse (L.P.N.), or a licensed vocational nurse (L.V.N.). If the words "nurse," "trained nurse," or "registered nurse" are used without specific instruction, then the use of such terms requires the insurer to recognize the services of any individual who qualified under such terminology in accordance with the applicable statutes or administrative rules of the licensing or registry board of the state.~~

~~(6)~~)) "Medicare" shall be defined in the policy and certificate. Medicare may be defined as "The Health Insurance for the Aged Act, Title XVIII of the Social Security Amendments of 1965 as then constituted or later amended" or "Title I, Part I of Public Law 89-97, as enacted by the Eighty-ninth Congress of the United States of America and popularly known as the Health Insurance for the Aged Act, as then constituted and any later amendments or substitutes thereof," or words of similar import.

(5) "Physician" ((~~may~~)) shall not be defined ((~~by including words such as "duly qualified physician" or "duly licensed physician." The use of such terms requires an insurer to recognize and to accept, to the extent of its obligation under the contract, all providers of medical care and treatment when such services are within the scope of the provider's licensed authority and are provided pursuant to applicable laws~~)) more restrictively than as defined in the Medicare program.

(((~~(7)~~))) (6) "Sickness" shall not be defined to be more restrictive than the following: "Sickness means ((~~sickness~~)) illness or disease of an insured person which first manifests itself after the effective date of insurance and while the insurance is in force." The definition may be further modified to exclude sicknesses or diseases for which benefits are provided under any workers' compensation, occupational disease, employer's liability, or similar law.

AMENDATORY SECTION (Amending Order R 90-4, filed 3/20/90, effective 4/20/90)

WAC 284-66-050 ((~~PROHIBITED~~)) POLICY PROVISIONS. (1) No policy may be advertised, solicited, or issued for delivery((~~, or renewed~~)) in this state as a Medicare supplement insurance policy unless such policy meets or exceeds the requirements for such policies imposed by chapter 48.66 RCW.

(2) No Medicare supplement policy or certificate in force in this state shall contain benefits which duplicate benefits provided by Medicare.

(3) ((~~No policy may be advertised, solicited, issued for delivery, or renewed in this state as a Medicare supplement policy if such policy limits or excludes coverage by type of illness, accident, treatment, or medical condition, except as follows:~~

~~(a) Foot care in connection with corn, calluses, flat feet, fallen arches, weak feet, chronic foot strain, or symptomatic complaints of the feet;~~

~~(b) Mental or emotional disorders and chemical dependency;~~

~~(c) Illness, treatment, or medical condition arising out of:~~

~~(i) War or act of war (whether declared or undeclared); participation in a felony, riot or insurrection; service in the armed forces or units auxiliary thereto;~~

~~(ii) Suicide (whether sane or insane), attempted suicide, or intentionally self-inflicted injury;~~

~~(iii) Aviation, other than as a fare-paying passenger on a scheduled or charter flight operated by a scheduled airline;~~

~~(d) Cosmetic surgery, except that "cosmetic surgery" shall not include reconstructive surgery when such service is incidental to or follows surgery resulting from trauma, infection, or other diseases of the involved part;~~

~~(e) Treatment provided in a governmental hospital; benefits provided under Medicare or other governmental program (except Medicaid); any state or federal workers' compensation, employer's liability or occupational disease law, or any motor vehicle no-fault law; services rendered by employees of hospitals, laboratories, or other institutions; services performed by a member of the covered person's immediate family and services for which no charge is normally made in the absence of insurance;~~

~~(f) Dental care or treatment;~~

~~(g) Eye glasses, hearing aids, and examination for the prescription or fitting thereof;~~

~~(h) Rest cures, custodial care, transportation, and routine physical examinations;~~

~~(i) Territorial limitations outside the United States: PROVIDED, That Medicare supplement insurance policies may not contain, when issued or renewed, limitations or exclusions of the type enumerated in (a), (b), (h) or (i) of this subsection, that are more restrictive than those of Medicare. Medicare supplement policies may exclude coverage for any expense to the extent of any benefit available to the insured under Medicare.~~

~~(4) A "noncancellable," "guaranteed renewable," or "noncancellable and guaranteed renewable" Medicare supplement insurance policy shall not provide for termination of coverage of a spouse solely because of the occurrence of an event specified for termination of coverage of the insured, other than the nonpayment of premium, or be cancelled or nonrenewed by the insurer solely on the grounds of deterioration of health.~~

~~(5) Termination of a Medicare supplement policy shall be without prejudice to any continuous loss which commenced while the policy was in force, but the extension of benefits beyond the period during which the policy was in force may be predicated upon the continuous total disability of the insured, limited to the duration of the policy~~

~~benefit period, if any, or payment of the maximum benefits. Any provision to the contrary is prohibited.~~

~~(6) No Medicare supplement insurance policy shall restrict, exclude or limit benefits for a sickness through use of a probationary, or similar, provision.~~

~~(7) No insurer shall require any person covered under a Medicare supplement insurance policy to purchase additional coverage in connection with the amendment thereof.~~)) Except for permitted preexisting condition clauses as described in WAC 284-66-063 (1)(a) no policy or certificate may be advertised, solicited, or issued for delivery in this state as a Medicare supplement policy if such policy or certificate contains limitations or exclusions on coverage that are more restrictive than those of Medicare.

((~~(8)~~)) (4) The terms "Medicare supplement," "Medicare wrap-around," "Medigap," or words of similar import shall not be used to describe an insurance policy unless such policy is issued in compliance with chapter 48.66 RCW and this chapter.

AMENDATORY SECTION (Amending Order R 90-4, filed 3/20/90, effective 4/20/90)

WAC 284-66-060 MINIMUM BENEFIT STANDARDS. ((~~Except as permitted by WAC 284-66-050(3), effective January 1, 1990, no insurance policy may be advertised, solicited, issued for delivery, or renewed in this state as a Medicare supplement policy unless it meets the following minimum standards. Further, all guaranteed renewable Medicare supplement insurance policies delivered to residents of this state during 1989 and which were subject to the minimum standards adopted by the commissioner pursuant to the Medicare Catastrophic Coverage Act shall be~~)) The requirements of this section apply to Medicare supplement policies and certificates issued or issued for delivery in this state during the period beginning January 1, 1990, and ending June 30, 1992, as well as all guaranteed renewable Medicare supplement policies delivered to residents of this state during 1989 and which were conformed to meet the minimum benefit standards of this section pursuant to the Medicare Catastrophic Coverage Act. Minimum standards for "standardized" policies and certificates are provided at WAC 284-66-063. Effective July 1, 1992, only policies meeting the standards of WAC 284-66-063 may be advertised, solicited, or issued for delivery in this state. These are minimum standards and do not preclude the inclusion of other provisions or benefits which are not inconsistent with these standards:

(1) Coverage of Part A Medicare eligible expenses for hospitalization to the extent not covered by Medicare from the 61st day through the 90th day in any Medicare benefit period;

(2) Coverage for either all or none of the Medicare Part A inpatient hospital deductible amount;

(3) Coverage of Part A Medicare eligible expenses incurred as daily hospital charges during use of Medicare's lifetime hospital inpatient reserve days;

(4) Upon exhaustion of all Medicare hospital inpatient coverage including the lifetime reserve days, coverage of ninety percent of all Medicare Part A eligible expenses for hospitalization not covered by Medicare subject to a lifetime maximum benefit of an additional three hundred sixty-five days;

(5) Coverage under Medicare Part A for the reasonable cost of the first three pints of blood (or equivalent quantities of packed red blood cells, as defined under federal regulations) unless replaced in accordance with federal regulations or already paid for under Part B;

(6) Coverage for the coinsurance amount of Medicare eligible expenses under Part B regardless of hospital confinement, subject to a maximum calendar year out-of-pocket amount equal to the Medicare Part B deductible;

(7) Coverage under Medicare Part B for the reasonable cost of the first three pints of blood (or equivalent quantities of packed red blood cells, as defined under federal regulations), unless replaced in accordance with federal regulations or already paid for under Part A, subject to the Medicare deductible amount.

NEW SECTION

WAC 284-66-063 BENEFIT STANDARDS FOR POLICIES OR CERTIFICATES ISSUED OR DELIVERED ON OR AFTER JULY 1, 1992. Only Medicare supplement policies or certificates meeting the requirements of this chapter may be delivered or issued for delivery in this state on or after July 1, 1992. After that date, no policy or certificate may be advertised, solicited, delivered, or issued for delivery in this state as a Medicare supplement policy or certificate unless it complies with these benefit standards.

(1) General standards. The following standards apply to Medicare supplement policies and certificates and are in addition to all other requirements of this regulation.

(a) A Medicare supplement policy or certificate shall not exclude or limit benefits for losses incurred more than six months from the effective date of coverage because it involved a preexisting condition. The policy or certificate may not define a preexisting condition more restrictively than a condition for which medical advice was given or treatment was recommended by or received from a physician within six months before the effective date of coverage.

(b) No Medicare supplement policy or certificate shall provide for termination of coverage of a spouse solely because of the occurrence of an event specified for termination of coverage of the insured, other than the nonpayment of premium.

(c) Each Medicare supplement policy shall be guaranteed renewable and:

(i) The issuer shall not cancel or nonrenew the policy solely on the ground of health status of the individual; and

(ii) The issuer shall not cancel or nonrenew the policy for any reason other than nonpayment of premium or material misrepresentation.

(iii) If the Medicare supplement policy is terminated by the group policy holder and is not replaced as provided under (c)(v) of this subsection, the issuer shall offer certificateholders an individual Medicare supplement policy which (at the option of the certificateholder) provides for continuation of the benefits contained in the group policy, or provides for such benefits as otherwise meets the requirements of this subsection.

(iv) If an individual is a certificateholder in a group Medicare supplement policy and the individual terminates membership in the group, the issuer shall offer the certificateholder the conversion opportunity described in (c)(iii) of this subsection, or at the option of the group policyholder, offer the certificateholder continuation of coverage under the group policy.

(v) If a group Medicare supplement policy is replaced by another group Medicare supplement policy purchased by the same policyholder, the succeeding issuer shall offer coverage to all persons covered under the old group policy on its date of termination. Coverage under the new policy shall not result in any exclusion for preexisting conditions that would have been covered under the group policy being replaced.

(d) Termination of a Medicare supplement policy or certificate shall be without prejudice to any continuous loss which commenced while the policy was in force, but the extension of benefits beyond the period during which the policy was in force may be conditioned upon the continuous total disability of the insured, limited to the duration of the policy benefit period, if any, or payment of the maximum benefits.

(e)(i) A Medicare supplement policy or certificate shall provide that benefits and premiums under the policy or certificate shall be suspended at the request of the policyholder or certificateholder for the period (not to exceed twenty-four months) in which the policyholder or certificateholder has applied for and is determined to be entitled to medical assistance under Title XIX of the Social Security Act, but only if the policyholder or certificateholder notifies the issuer of such policy or certificate within ninety days after the date the individual becomes entitled to such assistance. Upon receipt of timely notice, the issuer shall return to the policyholder or certificateholder that portion of the premium attributable to the period of Medicaid eligibility, subject to adjustment for paid claims.

(ii) If such suspension occurs and if the policyholder or certificateholder loses entitlement to such medical assistance, such policy or certificate shall be automatically reinstituted (effective as of the date of termination of such entitlement) as of the termination of such entitlement if the policyholder or certificateholder provides notice of loss of such entitlement within ninety days after the date of such loss and pays the premium attributable to the period, effective as of the date of termination of such entitlement.

(iii) Reinstitution of such coverages;

(A) Shall not provide for any waiting period with respect to treatment of preexisting conditions;

(B) Shall provide for coverage which is substantially equivalent to coverage in effect before the date of such suspension; and

(C) Shall provide for classification of premiums on terms at least as favorable to the policyholder or certificateholder as the premium classification terms that would have applied to the policyholder or certificateholder had the coverage not been suspended.

(2) Standards for basic ("core") benefits common to all benefit plans. Every issuer shall make available a policy or certificate including only the following basic "core" package of benefits to each prospective insured. An issuer may make available to prospective insureds any of the other Medicare supplement insurance benefit plans in addition to the basic "core" package, but not in lieu thereof.

(a) Coverage of Part A Medicare eligible expenses for hospitalization to the extent not covered by Medicare from the sixty-first day through the ninetieth day in any medicare benefit period;

(b) Coverage of Part A Medicare eligible expenses incurred for hospitalization to the extent not covered by Medicare for each Medicare lifetime inpatient reserve day used;

(c) Upon exhaustion of the Medicare hospital inpatient coverage including the lifetime reserve days, coverage of the Medicare Part A eligible expenses for hospitalization paid at the diagnostic related group (DRG) day outlier per diem or other appropriate standard of payment, subject to a lifetime maximum benefit of an additional three hundred sixty-five days;

(d) Coverage under Medicare Parts A and B for the reasonable cost of the first three pints of blood (or equivalent quantities of packaged red blood cells, as defined under federal regulations) unless replaced in accordance with federal regulations;

(e) Coverage for the coinsurance amount of Medicare eligible expenses under Part B regardless of hospital confinement, subject to the Medicare Part B deductible;

(3) Standards for additional benefits. The following additional benefits shall be included in Medicare supplement benefit plans "B" through "J" only as provided by WAC 284-66-066.

(a) Medicare Part A deductible: Coverage for all of the Medicare Part A inpatient hospital deductible amount per benefit period.

(b) Skilled nursing facility care: Coverage for the actual billed charges up to the coinsurance amount from the twenty-first day through the one hundredth day in a Medicare benefit period for posthospital skilled nursing facility care eligible under Medicare Part A;

(c) Medicare Part B deductible: Coverage for all of the Medicare Part B deductible amount per calendar year regardless of hospital confinement.

(d) Eighty percent of the Medicare Part B excess charges: Coverage for eighty percent of the difference between the actual Medicare Part B charge as billed, not to exceed any charge limitation established by the Medicare program or state law, and the Medicare-approved Part B charge.

(e) One hundred percent of the Medicare Part B excess charges: Coverage for all of the difference between the actual Medicare Part B charge as billed, not to exceed any charge limitation established by the Medicare program or state law, and the Medicare-approved Part B charge.

(f) Basic outpatient prescription drug benefit: Coverage for fifty percent of outpatient prescription drug charges, after a two hundred fifty dollar calendar year deductible, to a maximum of one thousand two hundred fifty dollars in benefits received by the insured per calendar year, to the extent not covered by Medicare.

(g) Extended outpatient prescription drug benefit: Coverage for fifty percent of outpatient prescription drug charges, after a two hundred fifty dollar calendar year deductible to a maximum of three thousand dollars in benefits received by the insured per calendar year, to the extent not covered by Medicare.

(h) Medically necessary emergency care in a foreign country: Coverage to the extent not covered by Medicare for eighty percent of the billed charges for Medicare-eligible expenses for medically necessary emergency hospital, physician, and medical care received in a foreign country, which care would have been covered by Medicare if provided in the United States and which care began during the first sixty consecutive days of each trip outside the United States, subject to a calendar year deductible of two hundred fifty dollars, and a lifetime maximum benefit of fifty thousand dollars. For purposes of this benefit, "emergency care" shall mean care needed immediately because of an injury or an illness of sudden and unexpected onset.

(i) Preventive medical care benefit: Coverage for the following preventive health services:

(i) An annual clinical preventive medical history and physical examination that may include tests and services from (i)(ii) of this subsection and patient education to address preventive health care measures.

(ii) Any one or a combination of the following preventive screening tests or preventive services, the frequency of which is considered medically appropriate:

(A) Feccal occult blood test and/or digital rectal examination;

(B) Mammogram;

(C) Dipstick urinalysis for hematuria, bacteriuria, and proteinauria;

(D) Pure tone (air only) hearing screening test, administered or ordered by a physician;

(E) Serum cholesterol screening (every five years);

(F) Thyroid function test;

(G) Diabetes screening.

(iii) Influenza vaccine administered at any appropriate time during the year and Tetanus and Diphtheria booster (every ten years).

(iv) Any other tests or preventive measures determined appropriate by the attending physician.

Reimbursement shall be for the actual charges up to one hundred percent of the Medicare-approved amount for each service, as if Medicare were to cover the service as identified in American Medical Association Current Procedural Terminology (AMA CPT) codes, to a maximum of one hundred twenty dollars annually under this benefit. This benefit shall not include payment for any procedure covered by Medicare.

(j) At-home recovery benefit: Coverage for services to provide short term, at-home assistance with activities of daily living for those recovering from an illness, injury, or surgery.

(i) For purposes of this benefit, the following definitions shall apply:

(A) "Activities of daily living" include, but are not limited to bathing, dressing, personal hygiene, transferring, eating, ambulating, assistance with drugs that are normally self-administered, and changing bandages or other dressings.

(B) "Care provider" means a duly qualified or licensed home health aide/homemaker, personal care aide, or nurse provided through a licensed home health care agency or referred by a licensed referral agency or licensed nurses registry.

(C) "Home" shall mean any place used by the insured as a place of residence, provided that such place would qualify as a residence for home health care services covered by Medicare. A hospital or skilled nursing facility shall not be considered the insured's place of residence.

(D) "At-home recovery visit" means the period of a visit required to provide at home recovery care, without limit on the duration of the visit, except each consecutive four hours in a twenty-four hour period of services provided by a care provider is one visit.

(ii) Coverage requirements and limitations.

(A) At-home recovery services provided must be primarily services which assist in activities of daily living.

(B) The insured's attending physician must certify that the specific type and frequency of at-home recovery services are necessary because of a condition for which a home care plan of treatment was approved by Medicare.

(C) Coverage is limited to:

(I) No more than the number and type of at-home recovery visits certified as necessary by the insured's attending physician. The total number of at-home recovery visits shall not exceed the number of Medicare approved home health care visits under a Medicare approved home care plan of treatment.

(II) The actual charges for each visit up to a maximum reimbursement of forty dollars per visit.

(III) One thousand six hundred dollars per calendar year.

(IV) Seven visits in any one week.

(V) Care furnished on a visiting basis in the insured's home.

(VI) Services provided by a care provider as defined in this section.

(VII) At-home recovery visits while the insured is covered under the policy or certificate and not otherwise excluded.

(VIII) At-home recovery visits received during the period the insured is receiving Medicare approved home care services or no more than eight weeks after the service date of the last Medicare approved home health care visit.

(iii) Coverage is excluded for: Home care visits paid for by Medicare or other government programs; and care provided by family members, unpaid volunteers, or providers who are not care providers.

(k) New or innovative benefits: An issuer may, with the prior approval of the commissioner, offer policies or certificates with new or innovative benefits in addition to the benefits provided in a policy or certificate that otherwise complies with the applicable standards. Such new or innovative benefits may include benefits that are appropriate to Medicare supplement insurance, new or innovative, not otherwise

available, cost-effective, and offered in a manner which is consistent with the goal of simplification of Medicare supplement policies.

NEW SECTION

WAC 284-66-066 STANDARD MEDICARE SUPPLEMENT BENEFIT PLANS. (1) An issuer shall make available to each prospective policyholder and certificateholder a policy form or certificate form containing only the basic "core" benefits, as defined in WAC 284-66-063(2) of this regulation.

(2) No groups, packages, or combinations of Medicare supplement benefits other than those listed in this section shall be offered for sale in this state, except as may be permitted in WAC 284-66-063 (3)(k) and in WAC 284-66-073.

(3) Benefit plans shall be uniform in structure, language, designation, and format to the standard benefit plans "A" through "J" listed in this subsection and conform to the definitions in WAC 284-66-030 and 284-66-040. Each benefit shall be structured in accordance with the format provided in WAC 284-66-063(2) and 284-66-063(3) and list the benefits in the order shown in this subsection. For purposes of this section, "structure, language, and format" means style, arrangement, and overall content of benefit.

(4) An issuer may use, in addition to the benefit plan designations required in subsection (3) of this section, other designations to the extent permitted by law.

(5) Make-up of benefit plans:

(a) Standardized Medicare supplement benefit plan "A" shall be limited to the basic ("core") benefits common to all benefit plans, as defined at WAC 284-66-063(2).

(b) Standardized Medicare supplement benefit plan "B" shall include only the following: The core benefit as defined at WAC 284-66-063(2), plus the Medicare Part A deductible as defined at WAC 284-66-063 (3)(a).

(c) Standardized Medicare supplement benefit plan "C" shall include only the following: The core benefit as defined at WAC 284-66-063(2), plus the Medicare Part A deductible, skilled nursing facility care, Medicare Part B deductible and medically necessary emergency care in a foreign country as defined at WAC 284-66-063 (3)(a), (b), and (h), respectively.

(d) Standardized Medicare supplement plan "D" shall include only the following: The core benefit, as defined at WAC 284-66-063(2), plus the Medicare Part A deductible, skilled nursing facility care, medically necessary emergency care in a foreign country and the at-home recovery benefit as defined at WAC 284-66-063 (3)(a), (b), (h), and (j), respectively.

(e) Standardized Medicare supplement benefit plan "E" shall include only the following: The core benefit as defined at WAC 284-66-063(2), plus the Medicare Part A deductible, skilled nursing facility care, medically necessary emergency care in a foreign country and preventive medical care as defined at WAC 284-66-063 (3)(a), (b), (h), and (i), respectively.

(f) Standardized Medicare supplement benefit plan "F" shall include only the following: The core benefit as defined at WAC 284-66-063(2), plus the Medicare Part A deductible, the skilled nursing facility care, the Part B deductible, one hundred percent of the Medicare Part B excess charges, and medically necessary emergency care in a foreign country as defined at WAC 284-66-063 (3)(a), (b), (c), (e), and (h), respectively.

(g) Standardized Medicare supplement benefit plan "G" shall include only the following: The core benefit as defined at WAC 284-66-063(2), plus the Medicare Part A deductible, skilled nursing facility care, eighty percent of the Medicare Part B excess charges, medically necessary emergency care in a foreign country, and the at-home recovery benefit as defined at WAC 284-66-063 (3)(a), (b), (d), (h), and (j), respectively.

(h) Standardized Medicare supplement benefit plan "H" shall include only the following: The core benefit as defined at WAC 284-66-063(2), plus the Medicare Part A deductible, skilled nursing facility care, basic prescription drug benefit, and medically necessary emergency care in a foreign country as defined at WAC 284-66-063 (3)(a), (b), (f), and (h), respectively.

(i) Standardized Medicare supplement benefit plan "I" shall include only the following: The core benefit as defined at WAC 284-66-063(2), plus the Medicare Part A deductible, skilled nursing facility care, one hundred percent of the Medicare Part B excess charges, basic prescription drug benefit, medically necessary emergency care in a foreign country, and at-home recovery benefit as defined at WAC 284-66-063 (3)(a), (b), (e), (f), (h), and (j), respectively.

(j) Standardized Medicare supplement benefit plan "J" shall include only the following: The core benefit as defined at WAC 284-66-063(2), plus the Medicare Part A deductible, skilled nursing facility care, Medicare Part B deductible, one hundred percent of the Medicare Part B excess charges, extended prescription drug benefit, medically necessary emergency care in a foreign country, preventive medical care, and at-home recovery benefit as defined at WAC 284-66-063 (3)(a), (b), (c), (e), (g), (h), (i), and (j), respectively.

NEW SECTION

WAC 284-66-073 MEDICARE SELECT POLICIES AND CERTIFICATES. (1)(a) This section shall apply to Medicare SELECT policies and certificates, as defined in this section.

(b) No policy or certificate may be advertised as a Medicare SELECT policy or certificate unless it meets the requirements of this section.

(2) For the purposes of this section:

(a) "Complaint" means any dissatisfaction expressed by an individual concerning a Medicare SELECT issuer or its network providers.

(b) "Grievance" means dissatisfaction expressed in writing by an individual insured under a Medicare SELECT policy or certificate with the administration, claims practices, or provision of services concerning a Medicare SELECT issuer or its network providers.

(c) "Medicare SELECT issuer" means an issuer offering, or seeking to offer, a Medicare SELECT policy or certificate.

(d) "Medicare SELECT policy" or "Medicare SELECT certificate" means respectively a Medicare supplement policy or certificate that contains restricted network provisions.

(e) "Network provider" means a provider of health care, or a group of providers of health care, which has entered into a written agreement with the issuer to provide benefits insured under a Medicare SELECT policy.

(f) "Restricted network provision" means any provision which conditions the payment of benefits, in whole or in part, on the use of network providers.

(g) "Service area" means the geographic area approved by the commissioner within which an issuer is authorized to offer a Medicare SELECT policy.

(3) The commissioner may authorize an issuer to offer a Medicare SELECT policy or certificate, pursuant to this section and section 4358 of the Omnibus Budget Reconciliation Act (OBRA) of 1990 if the commissioner finds that the issuer has satisfied all of the requirements of this regulation.

(4) A Medicare SELECT issuer shall not issue a Medicare SELECT policy or certificate in this state until its plan of operation has been approved by the commissioner.

(5) A Medicare SELECT issuer shall file a proposed plan of operation with the commissioner in a format prescribed by the commissioner. The plan of operation shall contain at least the following information:

(a) Evidence that all covered services that are subject to restricted network provisions are available and accessible through network providers, including a demonstration that:

(i) Such services can be provided by network providers with reasonable promptness with respect to geographic location, hours of operation and after-hour care. The hours of operation and availability of after-hour care shall reflect usual practice in the local area. Geographic availability shall reflect the usual travel times within the community.

(ii) The number of network providers in the service area is sufficient, with respect to current and expected policyholders, either:

(A) To deliver adequately all services that are subject to a restricted network provision; or

(B) To make appropriate referrals.

(iii) There are written agreements with network providers describing specific responsibilities.

(iv) Emergency care is available twenty-four hours per day and seven days per week.

(v) In the case of covered services that are subject to a restricted network provision and are provided on a prepaid basis, there are written agreements with network providers prohibiting such providers from billing or otherwise seeking reimbursement from or recourse against any individual insured under a Medicare SELECT policy or certificate. This paragraph shall not apply to supplemental charges or coinsurance amounts as stated in the Medicare SELECT policy or certificate.

(b) A statement or map providing a clear description of the service area.

(c) A description of the grievance procedure to be utilized.

(d) A description of the quality assurance program, including:
(i) The formal organizational structure;
(ii) The written criteria for selection, retention, and removal of network providers; and
(iii) The procedures for evaluating quality of care provided by network providers, and the process to initiate corrective action when warranted.
(e) A list and description, by specialty, of the network providers.
(f) Copies of the written information proposed to be used by the issuer to comply with subsection 1.
(g) Any other information requested by the commissioner.
(6)(a) A Medicare SELECT issuer shall file any proposed changes to the plan of operation, except for changes to the list of network providers, with the commissioner prior to implementing such changes. Such changes shall be considered approved by the commissioner after thirty days unless specifically disapproved.
(b) An updated list of network providers shall be filed with the commissioner at least quarterly.
(7) A Medicare SELECT policy or certificate shall not restrict payment for covered services provided by nonnetwork providers if:
(a) The services are for symptoms requiring emergency care or are immediately required for an unforeseen illness, injury, or a condition; and
(b) It is not reasonable to obtain such services through a network provider.
(8) A Medicare SELECT policy or certificate shall provide payment for full coverage under the policy for covered services that are not available through network providers.
(9) A Medicare SELECT issuer shall make full and fair disclosure in writing of the provisions, restrictions, and limitations of the Medicare SELECT policy or certificate to each applicant. This disclosure shall include at least the following:
(a) An outline of coverage sufficient to permit the applicant to compare the coverage and premiums of the Medicare SELECT policy or certificate with:
(i) Other Medicare supplement policies or certificates offered by the issuer; and
(ii) Other Medicare SELECT policies or certificates.
(b) A description (including address, phone number, and hours of operation) of the network providers, including primary care physicians, specialty physicians, hospitals, and other providers.
(c) A description of the restricted network provisions, including payments for coinsurance and deductibles when providers other than network providers are utilized.
(d) A description of coverage for emergency and urgently needed care and other out-of-service area coverage.
(e) A description of limitations on referrals to restricted network providers and to other providers.
(f) A description of the policyholder's rights to purchase any other Medicare supplement policy or certificate otherwise offered by the issuer.
(g) A description of the Medicare SELECT issuer's quality assurance program and grievance procedure.
(10) Prior to the sale of a Medicare SELECT policy or certificate, a Medicare SELECT issuer shall obtain from the applicant a signed and dated form stating that the applicant has received the information provided pursuant to subsection I of this section and that the applicant understands the restrictions of the Medicare SELECT policy or certificate.
(11) A Medicare SELECT issuer shall have and use procedures for hearing complaints and resolving written grievances from the subscribers. Such procedures shall be aimed at mutual agreement for settlement and may include arbitration procedures.
(a) The grievance procedure shall be described in the policy and certificates and in the outline of coverage.
(b) At the time the policy or certificate is issued, the issuer shall provide detailed information to the policyholder describing how a grievance may be registered with the issuer.
(c) Grievances shall be considered in a timely manner and shall be transmitted to appropriate decision-makers who have authority to fully investigate the issue and take corrective action.
(d) If a grievance is found to be valid, corrective action shall be taken promptly.
(e) All concerned parties shall be notified about the results of a grievance.
(f) The issuer shall report no later than each March 31st to the commissioner regarding its grievance procedure. The report shall be in a format prescribed by the commissioner and shall contain the number of grievances filed in the past year and a summary of the subject, nature, and resolution of such grievances.
(12) At the time of initial purchase, a Medicare SELECT issuer shall make available to each applicant for a Medicare SELECT policy or certificate the opportunity to purchase any Medicare supplement policy or certificate otherwise offered by the issuer.
(13)(a) At the request of an individual insured under a Medicare SELECT policy or certificate, a Medicare SELECT issuer shall make available to the individual insured the opportunity to purchase a Medicare supplement policy or certificate offered by the issuer which has comparable or lesser benefits and which does not contain a restricted network provision. The issuer shall make such policies or certificates available without requiring evidence of insurability after the Medicare supplement policy or certificate has been in force for six months.
(b) For the purposes of this subsection, a Medicare supplement policy or certificate will be considered to have comparable or lesser benefits unless it contains one or more significant benefits not included in the Medicare SELECT policy or certificate being replaced. For the purposes of this paragraph, a significant benefit means coverage for the Medicare Part A deductible, coverage for prescription drugs, coverage for at-home recovery services, or coverage for Part B excess charges.
(14) Medicare SELECT policies and certificates shall provide for continuation of coverage in the event the Secretary of Health and Human Services determines that Medicare SELECT policies and certificates issued pursuant to this section should be discontinued due to either the failure of the Medicare SELECT program to be reauthorized under law or its substantial amendment.
(a) Each Medicare SELECT issuer shall make available to each individual insured under a Medicare SELECT policy or certificate the opportunity to purchase any Medicare supplement policy or certificate offered by the issuer which has comparable or lesser benefits and which does not contain a restricted network provision. The issuer shall make such policies and certificates available without requiring evidence of insurability.
(b) For the purposes of this subsection, a Medicare supplement policy or certificate will be considered to have comparable or lesser benefits unless it contains one or more significant benefits not included in the Medicare SELECT policy or certificate being replaced. For the purposes of this paragraph, a significant benefit means coverage for the Medicare Part A deductible, coverage for prescription drugs, coverage for at-home recovery services, or coverage for Part B excess charges.
(15) A Medicare SELECT issuer shall comply with reasonable requests for data made by state or federal agencies, including the United States Department of Health and Human Services, for the purpose of evaluating the Medicare SELECT program.

NEW SECTION

WAC 284-66-077 OPEN ENROLLMENT. (1) No issuer shall deny or condition the issuance or effectiveness of any Medicare supplement policy or certificate available for sale in this state, nor discriminate in the pricing of such a policy or certificate because of the health status, claims experience, receipt of health care, or medical condition of an applicant where an application for such policy or certificate is submitted during the six-month period beginning with the first month in which an individual (who is sixty-five years of age or older) first enrolled for benefits under Medicare Part B. Each Medicare supplement policy and certificate currently available from an insurer shall be made available to all applicants who qualify under this subsection without regard to age.
(2) Subsection (1) of this section shall not be construed as preventing the exclusion of benefits under a policy, during the first six months, based on a preexisting condition for which the policyholder or certificateholder received treatment or was otherwise diagnosed during the six months before it became effective.

AMENDATORY SECTION (Amending Order R 90-4, filed 3/20/90, effective 4/20/90)

WAC 284-66-080 OUTLINE OF COVERAGE REQUIRED. (1) ((~~An agent or insurer initiating a sale of an individual or group Medicare supplement insurance policy in this state shall complete and sign a disclosure form, and deliver the completed form to the applicant not later than the time of application for the policy.~~)) Issuers shall

provide an outline of coverage to all applicants at the time an application is presented to the prospective applicant and, except for direct response policies and certificates, shall obtain an acknowledgement of receipt of such outline from the applicant.

(2) The ((~~disclosure form to be used shall be the~~)) "outline of coverage," ((~~and~~)) shall be completed in substantially the form set forth in WAC ((~~284-66-090~~)) 284-66-092. The form of outline of coverage shall be filed with the commissioner prior to use in this state.

(3) If an outline of coverage is provided at the time of application and the Medicare supplement policy or certificate is issued on a basis which would require revision of the outline, a substitute outline of coverage properly describing the policy or certificate must accompany such policy or certificate when it is delivered and contain the following statement, in no less than twelve point type, immediately above the company name: "NOTICE: Read this outline of coverage carefully. It is not identical to the outline of coverage provided upon application and the coverage originally applied for has not been issued."

(4) ((~~Except for direct response insurers, an insurer shall obtain an acknowledgement of receipt of such outline from the applicant.~~)) The outline of coverage provided to applicants pursuant to this section consists of four parts: A cover page, premium information disclosure pages, and charts displaying the features of each benefit plan offered by the issuer. The outline of coverage shall be in the language and format prescribed in WAC 284-66-092 in no less than twelve point type. All plans A-J shall be shown on the cover page, and the plan(s) that are offered by the issuer shall be prominently identified. Premium information for plans that are offered shall be shown on the cover page or immediately following the cover page and shall be prominently displayed. The premium and mode shall be stated for all plans that are offered to the prospective applicant. All possible premiums for the prospective applicant shall be illustrated.

(5) Where inappropriate terms are used, such as "insurance," "policy," or "insurance company," a fraternal benefit society, health care service contractor, or health maintenance organization shall substitute appropriate terminology.

NEW SECTION

WAC 284-66-092 FORM OF "OUTLINE OF COVERAGE." (1) Cover page.

[COMPANY NAME]
Outline of Medicare Supplement Coverage-Cover Page:
Benefit Plan(s)_____[insert letter(s) of plan(s) being offered]

Medicare supplement insurance can be sold in only ten standard plans. This chart shows the benefits included in each plan. Every company must make available Plan "A". Some plans may not be available in your state.

BASIC BENEFITS: Included in All Plans.
Hospitalization: Part A coinsurance plus coverage for 365 additional days after Medicare benefits end.
Medical Expenses: Part B coinsurance (20% of Medicare-approved expenses).
Blood: First three pints of blood each year.

A	B	C	D	E	F	G	H	I	J
Basic Benefits	Basic Benefits	Basic Benefits	Basic Benefits	Basic Benefits	Basic Benefits	Basic Benefits	Basic Benefits	Basic Benefits	Basic Benefits
		Skilled Nursing Co-Insurance	Skilled Nursing Co-Insurance	Skilled Nursing Co-Insurance	Skilled Nursing Co-Insurance	Skilled Nursing Co-Insurance	Skilled Nursing Co-Insurance	Skilled Nursing Co-Insurance	Skilled Nursing Co-Insurance
	Part A Deductible	Part A Deductible	Part A Deductible	Part A Deductible	Part A Deductible	Part A Deductible	Part A Deductible	Part A Deductible	Part A Deductible
		Part B Deductible			Part B Deductible				Part B Deductible
					Part B Excess (100%)	Part B Excess (80%)		Part B Excess (100%)	Part B Excess (100%)
		Foreign Travel Emergency	Foreign Travel Emergency	Foreign Travel Emergency	Foreign Travel Emergency	Foreign Travel Emergency	Foreign Travel Emergency	Foreign Travel Emergency	Foreign Travel Emergency
			At-Home Recovery			At-Home Recovery		At-Home Recovery	At-Home Recovery
							Basic Drugs ($1,250 Limit)	Basic Drugs ($1,250 Limit)	Extended Drugs ($3,000 Limit)
				Preventive Care					Preventive Care

(2) Disclosure page(s):

PREMIUM INFORMATION [Boldface Type]

We [insert issuer's name] can only raise your premium if we raise the premium for all policies like yours in this state.

DISCLOSURES [Boldface Type]

Use this outline to compare benefits and premiums among policies.

READ YOUR POLICY VERY CAREFULLY [Boldface Type]

This is only an outline describing your policy's most important features. The policy is your insurance contract. You must read the policy itself to understand all of the rights and duties of both you and your insurance company.

RIGHT TO RETURN POLICY [Boldface Type]

If you find that you are not satisfied with your policy, you may return it to [insert issuer's address]. If you send the policy back to us within thirty days after you receive it, we will treat the policy as if it had never been issued and return all of your payments.

POLICY REPLACEMENT [Boldface Type]

If you are replacing another health insurance policy, do NOT cancel it until you have actually received your new policy and are sure you want to keep it.

NOTICE [Boldface Type]

This policy may not fully cover all of your medical costs.

[for agents:]

Neither [insert company's name] nor its agents are connected with Medicare.

[for direct response:]

[insert company's name] is not connected with Medicare.

This outline of coverage does not give all the details of Medicare coverage. Contact your local Social Security office or consult "The Medicare Handbook" for more details.

COMPLETE ANSWERS ARE VERY IMPORTANT [Boldface Type]

When your fill out the application for the new policy, be sure to answer truthfully and completely all questions about your medical and health history. The company may cancel your policy and refuse to pay any claims if you leave out or falsify important medical information. [If the policy or certificate is guaranteed issue, this paragraph need not appear.]

Review the application carefully before you sign it. Be certain that all information has been properly recorded.

[Include for each plan prominently identified in the cover page, a chart showing the services, Medicare payments, plan payments and insured payments for each plan, using the same language, in the same order, using uniform layout and format as shown in the charts below. No more than four plans may be shown on one chart. For purposes of illustration, charts for each plan are included in this regulation. An issuer may use additional benefit plan designations on these charts pursuant to Section 9D of this regulation.]

[Include an explanation of any innovative benefits on the cover page and in the chart, in a manner approved by the commissioner.]

(3) Charts displaying the feature of each benefit plan offered by the issuer:

PLAN A

MEDICARE (PART A) - HOSPITAL SERVICES - PER BENEFIT PERIOD

* A benefit period begins on the first day you receive service as an inpatient in a hospital and ends after you have been out of the hospital and have not received skilled care in any other facility for 60 days in a row.

SERVICES	MEDICARE PAYS	PLAN PAYS	YOU PAY
HOSPITALIZATION* Semiprivate room and board, general nursing and miscellaneous services and supplies			
First 60 days	$ 0	$ 0	$628 (Part A Deductible)
61st thru 90th day	All but $157 a day	$ 157 a day	$ 0
91st day and after,			
- While using 60 lifetime reserve days	All but $314 a day	$ 314 a day	$ 0
- Once lifetime reserve days are used:			
- Additional 365 days	$ 0	100% of Medicare Eligible Expenses	$ 0
- Beyond the Additional 365 days	$ 0	$ 0	All Costs
SKILLED NURSING FACILITY CARE* You must meet Medicare's requirements, including having been in a hospital for at least 3 days and entered a Medicare-approved facility within 30 days after leaving the hospital			
First 20 days	All approved amounts	$ 0	$ 0
21st thru 100th day	All but $78.50 a day	$ 0	Up to $78.50 a day
101st day and after	$ 0	$ 0	All Costs
BLOOD			
First 3 pints	$ 0	3 pints	$ 0
Additional amounts	100%	$ 0	$ 0
HOSPICE CARE Available as long as your doctor certifies you are terminally ill and you elect to receive these services	All but very limited co-insurance for outpatient drugs and inpatient respite care	$ 0	Balance

PLAN A

MEDICARE (PART B) - MEDICAL SERVICES - PER CALENDAR YEAR

*Once you have been billed $100 of Medicare-Approved amounts for covered services (which are noted with an asterisk), you Part B Deductible will have been met for the calendar year.

SERVICES	MEDICARE PAYS	PLAN PAYS	YOU PAY
MEDICAL EXPENSES - IN OR OUT OF THE HOSPITAL AND OUTPATIENT HOSPITAL TREATMENT, such as			
Physicians's services, inpatient and outpatient medical and surgical services and supplies, physical and speech therapy, diagnostic tests, durable medical equipment,			
First $100 of Medicare Approved Amounts* (the Part B Deductible)	$ 0	$ 0	$100
Remainder of Medicare Approved Amounts	80%	20%	$ 0
Part B Excess Charges (Above Medicare Approved Amounts)	$ 0	$ 0	All Costs
CLINICAL LABORATORY SERVICES-BLOOD TESTS FOR DIAGNOSTIC SERVICES	100%	$ 0	$ 0

PARTS A & B

HOME HEALTH CARE MEDICARE APPROVED SERVICES			
-Medically necessary skilled care services and medical supplies	100%	$ 0	$ 0
-Durable medical equipment			
First $100 of Medicare Approved Amounts*	$ 0	$ 0	$100 (Part B Deductible)
Remainder	80%	20%	$ 0

PLAN B

MEDICARE (PART A) - HOSPITAL SERVICES - PER BENEFIT PERIOD

* A benefit period begins on the first day you receive service as an inpatient in a hospital and ends after you have been out of the hospital and have not received skilled care in any other facility for 60 days in a row.

SERVICES	MEDICARE PAYS	PLAN PAYS	YOU PAY
HOSPITALIZATION* Semiprivate room and board, general nursing and miscellaneous services and supplies			
First 60 days	$ 0	$ 628 (Part A Deductible)	$ 0
61st thru 90th day	All but $157 a day	$ 157 a day	$ 0
91st day and after,			
- While using 60 lifetime reserve days	All but $314 a day	$ 314 a day	$ 0
- Once lifetime reserve days are used:			
- Additional 365 days	$ 0	100% of Medicare Eligible Expenses	$ 0
- Beyond the Additional 365 days	$ 0	$ 0	All Costs
SKILLED NURSING FACILITY CARE* You must meet Medicare's requirements, including having been in a hospital for at least 3 days and entered a Medicare-approved facility within 30 days after leaving the hospital			
First 20 days	All approved amounts	$ 0	$ 0
21st thru 100th day	All but $78.50 a day	$ 0	Up to $78.50 a day
101st day and after	$ 0	$ 0	All Costs
BLOOD			
First 3 pints	$ 0	3 pints	$ 0
Additional amounts	100%	$ 0	$ 0
HOSPICE CARE Available as long as your doctor certifies you are terminally ill and you elect to receive these services	All but very limited co-insurance for outpatient drugs and inpatient respite care	$ 0	Balance

PLAN B
MEDICARE (PART B) - MEDICAL SERVICES - PER CALENDAR YEAR

*Once you have been billed $100 of Medicare-Approved amounts for covered services (which are noted with an asterisk), you Part B Deductible will have been met for the calendar year.

SERVICES	MEDICARE PAYS	PLAN PAYS	YOU PAY
MEDICAL EXPENSES - IN OR OUT OF THE HOSPITAL AND OUTPATIENT HOSPITAL TREATMENT, such as			
Physicians's services, inpatient and outpatient medical and surgical services and supplies, physical and speech therapy, diagnostic tests, durable medical equipment,			
First $100 of Medicare Approved Amounts* (the Part B Deductible)	$ 0	$ 0	$100
Remainder of Medicare Approved Amounts	80%	20%	$ 0
Part B Excess Charges (Above Medicare Approved Amounts)	$ 0	$ 0	All Costs
CLINICAL LABORATORY SERVICES-BLOOD TESTS FOR DIAGNOSTIC SERVICES	100%	$ 0	$ 0

PARTS A & B

HOME HEALTH CARE			
MEDICARE APPROVED SERVICES			
-Medically necessary skilled care services and medical supplies	100%	$ 0	$ 0
-Durable medical equipment			
First $100 of Medicare Approved Amounts*	$ 0	$ 0	$100 (Part B Deductible)
Remainder	80%	20%	$ 0

PLAN C

MEDICARE (PART A) - HOSPITAL SERVICES - PER BENEFIT PERIOD

* A benefit period begins on the first day you receive service as an inpatient in a hospital and ends after you have been out of the hospital and have not received skilled care in any other facility for 60 days in a row.

SERVICES	MEDICARE PAYS	PLAN PAYS	YOU PAY
HOSPITALIZATION* Semiprivate room and board, general nursing and miscellaneous services and supplies			
First 60 days	$ 0	$ 628 (Part A Deductible)	$ 0
61st thru 90th day	All but $157 a day	$ 157 a day	$ 0
91st day and after,			
- While using 60 lifetime reserve days	All but $314 a day	$ 314 a day	$ 0
- Once lifetime reserve days are used:			
- Additional 365 days	$ 0	100% of Medicare Eligible Expenses	$ 0
- Beyond the Additional 365 days	$ 0	$ 0	All Costs
SKILLED NURSING FACILITY CARE* You must meet Medicare's requirements, including having been in a hospital for at least 3 days and entered a Medicare-approved facility within 30 days after leaving the hospital			
First 20 days	All approved amounts	$ 0	$ 0
21st thru 100th day	All but $78.50 a day	Up to $78.50 a day	$ 0
101st day and after	$ 0	$ 0	All Costs
BLOOD			
First 3 pints	$ 0	3 pints	$ 0
Additional amounts	100%	$ 0	$ 0
HOSPICE CARE Available as long as your doctor certifies you are terminally ill and you elect to receive these services	All but very limited co-insurance for outpatient drugs and inpatient respite care	$ 0	Balance

PLAN C
MEDICARE (PART B) - MEDICAL SERVICES - PER CALENDAR YEAR

*Once you have been billed $100 of Medicare-Approved amounts for covered services (which are noted with an asterisk), you Part B Deductible will have been met for the calendar year.

SERVICES	MEDICARE PAYS	PLAN PAYS	YOU PAY
MEDICAL EXPENSES - IN OR OUT OF THE HOSPITAL AND OUTPATIENT HOSPITAL TREATMENT, such as Physicians's services, inpatient and outpatient medical and surgical services and supplies, physical and speech therapy, diagnostic tests, durable medical equipment, First $100 of Medicare Approved Amounts* (the Part B Deductible) Remainder of Medicare Approved Amounts Part B Excess Charges (Above Medicare Approved Amounts)	$ 0 80% $ 0	$ 0 20% $ 0	$100 $ 0 All Costs
CLINICAL LABORATORY SERVICES-BLOOD TESTS FOR DIAGNOSTIC SERVICES	100%	$ 0	$ 0

PARTS A & B

HOME HEALTH CARE MEDICARE APPROVED SERVICES -Medically necessary skilled care services and medical supplies -Durable medical equipment First $100 of Medicare Approved Amounts* Remainder	100% $ 0 80%	$ 0 $100 (Part B Deductible) 20%	$ 0 $ 0 $ 0

OTHER BENEFITS

FOREIGN TRAVEL-NOT COVERED BY MEDICARE Medically necessary emergency care service during the first 60 days of each trip outside the USA First $250 each calendar year Remainder of Charges	$ 0 $ 0	$ 0 80% to a lifetime maximum benefit of $50,000	$250 20% and amounts over the $50,000 lifetime maximum

PLAN D

MEDICARE (PART A) - HOSPITAL SERVICES - PER BENEFIT PERIOD

* A benefit period begins on the first day you receive service as an inpatient in a hospital and ends after you have been out of the hospital and have not received skilled care in any other facility for 60 days in a row.

SERVICES	MEDICARE PAYS	PLAN PAYS	YOU PAY
HOSPITALIZATION* Semiprivate room and board, general nursing and miscellaneous services and supplies First 60 days 61st thru 90th day 91st day and after, - While using 60 lifetime reserve days - Once lifetime reserve days are used: - Additional 365 days - Beyond the Additional 365 days	$ 0 All but $157 a day All but $314 a day $ 0 $ 0	$ 628 (Part A Deductible) $ 157 a day $ 314 a day 100% of Medicare Eligible Expenses $ 0	$ 0 $ 0 $ 0 $ 0 All Costs
SKILLED NURSING FACILITY CARE* You must meet Medicare's requirements, including having been in a hospital for at least 3 days and entered a Medicare-approved facility within 30 days after leaving the hospital First 20 days 21st thru 100th day 101st day and after	All approved amounts All but $78.50 a day $ 0	$ 0 Up to $78.50 a day $ 0	$ 0 $ 0 All Costs
BLOOD First 3 pints Additional amounts	$ 0 100%	3 pints $ 0	$ 0 $ 0
HOSPICE CARE Available as long as your doctor certifies you are terminally ill and you elect to receive these services	All but very limited co-insurance for outpatient drugs and inpatient respite care	$ 0	Balance

PLAN D
MEDICARE (PART B) - MEDICAL SERVICES - PER CALENDAR YEAR

*Once you have been billed $100 of Medicare-Approved amounts for covered services (which are noted with an asterisk), you Part B Deductible will have been met for the calendar year.

SERVICES	MEDICARE PAYS	PLAN PAYS	YOU PAY
MEDICAL EXPENSES - IN OR OUT OF THE HOSPITAL AND OUTPATIENT HOSPITAL TREATMENT, such as			
Physicians's services, inpatient and outpatient medical and surgical services and supplies, physical and speech therapy, diagnostic tests, durable medical equipment,			
First $100 of Medicare Approved Amounts* (the Part B Deductible)	$ 0	$ 0	$100
Remainder of Medicare Approved Amounts	80%	20%	$ 0
Part B Excess Charges (Above Medicare Approved Amounts)	$ 0	$ 0	All Costs
CLINICAL LABORATORY SERVICES-BLOOD TESTS FOR DIAGNOSTIC SERVICES	100%	$ 0	$ 0

PARTS A & B

HOME HEALTH CARE			
MEDICARE APPROVED SERVICES			
-Medically necessary skilled care services and medical supplies	100%	$ 0	$ 0
-Durable medical equipment			
First $100 of Medicare Approved Amounts*	$ 0	$ 0	$100 (Part B Deductible)
Remainder	80%	20%	$ 0
AT-HOME RECOVERY SERVICES-NOT COVERED BY MEDICARE			
Home care certified by your doctor, for personal care during recovery from an injury or sickness for which Medicare approved a Home Care Treatment Plan			
- Benefit for each visit	$ 0	Actual Charges to $40 a visit	Balance
- Number of visits covered (must be received within 8 weeks of last Medicare Approved visit)	$ 0	Up to the number of Medicare Approved visits, not to exceed 7 each week	
- Calendar year maximum	$ 0	$1,600	

OTHER BENEFITS

FOREIGN TRAVEL-NOT COVERED BY MEDICARE			
Medically necessary emergency care service during the first 60 days of each trip outside the USA			
First $250 each calendar year	$ 0	$ 0	$250
Remainder of Charges	$ 0	80% to a lifetime maximum benefit of $50,000	20% and amounts over the $50,000 lifetime maximum

PLAN E

MEDICARE (PART A) - HOSPITAL SERVICES - PER BENEFIT PERIOD

* A benefit period begins on the first day you receive service as an inpatient in a hospital and ends after you have been out of the hospital and have not received skilled care in any other facility for 60 days in a row.

SERVICES	MEDICARE PAYS	PLAN PAYS	YOU PAY
HOSPITALIZATION*			
Semiprivate room and board, general nursing and miscellaneous services and supplies			
First 60 days	$ 0	$ 628 (Part A Deductible)	$ 0
61st thru 90th day	All but $157 a day	$ 157 a day	$ 0
91st day and after,			
- While using 60 lifetime reserve days	All but $314 a day	$ 314 a day	$ 0
- Once lifetime reserve days are used:			
- Additional 365 days	$ 0	100% of Medicare Eligible Expenses	$ 0
- Beyond the Additional 365 days	$ 0	$ 0	All Costs
SKILLED NURSING FACILITY CARE*			
You must meet Medicare's requirements, including having been in a hospital for at least 3 days and entered a Medicare-approved facility within 30 days after leaving the hospital			
First 20 days	All approved amounts	$ 0	$ 0
21st thru 100th day	All but $78.50 a day	Up to $78.50 a day	$ 0
101st day and after	$ 0	$ 0	All Costs
BLOOD			
First 3 pints	$ 0	3 pints	$ 0
Additional amounts	100%	$ 0	$ 0
HOSPICE CARE			
Available as long as your doctor certifies you are terminally ill and you elect to receive these services	All but very limited co-insurance for outpatient drugs and inpatient respite care	$ 0	Balance

PLAN E

MEDICARE (PART B) - MEDICAL SERVICES - PER CALENDAR YEAR

*Once you have been billed $100 of Medicare-Approved amounts for covered services (which are noted with an asterisk), you Part B Deductible will have been met for the calendar year.

SERVICES	MEDICARE PAYS	PLAN PAYS	YOU PAY
MEDICAL EXPENSES - IN OR OUT OF THE HOSPITAL AND OUTPATIENT HOSPITAL TREATMENT, such as Physicians's services, inpatient and outpatient medical and surgical services and supplies, physical and speech therapy, diagnostic tests, durable medical equipment, First $100 of Medicare Approved Amounts* (the Part B Deductible) Remainder of Medicare Approved Amounts Part B Excess Charges (Above Medicare Approved Amounts)	 $ 0 80% $ 0	 $ 0 20% $ 0	 $100 $ 0 All Costs
CLINICAL LABORATORY SERVICES-BLOOD TESTS FOR DIAGNOSTIC SERVICES	100%	$ 0	$ 0

PARTS A & B

HOME HEALTH CARE MEDICARE APPROVED SERVICES -Medically necessary skilled care services and medical supplies -Durable medical equipment First $100 of Medicare Approved Amounts* Remainder	 100% $ 0 80%	 $ 0 $ 0 20%	 $ 0 $100 (Part B Deductible) $ 0

OTHER BENEFITS

PREVENTIVE MEDICAL CARE BENEFIT-NOT COVERED BY MEDICARE Annual physical and preventive tests and services, such as: fecal occult blood test, digital rectal exam, mammogram, hearing screening, dipstick urinalysis, diabetes screening, thyroid function test, influenza shot, tetanus and diphtheria booster and education administered or ordered by your doctor when not covered by Medicare First $120 each calendar year Additional charges	 $ 0 $ 0	 $120 $ 0	 $ 0 All Costs
FOREIGN TRAVEL-NOT COVERED BY MEDICARE Medically necessary emergency care service during the first 60 days of each trip outside the USA First $250 each calendar year Remainder of Charges	 $ 0 $ 0	 $ 0 80% to a lifetime maximum benefit of $50,000	 $250 20% and amounts over the $50,000 lifetime maximum

PLAN F

MEDICARE (PART A) - HOSPITAL SERVICES - PER BENEFIT PERIOD

* A benefit period begins on the first day you receive service as an inpatient in a hospital and ends after you have been out of the hospital and have not received skilled care in any other facility for 60 days in a row.

SERVICES	MEDICARE PAYS	PLAN PAYS	YOU PAY
HOSPITALIZATION* Semiprivate room and board, general nursing and miscellaneous services and supplies First 60 days 61st thru 90th day 91st day and after, - While using 60 lifetime reserve days - Once lifetime reserve days are used: - Additional 365 days - Beyond the Additional 365 days	 $ 0 All but $157 a day All but $314 a day $ 0 $ 0	 $ 628 (Part A Deductible) $ 157 a day $ 314 a day 100% of Medicare Eligible Expenses $ 0	 $ 0 $ 0 $ 0 $ 0 All Costs
SKILLED NURSING FACILITY CARE* You must meet Medicare's requirements, including having been in a hospital for at least 3 days and entered a Medicare-approved facility within 30 days after leaving the hospital First 20 days 21st thru 100th day 101st day and after	 All approved amounts All but $78.50 a day $ 0	 $ 0 Up to $78.50 a day $ 0	 $ 0 $ 0 All Costs
BLOOD First 3 pints Additional amounts	$ 0 100%	3 pints $ 0	$ 0 $ 0
HOSPICE CARE Available as long as your doctor certifies you are terminally ill and you elect to receive these services	All but very limited co-insurance for outpatient drugs and inpatient respite care	$ 0	Balance

PLAN F

MEDICARE (PART B) - MEDICAL SERVICES - PER CALENDAR YEAR

*Once you have been billed $100 of Medicare-Approved amounts for covered services (which are noted with an asterisk), you Part B Deductible will have been met for the calendar year.

SERVICES	MEDICARE PAYS	PLAN PAYS	YOU PAY
MEDICAL EXPENSES - IN OR OUT OF THE HOSPITAL AND OUTPATIENT HOSPITAL TREATMENT, such as Physicians's services, inpatient and outpatient medical and surgical services and supplies, physical and speech therapy, diagnostic tests, durable medical equipment, First $100 of Medicare Approved Amounts* (the Part B Deductible) Remainder of Medicare Approved Amounts Part B Excess Charges (Above Medicare Approved Amounts)	 $ 0 80% $ 0	 $ 0 20% 100%	 $ 0 $ 0 $ 0
CLINICAL LABORATORY SERVICES-BLOOD TESTS FOR DIAGNOSTIC SERVICES	100%	$ 0	$ 0

PARTS A & B

HOME HEALTH CARE MEDICARE APPROVED SERVICES -Medically necessary skilled care services and medical supplies -Durable medical equipment First $100 of Medicare Approved Amounts* Remainder	 100% $ 0 80%	 $ 0 $100 (Part B Deductible) 20%	 $ 0 $ 0 $ 0

OTHER BENEFITS

FOREIGN TRAVEL-NOT COVERED BY MEDICARE Medically necessary emergency care service during the first 60 days of each trip outside the USA First $250 each calendar year Remainder of Charges	 $ 0 $ 0	 $ 0 80% to a lifetime maximum benefit of $50,000	 $250 20% and amounts over the $50,000 lifetime maximum

PLAN G

MEDICARE (PART A) - HOSPITAL SERVICES - PER BENEFIT PERIOD

* A benefit period begins on the first day you receive service as an inpatient in a hospital and ends after you have been out of the hospital and have not received skilled care in any other facility for 60 days in a row.

SERVICES	MEDICARE PAYS	PLAN PAYS	YOU PAY
HOSPITALIZATION* Semiprivate room and board, general nursing and miscellaneous services and supplies First 60 days 61st thru 90th day 91st day and after, - While using 60 lifetime reserve days - Once lifetime reserve days are used: - Additional 365 days - Beyond the Additional 365 days	 $ 0 All but $157 a day All but $314 a day $ 0 $ 0	 $ 628 (Part A Deductible) $ 157 a day $ 314 a day 100% of Medicare Eligible Expenses $ 0	 $ 0 $ 0 $ 0 $ 0 All Costs
SKILLED NURSING FACILITY CARE* You must meet Medicare's requirements, including having been in a hospital for at least 3 days and entered a Medicare-approved facility within 30 days after leaving the hospital First 20 days 21st thru 100th day 101st day and after	 All approved amounts All but $78.50 a day $ 0	 $ 0 Up to $78.50 a day $ 0	 $ 0 $ 0 All Costs
BLOOD First 3 pints Additional amounts	$ 0 100%	3 pints $ 0	$ 0 $ 0
HOSPICE CARE Available as long as your doctor certifies you are terminally ill and you elect to receive these services	All but very limited co-insurance for outpatient drugs and inpatient respite care	$ 0	Balance

PLAN G
MEDICARE (PART B) - MEDICAL SERVICES - PER CALENDAR YEAR

*Once you have been billed $100 of Medicare-Approved amounts for covered services (which are noted with an asterisk), you Part B Deductible will have been met for the calendar year.

SERVICES	MEDICARE PAYS	PLAN PAYS	YOU PAY
MEDICAL EXPENSES - IN OR OUT OF THE HOSPITAL AND OUTPATIENT HOSPITAL TREATMENT, such as Physicians's services, inpatient and outpatient medical and surgical services and supplies, physical and speech therapy, diagnostic tests, durable medical equipment, First $100 of Medicare Approved Amounts* (the Part B Deductible) Remainder of Medicare Approved Amounts Part B Excess Charges (Above Medicare Approved Amounts)	$ 0 80% $ 0	$ 0 20% 80%	$100 $ 0 20%
CLINICAL LABORATORY SERVICES-BLOOD TESTS FOR DIAGNOSTIC SERVICES	100%	$ 0	$ 0

PARTS A & B

HOME HEALTH CARE MEDICARE APPROVED SERVICES -Medically necessary skilled care services and medical supplies -Durable medical equipment First $100 of Medicare Approved Amounts* Remainder AT-HOME RECOVERY SERVICES-NOT COVERED BY MEDICARE Home care certified by your doctor, for personal care during recovery from an injury or sickness for which Medicare approved a Home Care Treatment Plan - Benefit for each visit - Number of visits covered (must be received within 8 weeks of last Medicare Approved visit) - Calendar year maximum	 100% $ 0 80% $ 0 $ 0 $ 0	 $ 0 $ 0 20% Actual Charges to $40 a visit Up to the number of Medicare Approved visits, not to exceed 7 each week $1,600	 $ 0 $100 (Part B Deductible) $ 0 Balance

OTHER BENEFITS

FOREIGN TRAVEL-NOT COVERED BY MEDICARE Medically necessary emergency care service during the first 60 days of each trip outside the USA First $250 each calendar year Remainder of Charges	 $ 0 $ 0	 $ 0 80% to a lifetime maximum benefit of $50,000	 $250 20% and amounts over the $50,000 lifetime maximum

PLAN H

MEDICARE (PART A) - HOSPITAL SERVICES - PER BENEFIT PERIOD

* A benefit period begins on the first day you receive service as an inpatient in a hospital and ends after you have been out of the hospital and have not received skilled care in any other facility for 60 days in a row.

SERVICES	MEDICARE PAYS	PLAN PAYS	YOU PAY
HOSPITALIZATION* Semiprivate room and board, general nursing and miscellaneous services and supplies First 60 days 61st thru 90th day 91st day and after, - While using 60 lifetime reserve days - Once lifetime reserve days are used: - Additional 365 days - Beyond the Additional 365 days	 $ 0 All but $157 a day All but $314 a day $ 0 $ 0	 $ 628 (Part A Deductible) $ 157 a day $ 314 a day 100% of Medicare Eligible Expenses $ 0	 $ 0 $ 0 $ 0 $ 0 All Costs
SKILLED NURSING FACILITY CARE* You must meet Medicare's requirements, including having been in a hospital for at least 3 days and entered a Medicare-approved facility within 30 days after leaving the hospital First 20 days 21st thru 100th day 101st day and after	 All approved amounts All but $78.50 a day $ 0	 $ 0 Up to $78.50 a day $ 0	 $ 0 $ 0 All Costs
BLOOD First 3 pints Additional amounts	$ 0 100%	3 pints $ 0	$ 0 $ 0
HOSPICE CARE Available as long as your doctor certifies you are terminally ill and you elect to receive these services	All but very limited co-insurance for outpatient drugs and inpatient respite care	$ 0	Balance

PLAN H

MEDICARE (PART B) - MEDICAL SERVICES - PER CALENDAR YEAR

*Once you have been billed $100 of Medicare-Approved amounts for covered services (which are noted with an asterisk), you Part B Deductible will have been met for the calendar year.

SERVICES	MEDICARE PAYS	PLAN PAYS	YOU PAY
MEDICAL EXPENSES - IN OR OUT OF THE HOSPITAL AND OUTPATIENT HOSPITAL TREATMENT, such as Physicians's services, inpatient and outpatient medical and surgical services and supplies, physical and speech therapy, diagnostic tests, durable medical equipment, First $100 of Medicare Approved Amounts* (the Part B Deductible) Remainder of Medicare Approved Amounts Part B Excess Charges (Above Medicare Approved Amounts)	 $ 0 80% $ 0	 $ 0 20% $ 0	 $100 $ 0 All Costs
CLINICAL LABORATORY SERVICES-BLOOD TESTS FOR DIAGNOSTIC SERVICES	100%	$ 0	$ 0

PARTS A & B

HOME HEALTH CARE MEDICARE APPROVED SERVICES -Medically necessary skilled care services and medical supplies -Durable medical equipment First $100 of Medicare Approved Amounts* Remainder	 100% $ 0 80%	 $ 0 $ 0 20%	 $ 0 $100 (Part B Deductible) $ 0

OTHER BENEFITS

BASIC OUTPATIENT PRESCRIPTION DRUGS-NOT COVERED BY MEDICARE First $250 each calendar year Next $2,500 each calendar year Over $2,500 each calendar year	 $ 0 $ 0 $ 0	 $ 0 50% - $1,250 calendar year maximum benefit $ 0	 $250 50% All Costs
FOREIGN TRAVEL-NOT COVERED BY MEDICARE Medically necessary emergency care service during the first 60 days of each trip outside the USA First $250 each calendar year Remainder of Charges	 $ 0 $ 0	 $ 0 80% to a lifetime maximum benefit of $50,000	 $250 20% and amounts over the $50,000 lifetime maximum

PLAN I

MEDICARE (PART A) - HOSPITAL SERVICES - PER BENEFIT PERIOD

*A benefit period begins on the first day you receive service as an inpatient in a hospital and ends after you have been out of the hospital and have not received skilled care in any other facility for 60 days in a row.

SERVICES	MEDICARE PLAN	PLAN PAYS	YOU PAY
HOSPITALIZATION* Semiprivate room and board, general nursing and miscellaneous services and supplies First 60 days 61st thru 90th day 91st day and after: -While using 60 lifetime reserve days -Once lifetime reserve days are used: -Additional 365 days -Beyond the Additional 365 days	 $ 0 All but $157 a day All but $314 a day $ 0 $ 0	 $628 (Part A Deductible) $157 a day $314 a day 100% of Medicare Eligible Expenses $ 0	 $ 0 $ 0 $ 0 $ 0 All Costs
SKILLED NURSING FACILITY CARE* You must meet Medicare's requirements, including having been in a hospital for at least 3 days and entered a Medicare-approved facility within 30 days after leaving the hospital First 20 days 21st thru 100th day 101st day and after	 All approved amounts All but $78.50 a day $ 0	 $ 0 Up to $78.50 a day $ 0	 $ 0 $ 0 All Costs
BLOOD First 3 pints Additional amounts	 $ 0 100%	 3 pints $ 0	 $ 0 $ 0
HOSPICE CARE Available as long as your doctor certifies you are terminally ill land you elect to receive these services	All but very limited coinsurance for out-patient drugs and inpatient respite care	$ 0	Balance

PLAN I
MEDICARE (PART B) - MEDICAL SERVICES - PER CALENDAR YEAR

*Once you have been billed $100 of Medicare-Approved amounts for covered services (which are noted with an asterisk), you Part B Deductible will have been met for the calendar year.

SERVICES	MEDICARE PAYS	PLAN PAYS	YOU PAY
MEDICAL EXPENSES - IN OR OUT OF THE HOSPITAL AND OUTPATIENT HOSPITAL TREATMENT, such as			
Physicians's services, inpatient and outpatient medical and surgical services and supplies, physical and speech therapy, diagnostic tests, durable medical equipment,			
First $100 of Medicare Approved Amounts* (the Part B Deductible)	$ 0	$ 0	$100
Remainder of Medicare Approved Amounts	80%	20%	$ 0
Part B Excess Charges (Above Medicare Approved Amounts)	$ 0	100%	$ 0
CLINICAL LABORATORY SERVICES-BLOOD TESTS FOR DIAGNOSTIC SERVICES	100%	$ 0	$ 0

PARTS A & B

HOME HEALTH CARE			
MEDICARE APPROVED SERVICES			
-Medically necessary skilled care services and medical supplies	100%	$ 0	$ 0
-Durable medical equipment			
First $100 of Medicare Approved Amounts*	$ 0	$ 0	$100 (Part B Deductible)
Remainder	80%	20%	$ 0
AT-HOME RECOVERY SERVICES-NOT COVERED BY MEDICARE			
Home care certified by your doctor, for personal care during recovery from an injury or sickness for which Medicare approved a Home Care Treatment Plan			
- Benefit for each visit	$ 0	Actual Charges to $40 a visit	Balance
- Number of visits covered (must be received within 8 weeks of last Medicare Approved visit)	$ 0	Up to the number of Medicare Approved visits, not to exceed 7 each week	
- Calendar year maximum	$ 0	$1,600	

PLAN I

OTHER BENEFITS

BASIC OUTPATIENT PRESCRIPTION DRUGS-NOT COVERED BY MEDICARE			
First $250 each calendar year	$ 0	$ 0	$250
Next $2,500 each calendar year	$ 0	50% - $1,250 calendar year maximum benefit	50%
Over $2,500 each calendar year	$ 0	$ 0	All Costs
FOREIGN TRAVEL-NOT COVERED BY MEDICARE Medically necessary emergency care services during the first 60 days of each trip outside the USA			
First $250 each calendar year	$ 0	$ 0	$250
Remainder of Charges	$ 0	80% to a life time maximum benefit of $50,000	20% and amounts over the $50,000 lifetime maximum

PLAN J

MEDICARE (PART A) - HOSPITAL SERVICES - PER BENEFIT PERIOD

*A benefit period begins on the first day you receive service as an inpatient in a hospital and ends adter you have been out of the hospital and have not received skilled care in any other facility for 60 days in a row.

SERVICES	MEDICARE PAYS	PLAN PAYS	YOU PAY
HOSPITALIZATION*			
Semiprivate room and board,			
general nursing and miscellaneous			
services and supplies			
First 60 days	$ 0	$628 (Part A Deductible)	$ 0
61st thru 90th day	All but $157 a day	$157 a day	$ 0
91st day and after:			
-While using 60 lifetime reserve days	All but $314 a day	$314 a day	$0
-Once lifetime reserves days are used:			
-Additional 365 days	$ 0	100% of Medicare Eligible Expenses	$ 0
-Beyond the additional 365 days	$ 0	$ 0	All Costs
SKILLED NURSING FACILITY CARE*			
You must meet Medicare's requirements, including having been in a hospital for at least 3 days and entered a Medicare-approved facility within 30 days after leaving the hospital			
First 20 days	All approved amounts	$ 0	$ 0
21st thru 100th day	All but $78.50 a day	Up to $78.50 a day	$ 0
101st day and after	$ 0	$ 0	All Costs
BLOOD			
First 3 pints	$ 0	3 pints	$ 0
Additional amounts	100%	$ 0	$ 0
HOSPICE CARE			
Available as long as your doctor certifies you are terminally ill and you elect to receive these services	All but very limited coinsurance for out-patient drugs and inpatient respite care	$ 0	Balance

PLAN J

MEDICARE (PART B) - MEDICAL SERVICES - PER CALENDAR YEAR

*Once you have been billed $100 of Medicare-Approved amounts for covered services (which are noted with an asterisk), your Part B Deductible will have been met for the calendar year.

SERVICES	MEDICARE PAYS	PLAN PAYS	YOU PAY
MEDICAL EXPENSES-IN OR OUT OF THE HOSPITAL AND OUTPATIENT HOSPITAL TREATMENT, such as			
Physician's services, inpatient and outpatient medical and surgical services and supplies, physical and speech therapy, diagnostic tests, durable medical equipment,			
First $100 of Medicare Approved Amounts* (the Part B Deductible)	$ 0	$100	$ 0
Remainder of Medicare Approved Amounts	80%	20%	$ 0
Part B Excess Charges (Above Medicare Approved Amounts)	$ 0	100%	$ 0
CLINICAL LABORATORY SERVICES-BLOOD TESTS FOR DIAGNOSTIC SERVICES	100%	$ 0	$ 0

PARTS A & B

HOME HEALTH CARE			
MEDICARE APPROVED SERVICES			
-Medically necessary skilled care services and medical supplies	100%	$ 0	$ 0
-Durable medical equipment			
First $100 of Medicare Approved Amounts*	$ 0	$100 (Part B Deductible)	$ 0
Remainder	80%	20%	
AT-HOME RECOVERY SERVICES-NOT COVERED BY MEDICARE			
Home care certified by your doctor, for personal care during recovery from an injury or sickness for which Medicare approved a Home Care Treatment Plan			
-Benefit for each visit	$ 0	Actual Charges to $40 a visit	Balance
-Number of visits covered (must be received within 8 weeks of last Medicare Approved visit)	$ 0	Up to the number of Medicare Approved visits, not to exceed 7 each week	
-Calendar year maximum	$ 0	$1,600	

PLAN J

OTHER BENEFITS

EXTENDED OUTPATIENT PRESCRIPTION DRUGS-NOT COVERED BY MEDICARE			
First $250 each calendar year	$ 0	$ 0	$250
Next $6,000 each calendar year	$ 0	50%-$3,000 calendar year maximum benefit	50%
Over $6,000 each calendar year	$ 0	$ 0	All Costs
PREVENTIVE MEDICAL CARE BENEFIT-NOT COVERED BY MEDICARE Annual physical and preventive tests and services, such as: fecal occult blood test, digital rectal exam, mammogram, hearing screening, dipstick urinalysis, diabetes screening, thyroid function test, influenza shot, tetanus and diptheria booster and education administered or ordered by your doctor when not covered by Medicare			
First $120 each calendar year	$ 0	$ 120	$ 0
Additional charges	$ 0	$ 0	All Costs
FOREIGN TRAVEL-NOT COVERED BY MEDICARE Medically necessary emergency care services during the first 60 days of each trip outside the USA			
First $250 each calendar year	$ 0	$ 0	$250
Remainder of Charges	$ 0	80% to a lifetime maximum benefit of $50,000	20% and amounts over the $50,000 lifetime maximum

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

AMENDATORY SECTION (Amending Order R 90-4, filed 3/20/90, effective 4/20/90)

WAC 284-66-110 BUYER'S GUIDE. (1) ((~~Insurers issuing~~)) Issuers of disability insurance policies or certificates that provide hospital or medical expense coverage on an expense incurred or indemnity basis, other than incidentally, to persons eligible for Medicare by reason of age must provide to all such applicants a Medicare supplement "Buyer's Guide."

(2) The "Buyer's Guide" required to be provided is the pamphlet "Guide to Health Insurance for People with Medicare," developed jointly by the National Association of Insurance Commissioners and Health Care Financing Administration, or any reproduction or official revision of that pamphlet. The guide shall be printed in a style and with a type character that is easily read by an average person eligible for Medicare supplement insurance and in no case may the type size be smaller than 12-point type. (Specimen copies may be obtained from the Superintendent of Documents, United States Government Printing Office, Washington, D.C.)

(3) Delivery of the "Buyer's Guide" must be made whether or not such policies or certificates are advertised, solicited, or issued as Medicare supplement insurance policies or certificates.

(4) Except in the case of a direct response ((~~insurer~~)) issuers, delivery of the "Buyer's Guide" must be made to the applicant at the time of application and acknowledgement of receipt of the "Buyer's Guide" must be obtained by the ((~~insurer~~)) issuer. Direct response ((~~insurers~~)) issuers must deliver the "Buyer's Guide" to the applicant upon request but not later than at the time the policy is delivered.

AMENDATORY SECTION (Amending Order R 90-4, filed 3/20/90, effective 4/20/90)

WAC 284-66-120 NOTICE REGARDING POLICIES WHICH ARE NOT MEDICARE SUPPLEMENT POLICIES. Any disability insurance policy or certificate (other than a Medicare supplement policy or certificate or a policy issued pursuant to a contract under Section 1876 or 1833 of the Social Security Act (42 U.S.C. Section 1395 et seq.), disability income protection policy, basic or comprehensive or major medical expense policy, or other policy identified in RCW 48.66.020(1), whether issued on an individual or group basis, which policy purports to provide coverage to residents of this state eligible for Medicare by reason of age, shall notify policyholders or certificate holders that the policy is not a Medicare supplement insurance policy or certificate. Such notice shall be printed or attached to the first page of the outline of coverage or equivalent disclosure form, and shall be delivered to the policyholder or certificateholder. If no outline of coverage is delivered, the notice shall be attached to the first page of the policy or certificate delivered to insureds. Such notice shall be in no less than twelve point type and shall contain the following language: "This (policy, certificate or subscriber contract) is not a Medicare supplement (policy, certificate or subscriber contract). If you are eligible for Medicare, review the Medicare supplement Buyer's Guide available from the company."

AMENDATORY SECTION (Amending Order R 90-4, filed 3/20/90, effective 4/20/90)

WAC 284-66-130 REQUIREMENTS FOR APPLICATION FORMS AND REPLACEMENT OF MEDICARE SUPPLEMENT INSURANCE COVERAGE. (1) Application forms shall include the following questions designed to elicit information as to whether, as of the date of the application, the applicant has another Medicare supplement insurance or other disability policy or certificate in force or whether a Medicare supplement insurance policy or certificate is intended to replace any other policy or certificate of a health care service contractor, health maintenance organization, disability insurer, or fraternal benefit society presently in force. A supplementary application or other form to be signed by the applicant and agent containing such questions and statements, may be used: PROVIDED, HOWEVER, That where the coverage is sold without an agent, the supplementary application shall be signed by the applicant.

((~~(a) "Do you have another Medicare supplement insurance policy or certificate in force (including coverage provided under risk sharing or reasonable cost basis contracts)?"~~

~~(b) "Did you have another Medicare supplement policy or certificate in force during the last twelve months?"~~

~~(i) "If so, with which company?"~~

~~(ii) "If that policy lapsed, when did it lapse?"~~

~~(c) "Are you covered by Medicaid?"~~

~~(d) "Do you intend to replace any of your medical or health insurance coverage with this (policy, certificate or subscriber contract)?"~~))

[Statement]

(1) You do not need more than one Medicare supplement policy.

(2) If you are sixty-five or older, you may be eligible for benefits under Medicaid and may not need a Medicare supplement policy.

(3) The benefits and premiums under your Medicare supplement policy will be suspended during your entitlement to benefits under Medicaid for twenty-four months. You must request this suspension within ninety days of becoming eligible for Medicaid. If you are no longer entitled to Medicaid, your policy will be reinstituted if requested within ninety days of losing Medicaid eligibility.

(4) Counseling services may be available in your state to provide advice concerning your purchase of Medicare supplement insurance and concerning Medicaid.

[Questions]

To the best of your knowledge.

(1) Do you have another Medicare supplement policy or certificate in force (including health care service contract, health maintenance organization contract)?

(a) If so, with which company?

(2) Do you have any other health insurance policies that provide benefits which this Medicare supplement policy would duplicate?

(a) If so, with which company?

(b) What kind of policy?

(3) If the answer to question 1 or 2 is yes, do you intend to replace these medical or health policies with this policy [certificate]?

(4) Are you covered by Medicaid?

(2) Agents shall list any other medical or health insurance policies sold to the applicant.

(a) List policies sold which are still in force.

(b) List policies sold in the past five years which are no longer in force.

(3) In the case of a direct response issuer, a copy of the application or supplemental form, signed by the applicant, and acknowledged by the insurer, shall be returned to the applicant by the insurer upon delivery of the policy.

(4) Upon determining that a sale will involve replacement of Medicare Supplement Coverage, an ((~~insurer~~)) issuer, other than a direct response ((~~insurer~~)) issuer, or its agent, shall furnish the applicant, prior to issuance or delivery of the Medicare supplement insurance policy or certificate, a notice regarding replacement of Medicare supplement insurance coverage. One copy of such notice, signed by the applicant and the agent (except where the coverage is sold without an agent), shall be provided to the applicant and an additional signed copy shall be retained by the ((~~insurer~~)) issuer. A direct response ((~~insurer~~)) issuer shall deliver to the applicant at the time of the issuance of the policy the notice regarding replacement of Medicare supplement insurance coverage.

(((~~4~~))) (5) The notice required by subsection (((~~3~~))) (4) of this section for an ((~~insurer, other than a direct response insurer~~)) issuer, shall be provided in substantially the form set forth in WAC ((~~284-66-140~~)) 284-66-142 in no smaller than ten point type, and shall be filed with the commissioner prior to use in this state.

(((~~5~~))) (6) The notice required by subsection (3) of this section for a direct response insurer shall be in substantially the form set forth in WAC 284-66-150 and shall be filed with the commissioner prior to use in this state.

(((~~6~~))) (7) A true copy of the application for a Medicare supplement insurance policy issued by a health maintenance organization or health care service contractor for delivery to a resident of this state must be attached to or otherwise physically made a part of the policy when issued and delivered.

(((~~7~~))) (8) Where inappropriate terms are used, such as "insurance," "policy," or "insurance company," a fraternal benefit society, health care service contractor or health maintenance organization may substitute appropriate terminology.

(9) Paragraphs 1 and 2 of the replacement notice (applicable to preexisting conditions) may be deleted by an issuer if the replacement does not involve application of a new preexisting condition limitation.

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

NEW SECTION

WAC 284-66-142 FORM OF REPLACEMENT NOTICE.

NOTICE TO APPLICANT REGARDING REPLACEMENT OF MEDICARE SUPPLEMENT INSURANCE

[Insurance company's name and address]

SAVE THIS NOTICE! IT MAY BE IMPORTANT TO YOU IN THE FUTURE.

According to [your application] [information you have furnished], you intend to terminate existing Medicare supplement insurance and replace it with a policy to be issued by [Company name] Insurance Company. Your new policy will provide thirty days within which you may decide without cost whether you desire to keep the policy.

You should review this new coverage carefully. Compare it with all accident and sickness coverage you now have. Terminate your present policy only if, after due consideration, you find that purchase of this Medicare supplement coverage is a wise decision

STATEMENT TO APPLICANT BY ISSUER, AGENT [BROKER OR OTHER REPRESENTATIVE]:

I have reviewed your current medical or health insurance coverage. The replacement of insurance involved in this transaction does not duplicate coverage, to the best of my knowledge. The replacement policy is being purchased for the following reason(s) (check one):

Additional benefits.
No change in benefits, but lower premiums.
Fewer benefits and lower premiums.
Other. (please specify)

1. If you have had your current Medicare supplement policy less than six months, health conditions which you may presently have (preexisting conditions) may not be immediately or fully covered under the new policy. This could result in denial or delay of a claim for benefits under the new policy, whereas a similar claim might have been payable under your present policy.

2. State law provides that your replacement policy or certificate may not contain new preexisting conditions, waiting periods, elimination periods or probationary periods. The insurer will waive any time periods applicable to preexisting conditions, waiting periods, elimination periods, or probationary periods in the new policy (or coverage) to the extent such time was spent (depleted) under original policy.

3. If you still wish to terminate your present policy and replace it with new coverage, be certain to truthfully and completely answer all questions on the application concerning your medical and health history. Failure to include all material medical information on an application may provide a basis for the company to deny any future claims and to refund your premium as though your policy had never been in force. After the application has been completed and before you sign it, review it carefully to be certain that all information has been properly recorded. [If the policy or certificate is guaranteed issue, this paragraph need not appear.]

Do not cancel your present policy until you have received your new policy and are sure that you want to keep it.

(Signature of Agent, Broker, or Other Representative)*

[Typed Name and Address of Issuer, Agent or Broker]

(Applicant's Signature)

(Date)

*Signature not required for direct response sales.

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

AMENDATORY SECTION (Amending Order R 90-4, filed 3/20/90, effective 4/20/90)

WAC 284-66-160 ADJUSTMENT NOTICE TO CONFORM EXISTING MEDICARE SUPPLEMENT POLICIES TO CHANGES IN MEDICARE. (((~~1~~))) As soon as practicable, but no later than thirty days prior to the effective date of any Medicare benefit changes, every insurer providing Medicare supplement insurance coverage to a resident of this state shall notify its insureds of modifications it has made to Medicare supplement policies. The adjustment notice is intended to be informational only and for the sole purpose of informing policyholders and certificate holders about changes in Medicare benefits, indexed deductible and copayment provisions, premium adjustments, and the like. The form of an adjustment notice provided to residents of this state shall be filed with the commissioner prior to use.

(((~~(2) The form of such notice shall be substantially in the format prescribed by the commissioner for use in 1990 in WAC 284-66-100.~~

(~~a~~))) (1) The notice shall include a description of revisions to the Medicare program and a description of each modification made to the coverage provided under the Medicare supplement insurance policy.

(((~~b~~))) (2) The notice shall inform each covered person of the approximate date when premium adjustments due to changes in Medicare benefits will be made.

(((~~c~~))) (3) The notice of benefit modifications and any premium changes shall be furnished in outline form and in clear and simple terms so as to facilitate comprehension.

((~~(d)~~)) (4) The notice shall not contain or be accompanied by any solicitation.

AMENDATORY SECTION (Amending Order R 90-4, filed 3/20/90, effective 4/20/90)

WAC 284-66-170 PROHIBITION AGAINST PREEXISTING CONDITIONS, WAITING PERIODS, ELIMINATION PERIODS, AND PROBATIONARY PERIODS IN REPLACEMENT POLICIES OR CERTIFICATES. (1) If a Medicare supplement policy or certificate replaces another Medicare supplement policy or certificate, the replacing ((~~insurer~~)) issuer shall waive any time periods applicable to preexisting conditions, waiting periods, elimination periods and probationary periods in the new Medicare supplement policy or certificate to the extent ((~~that similar exclusions have been satisfied~~)) such time was spent under the original policy.

(2) If a Medicare supplement policy or certificate replaces another Medicare supplement policy or certificate which has been in effect for at least six months, the replacing policy shall not provide any time period applicable to preexisting conditions, waiting periods, elimination periods, and probationary periods.

AMENDATORY SECTION (Amending Order R 90-4, filed 3/20/90, effective 4/20/90)

WAC 284-66-200 STANDARDS FOR LOSS RATIOS. The following standards apply to policies issued or delivered prior to July 1, 1992, unless such policies are approved under the standards of WAC 284-66-063 and 284-66-203. Medicare supplement insurance policies shall return to policyholders in the form of aggregated benefits under such policy, for the entire period for which rates are computed to provide coverage, loss ratios not less than those set forth in this section. Such loss ratios shall be on the basis of incurred claims losses and earned premiums for such period in accordance with accepted actuarial principles. The loss ratio standards of this section are more stringent and more appropriate than those imposed by RCW 48.66.100, and are necessary for the protection of the public interest.

(1) Where coverage is provided on a service rather than reimbursement basis, such loss ratios shall be on the basis of incurred health care expenses and earned premiums for such period.

(2) All filings of rates and rating schedules shall demonstrate that actual and expected losses in relation to premiums comply with the requirements of this chapter and are not excessive, inadequate or unfairly discriminatory.

(3) Every insurer providing Medicare supplement policies in this state shall annually file its rates, rating schedules, and supporting documentation including ratios of incurred losses to earned premiums demonstrating that it is in compliance with the applicable loss ratio standards and that the period for which the policy is rated is reasonable in accordance with accepted actuarial principles and experience. If the period for which the policy is initially rated is more than one year, ratios of incurred losses to earned premiums shall be filed by number of years of policy duration. Supporting documentation shall include the amounts of unearned premium reserve, policy reserves, and claim reserves and liabilities, both nationally and for this state. ((~~The form and instructions for filing this information are provided in WAC 284-66-220 through 284-66-230.~~)) This annual filing is in addition to filings made by insurers to establish initial rates or request rate adjustments required by WAC 284-66-240.

(4) Incurred losses shall include claims paid and the change in claim reserves and liabilities. Incurred losses shall not include policy reserves, home office or field overhead, acquisition and selling costs, taxes or other expenses, contributions to surplus, profit, or claims processing costs.

(5) The following criteria will be used to determine whether policy forms are in compliance with the loss ratio standards of this section:

(a) For the most recent year, the ratio of the incurred losses to earned premiums is greater than or equal to the applicable percentages contained in this section; and

(b) The expected losses in relation to premiums over the entire period for which the policy is rated complies with the requirements of this section, relying on the judgment of the pricing actuary and acceptable to the commissioner; and

(c) For issue age level premium rated policies, an expected loss ratio for the third policy year, which is greater than or equal to the applicable percentage, shall be demonstrated for policies or certificates in force fewer than three years. For community rated policies the applicable percentage shall be demonstrated for the three most recent accounting periods. The applicable percentage shall be as defined in subsections (6), (7), or (8) of this section.

(d) For purposes of rate making and rate adjustments, similar policy forms shall be grouped together according to the rules set forth in WAC 284-60-040 ((~~and 284-66-240(6)~~)). All Medicare supplement policies of an issuer issued for delivery between January 1, 1989, and July 1, 1992, are considered "similar policy forms" except those forms specifically approved under the standards of WAC 284-66-063 and 284-66-203.

(e) The commissioner may consider additional criteria including, but not limited to:

(i) Equitable treatment of policyholders; and

(ii) The amount of policy reserves as defined for the insurer's statutory annual statement.

(6) Medicare supplement insurance policies issued by authorized disability insurers and fraternal benefit societies shall be expected to return to a policyholder in the form of aggregated loss ratios under the policy, at least sixty-five percent of the earned premiums in the case of individual policies, and seventy-five percent in the case of group policies.

(7) The minimum anticipated loss ratio requirements for health maintenance organizations and health care service contractors shall be seventy percent for individual forms and eighty percent for group contract forms. The minimum anticipated loss ratios are deemed to be met if the health care expense costs of the health maintenance organization or health care service contractor are seventy percent or more of the earned premium charged individual subscribers, or eighty percent or more of the earned premium charged subscribers covered under a group contract.

NEW SECTION

WAC 284-66-203 LOSS RATIO AND RATING STANDARDS AND REFUND OR CREDIT OF PREMIUM. (1) Loss ratio and rating standards. For policies issued on or after July 1, 1992, and those policies specifically approved by the commissioner under WAC 284-66-063 prior to July 1, 1992:

(a) A Medicare supplement policy form or certificate form must be rated on an issue-age level premium basis or community rated basis, as defined at WAC 284-66-030(4), in order to meet the standards of WAC 284-66-310.

(b) A Medicare supplement policy form or certificate form shall not be delivered or issued for delivery unless the policy form or certificate form can be expected, as estimated for the entire period for which rates are computed to provide coverage, to return to policyholders and certificateholders in the form of aggregate benefits (not including anticipated refunds or credits) provided under the policy form or certificate form:

(i) At least seventy-five percent of the aggregate amount of premiums earned in the case of group policies; or

(ii) At least sixty-five percent of the aggregate amount of premiums earned in the case of individual policies, calculated on the basis of incurred claims experience or incurred health care expenses where coverage is provided by a health maintenance organization or health care service contractor on a service rather than reimbursement basis and earned premiums for such period and in accordance with accepted actuarial principles and practices.

(c) All filing of rates and rating schedules shall demonstrate that expected claims in relation to premiums comply with the requirements of this section when combined with actual experience to date. Filings of rate revisions shall also demonstrate that the anticipated loss ratio over the entire future period for which the revised rates are computed to provide coverage can be expected to meet the appropriate loss ratio standards.

(d) For purposes of applying subsection (1)(b) of this section and WAC 284-66-243 (1)(c) only, policies issued as a result of solicitations of individuals through the mails or by mass media advertising (including both print and broadcast advertising) shall be deemed to be group policies.

(2) Refund or credit calculation.

(a) An issuer shall collect and file with the commissioner by May 31 of each year the data contained in the reporting form contained in WAC 284-66-232 for each type in a standard Medicare supplement benefit plan.

(b) If on the basis of the experience as reported the benchmark ratio since inception (ratio 1) exceeds the adjusted experience ratio since inception (ratio 3), then a refund or credit calculation is required. The refund calculation shall be done on a state-wide basis for each type in a standard Medicare supplement benefit plan. For purposes of the refund or credit calculation, experience on policies issued within the reporting year shall be excluded.

(c) A refund or credit shall be made only when the benchmark loss ratio exceeds the adjusted experience loss ratio and the amount to be refunded or credited exceeds a de minimis level. Such refund shall include interest from the end of the calendar year to the date of the refund or credit at a rate specified by the Secretary of Health and Human Services, but in no event shall it be less than the average rate of interest for 13-week Treasury notes. A refund or credit against premiums due shall be made by September 30 following the experience year upon which the refund or credit is based.

(3) Annual filing of premium rates.

An issuer of standardized Medicare supplement policies and certificates issued in accordance with WAC 284-66-063, shall file annually its rates, rating schedule, and supporting documentation including ratios of incurred losses to earned premiums by policy duration for approval by the commissioner in accordance with the filing requirements and procedures prescribed by the commissioner. The supporting documentation shall also demonstrate in accordance with actuarial standards of practice using reasonable assumptions that the appropriate loss ratio standards can be expected to be met over the entire period for which rates are computed. Such demonstration shall exclude active life reserves. An expected third-year loss ratio which is greater than or equal to the applicable percentage shall be demonstrated for policies or certificates in force less than three years.

(4) As soon as practicable, but prior to the effective date of enhancements in Medicare benefits, every issuer of Medicare supplement policies or certificates in this state shall file with the commissioner, in accordance with the applicable filing procedures of this state:

(a)(i) Appropriate premium adjustments necessary to produce loss ratios as anticipated for the current premium for the applicable policies or certificates. Such supporting documents as necessary to justify the adjustment shall accompany the filing.

(ii) An issuer shall make such premium adjustments as are necessary to produce an expected loss ratio under such policy or certificate as will conform with minimum loss ratio standards for Medicare supplement policies and which are expected to result in a loss ratio at least as great as that originally anticipated in the rates used to produce current premiums by the issuer for such Medicare supplement policies or certificates. No premium adjustment which would modify the loss ratio experience under the policy other than the adjustments described herein shall be made with respect to a policy at any time other than upon its renewal date or anniversary date.

(iii) If an issuer fails to make premium adjustments acceptable to the commissioner, the commissioner may order premium adjustments, refunds, or premium credits deemed necessary to achieve the loss ratio required by this section.

(b) Any appropriate riders, endorsements, or policy forms needed to accomplish the Medicare supplement policy or certificate modifications necessary to eliminate benefit duplications with Medicare. Such riders, endorsements, or policy forms shall provide a clear description of the Medicare supplement benefits provided by the policy or certificate.

(5) Public hearings.

(a) The commissioner may conduct a public hearing to gather information concerning a request by an issuer for an increase in a rate for policy form or certificate form issued before or after the effective date of [insert citation to state's regulation] if the experience of the form for the previous reporting period is not in compliance with the applicable loss ratio standard. The determination of compliance is made without consideration of any refund or credit for such reporting period. Public notice of such hearing shall be furnished in a manner deemed appropriate by the commissioner.

(b) This section does not in any way restrict a commissioner's statutory authority, to approve or disapprove rates.

AMENDATORY SECTION (Amending Order R 90-4, filed 3/20/90, effective 4/20/90)

WAC 284-66-210 POLICY RESERVES REQUIRED. This section shall apply to every group and individual policy of ((~~disability insurance and to every subscriber contract of an insurer, fraternal benefit society, health care service contractor, or health maintenance organization;~~)) an issuer which relates its benefits to Medicare. The term "policy reserve" is intended to apply to all types and forms of insurance equally, whether they are called policies, contracts, or certificates. For all forms which are issued on a level premium basis, policy reserves will be required. The policy reserve is in addition to claim reserves and premium reserves. The definition of the date of incurral must be the same for both claim reserves and policy reserves. Policy reserves shall be based upon the following minimum standards:

(1) Morbidity should be based upon a reasonable expectation of future claim costs for the benefits being provided. At time of policy issue this would be the morbidity assumptions used to price the contract. For later durations the morbidity should reflect the experience which emerges including the effects of inflation and utilization. All morbidity assumptions must be reasonable in the view of the commissioner.

(2) The interest rate used may not exceed the maximum rate permitted by statute in the valuation of ((~~whole~~)) life insurance issued on the same date as the Medicare supplement policy.

(3) Termination rates shall be on the same basis as the mortality table permitted by statute in the valuation of ((~~whole~~)) life insurance issued on the same date as the Medicare supplement policy or on another basis satisfactory to the commissioner.

(4) The minimum reserve is that calculated on the one-year full preliminary term method. This method produces a terminal reserve of zero at the first policy anniversary. The preliminary term method may be applied only in relation to the date of issue of a policy. Reserve adjustments introduced later as a result of rate increases, revisions in assumptions, or for other reasons, are to be applied immediately as of the effective date of adoption of the adjusted basis. Such adjustments shall be determined as follows:

(a) Present value of future payments of claim costs for benefits, determined using revised assumptions based on anticipated experience;

(b) Less the present value of future net premiums, determined using revised assumptions based on anticipated experience;

(c) Less the liability for contract reserves at the valuation date.

(5) Negative reserves on any benefit may be offset against positive reserves for other benefits in the same policy or contract, but the total policy reserve with respect to all benefits combined may not be less than zero.

(6) The minimum policy reserve shall include a reasonable margin for the risk of adverse selection.

AMENDATORY SECTION (Amending Order R 90-4, filed 3/20/90, effective 4/20/90)

WAC 284-66-220 MEDICARE SUPPLEMENT LOSS RATIO EXPERIENCE FORM REQUIRED. The form provided in WAC ((~~284-66-230~~)) 284-66-232 shall be filed with the commissioner annually not later than ((~~June~~)) May 30th of each calendar year beginning ((~~June~~)) May 30, ((~~1990~~)) 1993. The form is to be filed in addition to the NAIC experience exhibit and not in lieu thereof.

((~~The following instructions must be followed when completing the form:~~

~~(1) The data shall be furnished in the same format and order as that shown in WAC 284-66-230.~~

~~(2) The name of the insurer must be clearly shown at the top of each page.~~

~~(3) Separate data must be shown for each policy form number. For community rated policies, calendar year data for the most recent year should be furnished. For issue age-level premium policies, data should be furnished separately for each policy duration of each form.~~

~~(4) The current filed rate schedule for each policy form number shall be attached to the experience form and shall show the policy form number for purposes of identification.~~

~~(5) Incurred losses shall include claims paid and the change in claim reserves and liabilities. A list of items that are not to be included in incurred losses is provided in WAC 284-66-200.~~

~~(6) The loss ratio shall be the ratio of incurred losses to earned premium.~~

~~(7) The experience form shall be certified by an officer of the insurer.~~

~~(8) Complete data is required for each policy form on both a national basis and for policies sold in the state of Washington.~~

~~(9) Policy reserves shall include:~~

~~(a) Active life reserves;~~

~~(b) Contingency and additional reserves; and~~

~~(c) Increased reserves which may be required by the commissioner.~~))

NEW SECTION

WAC 284-66-232 FORM FOR CALCULATING AND REPORTING LOSS RATIOS.

MEDICARE SUPPLEMENT REFUND CALCULATION FORM
FOR CALENDAR YEAR _____

TYPE _____ SMSBP(w)_____
For the State of _____
Company Name _____
NAIC Group Code _____ NAIC Company Code _____
Person Completing This Exhibit _____
Title _____ Telephone Number _____

Line	(a) Earned Premium (x)	(b) Incurred Claims (y)
1. Current Year's Experience a. Total (all policy years) b. Current year's issues (z) c. Net (for reporting purposes = 1a - 1b		
2. Past Years' Experience (All Policy Years)		
3. Total experience (Net Current Year + Past Years' Experience)		
4. Refunds Last year (Excluding Interest)		
5. Previous Since Inception (Excluding Interest)		
6. Refunds Since Inception (Excluding Interest)		
7. Benchmark Ratio Since Inception (SEE WORKSHEET FOR RATIO 1)		
8. Experienced Ratio Since Inception Total Actual Incurred Claims (line 3, col b) / Total Earned Premium (line 3, col a) - Refunds Since Inception (line 6) = Ratio 2		
9. Life Years Exposed Since Inception If the Experienced Ratio is less than the Benchmark Ratio, and there are more than 500 life years exposure, then proceed to calculation of refund.		
10. Tolerance Permitted (obtained from credibility table)		
11. Adjustment to incurred Claims for Credibility **Ratio 3 = Ratio 2 + Tolerance** If Ratio 3 is more than benchmark ratio (ratio 1), a refund or credit to premium is not required. If Ratio 3 is less than the benchmark ratio, then proceed.		

MEDICARE SUPPLEMENT REFUND CALCULATION FORM
FOR CALENDAR YEAR _____

TYPE _____ SMSBP(w)_____
For the State of _____
Company Name _____
NAIC Group Code _____ NAIC Company Code _____
Person Completing This Exhibit _____
Title _____ Telephone Number _____

Line	(a) Earned Premium (x)	(b) Incurred Claims (y)
12. Adjust Incurred Claims = **[Total Earned Premium (line 3, col. a) - Refunds Since Inception (line 6)] X Ratio 3 (line 11)**		
13. Refund = **Total Earned Premiums (line 3, col a) - Refunds Since Inception (line 6) -** **Adjusted Incurred Claims (line 12)** **Benchmark Ratio (Ratio 1)** If the amount on line 13 is less than .005 times the annualized premium in force as of December 31 of the reporting year, then no refund is made. Otherwise, the amount on line 13 is to be refunded or credited, and a description of the refund and/or credit against premiums to be used must be attached to this form.		

Medicare Supplement Credibility Table

Life Year Exposed Since Inception	Tolerance
10,000 +	0.0%
5,000 - 9,999	5.0%
2,500 - 4,999	7.5%
1,000 - 2,499	10.0%
500 - 999	15.0%
If Less than 500	No credibility

MEDICARE SUPPLEMENT REFUND CALCULATION FORM
FOR CALENDAR YEAR _____

TYPE _____ SMSBP(w)_____
For the State of _____
Company Name _____
NAIC Group Code _____ NAIC Company Code _____
Person Completing This Exhibit _____
Title _____ Telephone Number _____

(w) "SMSBP" = Standardized Medicare Supplement Benefit Plan
(x) Includes model Loadings and fees charged.
(y) Excludes Active Life Reserves.
(z) This is to be used as "Issue Year Earned Premium" for Year 1 of next year's "Worksheet for Calculation of Benchmark Ratios"

I certify that the above information and calculations are true and accurate to the best of my knowledge and belief.

_____
Signature

_____
Name - Please Type

_____
Title

_____
Date

AMENDATORY SECTION (Amending Order R 90-4, filed 3/20/90, effective 4/20/90)

WAC 284-66-240 FILING REQUIREMENTS AND PREMIUM ADJUSTMENTS. (1) ((~~Every insurer advertising, soliciting, renewing, or providing Medicare supplement insurance coverage in this state as of December 31, 1989, shall file with the commissioner, in accordance with the applicable filing procedures of this state:~~

~~(a) Policy forms, riders or endorsements required to accomplish the modifications necessary to eliminate benefit duplications with Medicare or to bring a Medicare supplement insurance policy form into conformity with amendments to this chapter, such forms providing a clear description of the Medicare supplement benefits provided by the policy; and~~

~~(b) Appropriate premium adjustments necessary to produce complying loss ratios originally anticipated for the applicable policies and such supporting documents necessary in the opinion of the commissioner to justify the adjustments, including the information set forth in WAC 284-66-200.~~

~~(2)~~)) Unless such forms meet the standards of WAC 284-66-063 and 284-66-203, all policy forms((~~, riders, and rates filed for initial use~~)) issued or delivered on or after January 1, 1990, and before July 1, 1992, as well as any future rate adjustment thereto, shall demonstrate compliance with the loss ratio requirements of WAC 284-66-200 and policy reserve requirements of WAC 284-66-210. All filings of ((~~forms~~)) rate adjustments shall be accompanied by the proposed rate schedule and an actuarial memorandum completed and signed by a qualified actuary as defined in WAC 284-05-060. In addition to the actuarial memorandum, the following supporting documentation must be submitted to demonstrate to the satisfaction of the commissioner that rates are not excessive, inadequate, or unfairly discriminatory and otherwise comply with the requirements of this chapter. If any of the items listed below are inappropriate due to the pricing methodology utilized by the pricing actuary, the commissioner may waive the requirements upon request of the ((~~insurer~~)) issuer.

(a) Filings of issue age level premium rates shall be accompanied by the following:

(i) Anticipated loss ratios stated on a policy year basis for the period for which the policy is rated. Filings of future rate adjustments must contain the actual policy year loss ratios experienced since inception;

(ii) Anticipated total termination rates on a policy year basis for the period for which the policy is rated. The termination rates should be stated as a percentage and the source of the mortality assumption must be specified. Filings of future rate adjustments must include the actual total termination rates stated on a policy year basis since inception;

(iii) Expense assumptions including fixed and percentage expenses for acquisition and maintenance costs;

(iv) Schedule of total compensation payable to agents and other producers as a percentage of premium, if any;

(v) Specimen copy of the compensation agreements or contracts between the ((~~insurer~~)) issuer and its agents, brokers, general agents, or others whose compensation is based in whole or in part on the sale of Medicare supplement insurance policies, such agreements demonstrating compliance with WAC 284-66-350 (where appropriate);

(vi) Other data necessary in the reasonable opinion of the commissioner to substantiate the filing.

(b) Filings of community rated forms shall be accompanied by the following:

(i) Anticipated loss ratio for the accounting period for which the policy is rated. The duration of the accounting period must be stated in the filing, established based on the judgment of the pricing actuary, and must be reasonable in the opinion of the commissioner. Filings for rate adjustment must demonstrate that the actual loss ratios experienced during the three most recent accounting periods, on an aggregated basis, have been equal to or greater than the loss ratios required by WAC 284-66-200.

(ii) Expense assumptions including fixed and percentage expenses for acquisition and maintenance costs;

(iii) Schedule of total compensation payable to agents and other producers as a percentage of premium, if any;

(iv) Specimen copy of the compensation agreements or contracts between the insurer and its agents, brokers, general agents, or others whose compensation is based in whole or in part on the sale of Medicare supplement insurance policies, such agreements demonstrating compliance with WAC 284-66-350 (where appropriate);

(v) Other data necessary in the reasonable opinion of the commissioner to substantiate the filing.

((~~(c) Filings of the rates for all risk sharing contracts shall include the following:~~

~~(i) All information filed with, and approved by, the Health Care Financing Administration;~~

~~(ii) Rate of per capita reimbursement by the Health Care Financing Administration;~~

~~(iii) Expense assumptions including fixed and percentage expenses for acquisition and maintenance costs;~~

~~(iv) Schedule of total compensation payable to agents and other producers as a percentage of premium, if any;~~

~~(v) Specimen copy of the compensation agreements or contracts between the insurer and its agents, brokers, general agents, or others whose compensation is based in whole or in part on the sale of Medicare supplement insurance policies, such agreements demonstrating compliance with WAC 284-66-350 (where appropriate);~~

~~(vi) Other data necessary in the reasonable opinion of the commissioner to substantiate the filing.~~

~~(3)~~)) (2) Every ((~~insurer providing Medicare supplement coverage to residents of this state~~)) issuer shall make such premium adjustments as are necessary to produce an expected loss ratio under such policy as will conform with the minimum loss ratio standards of WAC 284-66-200.

((~~(4)~~)) (3) No premium adjustment which would modify the loss ratio experience under the policy, other than the adjustments described in this section, may be made with respect to a policy at any time other than upon its renewal or anniversary date.

((~~(5)~~)) (4) Premium refunds or premium credits shall be made to the premium payer no later than upon renewal if a credit is given, or within sixty days of the renewal or anniversary date if a refund is provided.

((~~(6)~~)) (5) For purposes of rate making and requests for rate increases, all individual Medicare supplement policy forms of an ((~~insurer~~)) issuer are considered "similar policy forms" including forms no longer being marketed.

NEW SECTION

WAC 284-66-243 FILING AND APPROVAL OF POLICIES AND CERTIFICATES AND PREMIUM RATES. (1) An issuer shall not deliver or issue for delivery a policy or certificate to a resident of this state unless the policy form or certificate form has been filed with and approved by the commissioner in accordance with filing requirements and procedures prescribed by the commissioner.

(2) An issuer shall not use or change premium rates for a Medicare supplement policy or certificate unless the rates, rating schedule, and supporting documentation have been filed with and approved by the commissioner in accordance with the filing requirements and procedures prescribed by the commissioner.

(3)(a) Except as provided in (b) of this subsection, an issuer shall not file for approval more than one form of a policy or certificate of each type for each standard Medicare supplement benefit plan.

(b) An issuer may offer, with the approval of the commissioner, up to four additional policy forms or certificate forms of the same type for the same standard Medicare supplement benefit plan, one for each of the following cases:

(i) The inclusion of new or innovative benefits;

(ii) The addition of either direct response or agent marketing methods;

(iii) The addition of either guaranteed issue or underwritten coverage;

(iv) The offering of coverage to individuals eligible for Medicare by reason of disability.

(c) For the purposes of this section, a "type" means an individual policy, a group policy, an individual Medicare Select policy, or a group Medicare Select policy.

(4)(a) Except as provided in (a)(i) of this subsection, an issuer shall continue to make available for purchase any policy form or certificate form issued after the effective date of this regulation that has been approved by the commissioner. A policy form or certificate form shall not be considered to be available for purchase unless the issuer has actively offered it for sale in the previous twelve months.

(i) An issuer may discontinue the availability of a policy form or certificate form if the issuer provides to the commissioner in writing its decision at least thirty days prior to discontinuing the availability of the form of the policy or certificate. After receipt of the notice by the commissioner, the issuer shall no longer offer for sale the policy form or certificate form in this state.

(ii) An issuer that discontinues the availability of a policy form or certificate form pursuant to (a)(i) of this subsection, shall not file for approval a new policy form or certificate form of the same type for the same standard Medicare supplement benefit plan as the discontinued form for a period of five years after the issuer provides notice to the commissioner of the discontinuance. The period of discontinuance may be reduced if the commissioner determines that a shorter period is appropriate.

(b) The sale or other transfer of Medicare supplement business to another issuer shall be considered a discontinuance for the purposes of this subsection.

(c) A change in the rating structure or methodology shall be considered a discontinuance under (a) of this subsection, unless the issuer complies with the following requirements:

(i) The issuer provides an actuarial memorandum, in a form and manner prescribed by the commissioner, describing the manner in which the revised rating methodology and resultant rates differ from the existing rating methodology and resultant rates.

(ii) The issuer does not subsequently put into effect a change of rates or rating factors that would cause the percentage differential between the discontinued and subsequent rates as described in the actuarial memorandum to change. The commissioner may approve a change to the differential which is in the public interest.

(5)(a) Except as provided in (b) of this subsection, the experience of all policy forms or certificate forms of the same type in a standard Medicare supplement benefit plan shall be combined for purposes of the refund or credit calculation prescribed in WAC 284-66-203.

(b) Forms assumed under an assumption reinsurance agreement shall not be combined with the experience of other forms for purposes of the refund or credit calculation.

(6) An issuer may set rates only on a community rated basis or on an issue-age level premium basis.

(a) Community rated premiums shall be equal for all individual policyholders or certificateholders under a standardized Medicare supplement benefit plan. Such premiums may not vary by age or sex.

(b) Issue-age level premiums must be calculated for the lifetime of the insured. This will result in a level premium if the effects of inflation are ignored.

(7) All filings of policy or certificate forms shall be accompanied by the proposed application form, outline of coverage form, proposed rate schedule, and an actuarial memorandum completed, signed and dated by a qualified actuary as defined in WAC 284-05-060. In addition to the actuarial memorandum, the following supporting documentation must be submitted to demonstrate to the satisfaction of the commissioner that rates are not excessive, inadequate, or unfairly discriminatory and otherwise comply with the requirements of this chapter:

(a) Anticipated loss ratios stated on a calendar year basis by duration for the period for which the policy is rated. Filings of future rate adjustments must contain the actual calendar year loss ratios experienced since inception, both before and after the refund required, if any;

(b) Anticipated total termination rates on a calendar year basis by duration for the period for which the policy is rated. The termination rates should be stated as a percentage and the source of the mortality assumption must be specified. Filings of future rate adjustments must include the actual total termination rates stated on a calendar year basis since inception;

(c) Expense assumptions including fixed and percentage expenses for acquisition and maintenance costs;

(d) Schedule of total compensation payable to agents and other producers as a percentage of premium, if any;

(e) A complete specimen copy of the compensation agreements or contracts between the issuer and its agents, brokers, general agents, as well as the contracts between general agents and agents or others whose compensation is based in whole or in part on the sale of Medicare supplement insurance policies. Such agreements shall demonstrate compliance with WAC 284-66-350 (where appropriate);

(f) Other data necessary in the reasonable opinion of the commissioner to substantiate the filing.

AMENDATORY SECTION (Amending Order R 90-4, filed 3/20/90, effective 4/20/90)

WAC 284-66-250 FILING REQUIREMENTS FOR OUT-OF-STATE GROUP POLICIES. Every ((~~insurer~~)) issuer providing group Medicare supplement insurance benefits to a resident of this state shall file with the commissioner, within thirty days of its use in this state, a copy of the master policy and any certificate used in this state, in accordance with the filing requirements and procedures applicable to Medicare supplement policies issued in this state.

AMENDATORY SECTION (Amending Order R 90-4, filed 3/20/90, effective 4/20/90)

WAC 284-66-260 RIDERS AND ENDORSEMENTS. (1) Effective January 1, 1990, subject to RCW 48.66.050(2), and except for riders or endorsements issued in accordance with subsection (2) of this section, no rider, endorsement, waiver, or any other means of modifying contractual benefits may be used by an ((~~insurer~~)) issuer to exclude, limit, or reduce the coverage or benefits of a Medicare supplement insurance policy or certificate issued to a resident of this state. Only riders or endorsements which increase benefits or coverage may be used in this state.

(2) Effective January 1, 1990, except for riders or endorsements issued to bring a policy into compliance with changes to the minimum benefit standards or other contractual benefits required by this chapter or as hereafter amended:

(a) An amendment to a Medicare supplement insurance policy ((~~amendment~~)) or certificate which increases the premium must be requested or accepted by the policyholder in writing; and

(b) Where separate additional premium is charged for a rider, endorsement or other amendment to the contractual benefits of a Medicare supplement insurance policy or certificate, the premium charged shall be set forth in the policy.

AMENDATORY SECTION (Amending Order R 90-4, filed 3/20/90, effective 4/20/90)

WAC 284-66-270 STANDARDS FOR CLAIMS PAYMENT: COMPLIANCE WITH OMNIBUS BUDGET RECONCILIATION ACT OF 1987. ((~~Every insurer to whom it applies shall certify to the commissioner on the Medicare supplement experience exhibit of its annual statement that it has complied with Section 4081 of the Omnibus Budget Reconciliation Act of 1987.~~)) (1) An issuer shall comply with Section 1882 (c)(3) of the Social Security Act (as enacted by Section 4081 (b)(2)(C) of the Omnibus Budget Reconciliation Act of 1987 (OBRA'87), P.L. 100-203) by:

(a) Accepting a notice from a Medicare carrier on dually assigned claims submitted by participating physicians and suppliers as a claim for benefits in place of any other claim form otherwise required and making a payment determination on the basis of the information contained in that notice;

(b) Notifying the participating physician or supplier and the beneficiary of the payment determination;

(c) Paying the participating physician or supplier directly;

(d) Furnishing, at the time of enrollment, each enrollee with a card listing the policy name, number, and a central mailing address to which notices from a Medicare carrier may be sent;

(e) Paying user fees for claim notices that are transmitted electronically or otherwise; and

(f) Providing to the Secretary of Health and Human Services, at least annually, a central mailing address to which all claims may be sent by Medicare carriers.

(2) Compliance with the requirements set forth in subsection (1) of this section shall be certified on the Medicare supplement insurance experience reporting form.

AMENDATORY SECTION (Amending Order R 90-4, filed 3/20/90, effective 4/20/90)

WAC 284-66-300 REQUIREMENTS FOR ADVERTISING. (1) At least thirty days prior to use in this state, every ((~~insurer~~)) issuer who provides Medicare supplement insurance coverage to a resident of this state shall provide the commissioner with a copy of any Medicare supplement advertisement (as advertisement is defined in WAC 284-50-030) intended for use in this state whether through written, radio, or television medium. In the case of radio or television advertising, an audio cassette or VHS cassette shall be supplied on request of the commissioner.

(2) Advertising shall comply with the standards of the Washington disability advertising regulation (WAC 284-50-010 through 284-50-230), and shall set forth the name in full of the ((~~insurer~~)) issuer and the location of its home office or principal office in the United States (if an alien ((~~insurer~~)) issuer).

AMENDATORY SECTION (Amending Order R 90-4, filed 3/20/90, effective 4/20/90)

WAC 284-66-310 ATTAINED AGE RATING PROHIBITED. With respect to Medicare supplement insurance policies and certificates initially sold to residents of this state on or after January 1, 1989, the commissioner has found and hereby defines it to be an unfair act or practice and an unfair method of competition, and a prohibited practice, for any ((~~insurer~~)) issuer, directly or indirectly, to use the increasing age of an insured, subscriber, or participant as the basis for increasing premiums or prepayment charges. Accordingly, the rating practice commonly referred to as "attained age rating" is prohibited.

AMENDATORY SECTION (Amending Order R 90-4, filed 3/20/90, effective 4/20/90)

WAC 284-66-320 REPORTING OF MULTIPLE POLICIES. (1) On or before March 1st of each year, ((~~every insurer providing Medicare supplement insurance coverage in this state~~)) an issuer shall report to the commissioner the following information for every individual resident of this state for which the ((~~insurer~~)) issuer has in force more than one Medicare supplement ((~~insurance~~)) policy or certificate on a form approved by the commissioner, substantially in the form provided in WAC 284-66-323:

(a) Policy and certificate number; and

(b) Date of issuance.

(2) The items set forth above must be grouped by individual policyholder.

NEW SECTION

WAC 284-66-323 FORM FOR REPORTING MULTIPLE MEDICARE SUPPLEMENT POLICIES AND CERTIFICATES.

FORM FOR REPORTING
MEDICARE SUPPLEMENT POLICIES

Company Name: _____

Address: _____

_____

Phone Number: _____

Due: March 1, annually

The purpose of this form is to report the following information on each resident of this state who has in force more than one Medicare supplement policy or certificate. The information is to be grouped by individual policyholder.

Policy and Certificate #	Date of Issuance

_____
Signature

_____
Name and Title (please type)

_____
Date

AMENDATORY SECTION (Amending Order R 90-4, filed 3/20/90, effective 4/20/90)

WAC 284-66-330 STANDARDS FOR MARKETING. (1) Every ((~~insurer~~)) issuer marketing Medicare supplement insurance coverage in this state, directly or through its producers, shall:

(a) Establish marketing procedures to assure that any comparison of policies or certificates by its agents or other producers will be fair and accurate.

(b) Establish marketing procedures to assure excessive insurance is not sold or issued.

(c) Display prominently by type, stamp or other appropriate means, on the first page of the ((~~outline of coverage and~~)) policy or certificate the following:

"NOTICE TO BUYER: THIS (POLICY, CONTRACT OR CERTIFICATE) MAY NOT COVER ALL OF ((~~THE COSTS ASSOCIATED WITH MEDICAL CARE INCURRED BY THE BUYER DURING THE PERIOD OF COVERAGE. THE BUYER IS ADVISED TO REVIEW CAREFULLY ALL POLICY LIMITATIONS~~)) YOUR MEDICAL EXPENSES."

(d) Inquire and otherwise make every reasonable effort to identify whether a prospective applicant or enrollee for Medicare supplement insurance already has disability insurance and the types and amounts of any such insurance.

(e) ((~~Every insurer marketing Medicare supplement insurance in this state shall~~)) Establish auditable procedures for verifying compliance with this section.

(2) In addition to the acts and practices prohibited in chapter 48.30 RCW, chapters 284-30 and 284-50 WAC, and this chapter, the commissioner has found and hereby defines the following to be unfair acts or practices and unfair methods of competition, and prohibited practices for any ((~~insurer~~)) issuer, or their respective agents either directly or indirectly:

(a) Twisting. Making misrepresentations or misleading comparisons of any insurance policies or ((~~insurers~~)) issuers for the purpose of inducing, or tending to induce, any person to lapse, forfeit, surrender, terminate, retain, or convert any insurance policy.

(b) High pressure tactics. Employing any method of marketing having the effect of or tending to induce the purchase of insurance through force, fright, threat whether explicit or implied, or otherwise applying undue pressure to coerce the purchase of, or recommend the purchase of, insurance.

(c) Cold lead advertising. Making use directly or indirectly of any method of marketing which fails to disclose in a conspicuous manner that a purpose of the method of marketing is solicitation of insurance and that contact will be made by an insurance agent or insurance company.

AMENDATORY SECTION (Amending Order R 90-4, filed 3/20/90, effective 4/20/90)

WAC 284-66-340 APPROPRIATENESS OF RECOMMENDED PURCHASE AND EXCESSIVE INSURANCE. (1) In recommending the purchase or replacement of any Medicare supplement policy or certificate an agent shall make reasonable efforts to determine the appropriateness of a recommended purchase or replacement.

(2) Any sale of Medicare supplement coverage which will provide an individual more than one Medicare supplement policy or certificate is prohibited((~~: PROVIDED, HOWEVER, That additional Medicare supplement coverage may be sold if, when combined with that individual's coverage already in force, the combined coverages would insure, as to the individual, no more than one hundred percent of actual medical expenses. This subsection does not apply to forms of disability indemnity insurance, such as specified disease and hospital indemnity policies~~)).

AMENDATORY SECTION (Amending Order R 90-4, filed 3/20/90, effective 4/20/90)

WAC 284-66-350 ((~~PROHIBITED~~)) PERMITTED COMPENSATION ARRANGEMENTS. (1)(a) The commissioner has found and hereby defines it to be an unfair act or practice and an unfair method of competition, and a prohibited practice, for any ((~~insurer~~)) issuer, directly or indirectly, to provide commission to an agent or other representative for the solicitation, sale, servicing, or renewal of a Medicare supplement policy or certificate which is delivered or issued for delivery to a resident within this state unless the commission is identical as to percentage of premium for every policy year as long as the coverage under the policy or certificate remains in force with premiums being paid, or waived by the ((~~insurer~~)) issuer, for such coverage.

(b) Each commission payment must be made by the ((~~insurer~~)) issuer no later than sixty days following the date on which the applicable premiums, upon which the commission is calculated, were paid. Each such payment must be paid to either the producing agent who originally sold the policy or to a successor agent designated by the ((~~insurer~~)) issuer to replace the producing agent, or shared between them on some basis. The distribution of the commission payments shall be designated by the ((~~insurer~~)) issuer in its various agents' commission agreements and it may not terminate, reduce or retain the commission payment as long as the policy or certificate remains in force with premiums being paid, or waived by the ((~~insurer~~)) issuer, for the coverage thereunder.

(c) Where an ((~~insurer~~)) issuer provides a portion of the total commission for the solicitation, sale, servicing, or renewal of a Medicare supplement policy or certificate to a general agent, sales manager, district representative or other supervisor who has marketing responsibilities (other than a producing or successor agent), while such portion of total commissions continues to be paid it shall be identical as to percentage of premium for every policy year as long as coverage under the policy or certificate remains in force with premiums being paid, or waived by the ((~~insurer~~)) issuer, for such coverage.

(2) For purposes of this section, "commission" includes pecuniary or nonpecuniary remuneration of any kind relating to the solicitation, sale, servicing, or renewal of the policy or certificate, including but not limited to bonuses, gifts, prizes, advances on commissions, awards and finders fees.

(3) This section shall not apply to salaried employees of an ((~~insurer~~)) issuer who have marketing responsibilities if the salaried employee is not compensated, directly or indirectly, on any basis dependent upon the sale of insurance being made, including but not limited to considerations of the number of applications submitted, the amount or types of insurance, or premium volume.

AMENDATORY SECTION (Amending Order R 90-4, filed 3/20/90, effective 4/20/90)

WAC 284-66-400 CHAPTER NOT EXCLUSIVE. Nothing contained in this chapter shall be construed to limit the authority of the commissioner to regulate ((~~a~~)) Medicare supplement insurance ((~~policy~~)) policies or certificates under other sections of Title 48 RCW.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 284-66-070 RESERVED.
WAC 284-66-090 FORM FOR "OUTLINE OF COVERAGE."
WAC 284-66-100 FORM FOR 1990 ADJUSTMENT NOTICE TO ACCOMPANY OUTLINE OF COVERAGE.
WAC 284-66-140 FORM FOR "REPLACEMENT NOTICE TO APPLICANT" FOR OTHER THAN DIRECT RESPONSE INSURERS.
WAC 284-66-150 FORM FOR "REPLACEMENT NOTICE TO APPLICANT" BY DIRECT RESPONSE INSURERS.
WAC 284-66-180 CONTINUOUS RENEWABILITY REQUIRED.
WAC 284-66-190 OFFER OF REINSTITUTION OF COVERAGE.
WAC 284-66-230 FORM FOR REPORTING MEDICARE SUPPLEMENT LOSS RATIO EXPERIENCE.

WSR 92-01-046
NOTICE OF PUBLIC MEETINGS
BELLINGHAM TECHNICAL COLLEGE
[Memorandum—December 10, 1991]

The regularly scheduled meeting of the board of trustees of Bellingham Technical College will be held on Thursday, December 19, 1991, 9–11 a.m., in the Bellingham Technical College Building G Conference Center A.

WSR 92-01-047
NOTICE OF PUBLIC MEETINGS
GRAYS HARBOR COLLEGE
[Memorandum—December 10, 1991]

The dates of the board of trustees' meetings for Grays Harbor College for 1992 are as follows:

January 20, 1992
March 16, 1992
May 18, 1992
September 21, 1992
November 16, 1992

All regularly scheduled meetings of the board will begin at 3:30 p.m. in the Boardroom, 200 Building at the college.

WSR 92-01-048
RULES COORDINATOR
DEPARTMENT OF HEALTH
[Filed December 10, 1991, 2:52 p.m.]

Leslie Baldwin will continue to serve as the rules coordinator for the Department of Health and the following boards and councils with statutory rule adoption authority:

Washington State Board of Health
Chiropractic Disciplinary Board
Chiropractic Examining Board
Dental Disciplinary Board
Dental Examining Board
Council on Hearing Aids
Board of Massage
Medical Disciplinary Board
Board of Medical Examiners
Board of Nursing
Board of Examiners for Nursing Home Administrators
Board of Occupational Therapy Practice
Optometry Board
Board of Osteopathic Medicine and Surgery
Board of Pharmacy
Board of Physical Therapy
Podiatric Medical Board
Board of Practical Nursing
Examining Board of Psychology
Veterinary Board of Governors

Her office is located at 1300 S.E. Quince Street, P.O. Box 47902, Olympia, WA 98504-7902, phone (206) 586-6894.

Kristine M. Gebbie
Secretary

WSR 92-01-049
PROPOSED RULES
DEPARTMENT OF HEALTH
(Board of Medical Examiners)
[Filed December 10, 1991, 2:55 p.m.]

Original Notice.

Title of Rule: WAC 246-917-125 Temporary permits—Recognized jurisdictions; and 246-917-126 Temporary permits—Issuance and duration.

Purpose: Establishes which jurisdictions have standards substantially equivalent to Washingtons and outlines the requirements for issuance of a temporary permit and the duration of the permit.

Statutory Authority for Adoption: RCW 18.71.017.

Statute Being Implemented: RCW 18.130.075.

Summary: Establishes which jurisdictions have standards substantially equivalent to Washingtons and outlines the requirements for issuance of a temporary permit and the duration of the permit.

Name of Agency Personnel Responsible for Drafting: Patti Rathbun, Board of Medical Examiners, Olympia, 586-8934; Implementation and Enforcement: Board of Medical Examiners, Olympia, 586-8934.

Name of Proponent: Board of Medical Examiners, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Establishes which jurisdictions have licensing standards substantially equivalent to Washingtons and to outline the requirements for issuance of temporary permits and the duration of the permit.

Proposal does not change existing rules.

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

Hearing Location: Seattle Airport Hilton, 17620 Pacific Highway South, Seattle, WA 98188, Columbia East Room, on January 31, 1992, at 9:30 a.m.

Submit Written Comments to: Patti Rathbun, Program Manager, Board of Medical Examiners, 1300 Quince Street, EY-25, Olympia, WA 98507, by January 15, 1992.

Date of Intended Adoption: January 31, 1992.

December 4, 1991
Patti L. Rathbun
Program Manager

NEW SECTION

WAC 246-917-125 TEMPORARY PERMITS—RECOGNIZED JURISDICTIONS. (1) For the issuance of temporary permits under RCW 18.130.075 to applicants who graduated from a school of medicine located in any state, territory, or possession of the United States, the District of Columbia, or the Dominion of Canada prior to July 28, 1985, the following jurisdictions are deemed to have licensing standards substantially equivalent to Washington's licensing standards:

Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Guam, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Texas, Utah, Vermont, Virginia, West Virginia, Wisconsin, Wyoming.

(2) For the issuance of temporary permits under RCW 18.130.075 to applicants who graduated from a school of medicine located in any state, territory, or possession of the United States, the District of Columbia, or the Dominion of Canada after July 28, 1985, the following jurisdictions are deemed to have licensing standards substantially equivalent to Washington's licensing standards: Connecticut, Maine, Michigan, Nevada, New Hampshire.

(3) For the issuance of temporary permits under RCW 18.130.075 to applicants who graduated from a school of medicine located outside the states, territories, and possessions of the United States, the District of Columbia, or the Dominion of Canada prior to July 28, 1985, the following jurisdictions are deemed to have licensing standards substantially equivalent to Washington's licensing standards: Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Guam, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, West Virginia, Wisconsin, Wyoming.

(4) For the issuance of temporary permits under RCW 18.130.075 to applicants who graduated from a school of medicine located outside the states, territories, and possessions of the United States, the District of Columbia, or the Dominion of Canada after July 28, 1985, the following jurisdictions are deemed to have licensing standards substantially equivalent to Washington's licensing standards: Arizona, Colorado, Connecticut, Delaware, Georgia, Hawaii, Idaho, Indiana, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Minnesota, Michigan, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oregon, Rhode Island, Tennessee, Texas, Virginia, West Virginia, Wyoming.

NEW SECTION

WAC 246-917-126 TEMPORARY PERMITS—ISSUANCE AND DURATION. (1) Upon submission of a completed license application form on which the applicant indicates that he or she wishes to receive a temporary practice permit; payment of the application fee and temporary practice permit fee; receipt of the AMA profile verifying states in which the applicant is or was licensed; receipt of disciplinary action data bank report from the Federation of State Medical Boards and receipt of written verification attesting that the applicant has a license in good standing and is not subject to charges or disciplinary action for unprofessional conduct or impairment from all states in which the applicant is or was licensed, the applicant shall be issued a temporary practice permit unless there is a basis for denial of the license or issuance of a conditional license.

(2) The temporary permit shall expire upon the issuance of a license by the board; initiation of an investigation by the board of the applicant; or ninety days, whichever occurs first.

(3) An applicant who receives a temporary practice permit and who does not complete the application process may not receive additional temporary practice permits even upon submission of a new application in the future.

WSR 92-01-050
PERMANENT RULES
DEPARTMENT OF HEALTH
[Order 209—Filed December 10, 1991, 2:59 p.m.]

Date of Adoption: December 6, 1991.

Purpose: Establishes criteria and procedures for identifying and reporting diagnosed cancer cases, and standards for information access and release.

Statutory Authority for Adoption: RCW 70.54.230 through 70.54.270.

Pursuant to notice filed as WSR 91-15-005 on July 5, 1991.

Changes Other than Editing from Proposed to Adopted Version: Added SEER data items to data collection requirements WAC 246-430-030 to ensure CSS' contractual obligations to SEER; revised Office of Registries to new name, Office of Hospital and Patient Data; changed "attempt to notify" to "make a documented attempt to notify" under WAC 246-430-060 (6)(a); and added to WAC 246-430-040 (4)(b), "Establish a record retention schedule for computer tapes provided to the department."

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

December 9, 1991
Kristine M. Gebbie
Secretary

Chapter 246-430 WAC
CANCER REPORTING

NEW SECTION

WAC 246-430-001 PURPOSE. The purpose of this chapter is to establish department rules implementing RCW 70.54.230, 70.54.240, 70.54.250, 70.54.260, and 70.54.270 including criteria and procedures for identifying and reporting diagnosed cancer cases, and standards for information access and release.

NEW SECTION

WAC 246-430-010 DEFINITIONS. For the purpose of RCW 70.54.230, 70.54.240, 70.54.250, 70.54.260, 70.54.270, and this chapter, the following words and phrases shall have the following meaning unless the context clearly indicates otherwise:

(1) "Attending health care provider" means the physician or other health professional who ordered the diagnostic procedure confirming a cancer diagnosis.

(2) "Cancer case" means any or all of the following:

(a) Any malignant neoplasm, with the exception of basal and squamous cell carcinoma of the skin;

(b) Basal and squamous cell carcinoma of the external genital organ sites (vulva, labia, clitoris, prepuce, penis, scrotum);

(c) All brain tumors;

(d) Ovarian tumor of borderline or low malignant potential;

(e) Cancer in situ.

(3) "Cancer diagnosis or treatment facilities" means hospitals, surgical centers, outpatient radiation therapy centers, doctors offices, and any other facilities where cancer cases are diagnosed or treated.

(4) "Confidential information" means any information collected by contractors which could lead to the identification of cancer patients, cancer diagnosis or treatment facilities, independent clinical laboratories, or attending health care providers.

(5) "Contractors" means agencies designated by contract with the department of health to perform activities related to identification, collection, and processing of cancer data.

(6) "Department" means the Washington state department of health.

(7) "Designees" means hospital-based tumor registrars, contractor employees, or other persons designated by contractors to perform data collection activities.

(8) "Independent clinical laboratories" means free-standing medical test sites.

(9) "In situ" means tumors described as "in situ" by the pathologist reading the diagnostic report(s).

(10) "Reportable cancer case" means any cancer case diagnosed in a Washington state resident on or after the effective date of these rules.

(11) "Resident" means an individual residing in Washington state at time of cancer diagnosis.

(12) "Stage of disease" means a cancer classification system encompassing attributes of a tumor as determined and described by:

(a) Summary Staging Guide, Cancer Surveillance Epidemiology and End-Results Reporting (SEER), SEER Program, April, 1977; and

(b) Manual for Staging of Cancer, 3rd Edition, American Joint Committee on Cancer, (AJCC), 1988.

(13) "State cancer registry" means the state-wide cancer data base maintained by the office of hospital and patient data, division of health information, department of health.

(14) "State cancer registry contract" means the legal agreement by which contractors are authorized to obtain information on reportable cancer cases. It also means the document specifying the contractors' obligations to the state cancer registry with respect to how and when information is collected, processed, and provided and how quality assurance standards are met.

NEW SECTION

WAC 246-430-020 CANCER CASE IDENTIFICATION. (1) Contractors shall identify:

(a) Reportable cancer cases diagnosed or treated in hospitals, surgical centers, and outpatient radiation therapy centers; and

(b) Reportable cancers processed and reported by independent clinical laboratories.

(2) Hospitals, surgical centers, and outpatient radiation therapy centers shall:

(a) Organize case finding documents by procedure or service date to permit identification of cancer cases to be reviewed each contractor visit; and

(b) Submit or make available to contractors, per arrangement with contractors, case finding documents including the following if maintained:

(i) Disease and operation indices for cancer cases;

(ii) Pathology and cytology reports;

(iii) New patient radiation logs;

(iv) New patient chemotherapy logs; and

(v) Other alternative information which contractors determine is necessary to identify or verify reportable cancer cases.

(3) Independent clinical laboratories shall:

(a) Organize pathology reports by slide order, numerical order, or service date; and

(b) Make pathology reports available to contractors, if not otherwise available through hospitals, on a monthly basis.

(4) Attending health care providers shall identify to contractors reportable cancer cases diagnosed at facilities other than hospitals, surgical centers, and outpatient radiation therapy centers (as specified under WAC 246-430-030 and 246-430-040) unless the patient was hospitalized for additional cancer diagnosis or treatment services within one month of diagnosis.

NEW SECTION

WAC 246-430-030 DATA COLLECTION REQUIREMENTS. (1) Contractors or their designees shall complete cancer abstracts for patients identified through hospitals, surgical centers, independent clinical laboratories, and outpatient radiation therapy centers;

(2) Cancer diagnosis or treatment facilities and independent clinical laboratories shall provide contractors with access to pathology and cytology reports and all medical records pertaining to identified cancer cases;

(3) Attending health care providers shall be responsible for completing cancer abstracts for patients diagnosed at facilities other than hospitals, surgical centers, independent clinical laboratories, and outpatient radiation therapy centers, unless the patient was hospitalized for additional cancer diagnosis or treatment services within one month of diagnosis;

(4) Contractors, contractor designees, or attending health care providers shall include the following information items in cancer abstracts, providing the information is obtainable from the patient's medical records:

(a) Patient information:

(i) Name;

(ii) Address at time of diagnosis;

(iii) Sex;

(iv) Race;

(v) Birthdate;

(vi) Age at time of diagnosis;

(vii) Tobacco use;

(viii) Social Security number;

(ix) State or country of birth; and

(x) Usual occupation.

(b) Diagnostic information:

(i) Primary site or sites;

(ii) Histologic type or types, behavior and grade;

(iii) Date of each diagnosis;

(iv) Method or methods of diagnostic confirmation;

(v) Stage of disease at diagnosis using:

(A) SEER system; and

(B) AJCC system if maintained by the cancer diagnostic or treatment facility.

(vi) Sequence; and

(vii) Laterality.

(c) Other information:

(i) Name and address of cancer diagnosis or treatment facility providing information;

(ii) Medical record number;

(iii) Name and address of attending health care provider; and

(iv) Items required under contract between the National Cancer Institute's (NCI) SEER program (NCI-No. N01-CN-05230, available through the department's office of hospital and patient data) and the contractor, if the contractor is the Fred Hutchinson Cancer Research Center (FHCRC).

(5) The department may require submission of additional information from contractors as needed to assess data reliability and validity;

(6) Contractors shall prepare detailed data collection protocols for inclusion in the state cancer registry contract.

NEW SECTION

WAC 246-430-040 FORM, FREQUENCY, AND FORMAT FOR REPORTING. (1) Contractors shall:

(a) Develop and distribute cancer abstract forms;

(b) Prepare computer tapes containing information from completed cancer abstracts; and

(c) Provide computer tapes to the state cancer registry on a semiannual basis.

(2) Hospitals, surgical centers, independent clinical laboratories, and outpatient radiation therapy centers shall:

(a) Provide case finding documents as defined in WAC 246-430-020 within thirty days following the end of each reporting period;

(b) Submit case finding documents to contractors in paper form or on computer disk, or arrange with contractors for on-site review of case finding documents.

(3) Attending health care providers shall complete and submit cancer abstracts to contractors when required under WAC 246-430-020 and 246-430-030 within sixty days following a patient's cancer diagnosis date, for patients not hospitalized for cancer related diagnosis or treatment within one month of diagnosis.

(4) The department shall provide:

(a) Detailed instructions regarding preparation of computer tapes for inclusion in the state cancer registry contract; and

(b) Establish a record retention schedule for computer tapes provided to the department.

NEW SECTION

WAC 246-430-050 DATA QUALITY ASSURANCE. (1) Contractors shall:

(a) Perform data validity studies to assess the completeness and accuracy of case identification and data collection;

(b) Verify coding accuracy of a sample of completed cancer abstracts;

(c) Develop and utilize computerized edit programs to assess the completeness and accuracy of data keying and computerized data transformations;

(d) Maintain an archive system for permanent retention of completed cancer abstracts for the duration of the contract; and

(e) Develop detailed protocols for data quality assurance and quality control, consistent with Data Quality Guidelines, December, 1990, available through the department's office of hospital and patient data.

(2) The department may require contractors to make available all findings from data quality assurance activities for review and verification.

NEW SECTION

WAC 246-430-060 ACCESS AND RELEASE OF INFORMATION. (1) Persons with access to information collected under RCW 70.54.230, 70.54.240, 70.54.250, 70.54.260, 70.54.270, and this chapter shall use information only for statistical, scientific, medical research, and public health purposes;

(2) Cancer diagnosis or treatment facilities and independent clinical laboratories may:

(a) Require contractors to sign an oath of confidentiality regarding access and release of cancer data; and

(b) Prepare, administer, and maintain confidentiality oaths as needed.

(3) Cancer diagnosis or treatment facilities and independent clinical laboratories shall adhere to recommendations in RCW 70.54.260 regarding content of confidentiality oaths if confidentiality oaths are used.

(4) Contractors may release confidential information if the requested release was reviewed and approved by an institutional review board utilizing guidelines at least as restrictive as:

(a) The minimum requirements under Title 45 Part 46 of the Code of Federal Regulations;

(b) Chapter 42.48 RCW; and

(c) The DSHS/DOH Guide to Policy on Protection of Human Research Subjects, March, 1990, available through the department of social and health service's human research review board.

(5) The department may release confidential information if the requested release was reviewed and approved by the department's human research review board.

(6) The department or contractor shall, before releasing confidential information:

(a) Make a documented attempt to notify a patient's attending health care provider before contacting the patient;

(b) Not contact a patient if the attending health care provider indicates that contact might jeopardize the patient's health or well-being.

(7) The department shall monitor release of confidential information by data contractors.

WSR 92-01-051
PERMANENT RULES
UTILITIES AND TRANSPORTATION COMMISSION

[Order R-354, Docket No. TV-900714—Filed December 11, 1991, 1:27 p.m.]

In the matter of amending WAC 480-12-322 relating to applicability of intrastate rates to log shipments.

This action is taken pursuant to Notice No. WSR 91-21-091 filed with the code reviser on October 21, 1991. The rule change hereinafter adopted shall take effect pursuant to RCW 34.05.380(2).

This rule-making proceeding is brought on pursuant to RCW 80.01.040 and is intended administratively to implement that statute.

This rule-making proceeding is in compliance with the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.05 RCW), the State Register Act (chapter 34.08 RCW), the State Environmental Policy Act of 1971 (chapter 43.21C RCW), and the Regulatory Fairness Act (chapter 19.85 RCW).

Pursuant to Notice No. WSR 91-21-091 the above matter was scheduled for consideration at 9:00 a.m., Wednesday, November 27, 1991, in the Commission's Hearing Room, Second Floor, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, WA, before Chairman Sharon L. Nelson and Commissioners Richard D. Casad and A. J. Pardini.

Under the terms of said notice, interested persons were afforded the opportunity to submit data, views, or arguments to the commission in writing prior to November 18, 1991, and orally at 9:00 a.m., Wednesday, November 27, 1991, in the commission's hearing room above noted. At the November 27, 1991, meeting the commission considered the rule change proposal. Written comments were received from Boyd Hartman on behalf of the Log Truckers Conference; Robert Jacobson; Douglas N. Owens on behalf of ITT Rayonier, Inc.; and John Ficker on behalf of Weyerhaeuser Company. Oral comments were made by Boyd Hartman for the Log Truckers Conference; Douglas N. Owens for ITT Rayonier, Inc.; and John Ficker for Weyerhaeuser Company.

The rule change affects no economic values.

In reviewing the entire record herein, it has been determined that WAC 480-12-322 should be amended to read as set forth in Appendix A shown below and by this reference made a part hereof. WAC 480-12-322 as amended will clarify that whether or not a log shipment is tagged does not change the type of commerce being conducted—whether interstate, intrastate, or foreign commerce. The type of commerce can only be determined by all the facts and circumstances relative to shipper intent at the time of shipment.

ORDER

WHEREFORE, IT IS ORDERED That WAC 480-12-322 as set forth in Appendix A, be amended as a rule of the Washington Utilities and Transportation Commission to take effect pursuant to RCW 34.05.380(2).

IT IS FURTHER ORDERED That the order be forwarded to the code reviser for filing and recorded in the order register of the Washington Utilities and Transportation Commission pursuant to chapter 34.05 RCW and chapter 1-21 WAC.

DATED at Olympia, Washington, this 10th day of December, 1991.

Washington Utilities and Transportation Commission
Sharon L. Nelson, Chairman
Richard D. Casad, Commissioner
A. J. Pardini, Commissioner

Appendix "A"

AMENDATORY SECTION (Amending Order R-202, Cause No. TV-1699, filed 5/26/83)

WAC 480-12-322 LOG SHIPMENTS—INTRASTATE RATES—APPLICABILITY.

((~~(1) Intrastate rates shall apply to all shipments of logs moving within the state of Washington where the origin is in this state and the destination within this state is a sorting yard for storage, classification or sorting of the logs, except when the consignor or the consignee or their authorized agent executes a certificate as set forth in subdivision (a) or (b) below and furnishes such to the carrier at the time of the shipment.~~

~~(a) "I am the consignor (or consignor's authorized agent) of this shipment of logs. None of the logs in this shipment:~~

~~(1) have been sold for in-state use;~~

~~or~~

~~(2) are for partial or total filling of an outstanding order in intrastate commerce;~~

~~or~~

~~(3) are part of an arrangement for an in-state shipment of logs.~~

~~_____"~~

~~(b) "I am the consignee (or consignee's authorized agent) of this shipment of logs received under freight bill No. _____ dated _____.~~

~~None of the logs in this shipment:~~

~~(1) have been sold for in-state use;~~

~~or~~

~~(2) are for partial or total filling of an outstanding order in intrastate commerce;~~

~~or~~

~~(3) are part of an arrangement for an in-state shipment of logs.~~

~~_____"~~

~~2) The requirements of subsection (1) of this rule do not apply where the timber has been specifically selected and tagged as export at the place where the timber was cut or initially tendered for shipment.~~)) Where timber has been specifically selected and tagged as export at the place where the timber was cut or initially tendered for shipment, such tagging does not change the nature of the shipment, be it intrastate, interstate, or foreign commerce. The nature of the shipment depends on all facts and circumstances legally relevant to shipper intent at the time of shipment.

WSR 92-01-052
PERMANENT RULES
UTILITIES AND TRANSPORTATION COMMISSION

[Order R-358, Docket No. TG-900715—Filed December 11, 1991, 1:31 p.m.]

In the matter of amending WAC 480-70-240 relating to tariff, naming rates and changes for solid waste collection companies and repealing WAC 480-70-990.

This action is taken pursuant to Notice No. WSR 91-21-093 filed with the code reviser on October 21, 1991. The rule change hereinafter adopted shall take effect pursuant to RCW 34.05.380(2).

This rule-making proceeding is brought on pursuant to RCW 80.01.040 and is intended administratively to implement that statute.

This rule-making proceeding is in compliance with the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.05 RCW), the State Register Act (chapter 34.08 RCW), the State Environmental Policy Act of 1971 (chapter 43.21C RCW), and the Regulatory Fairness Act (chapter 19.85 RCW).

Pursuant to Notice No. WSR 91-21-093 the above matter was scheduled for consideration at 9:00 a.m., Wednesday, November 27, 1991, in the Commission's Hearing Room, Second Floor, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W. Olympia, WA, before Chairman Sharon L. Nelson and Commissioners Richard D. Casad and A. J. Pardini.

Under the terms of said notice, interested persons were afforded the opportunity to submit data, views, or arguments to the commission in writing prior to November 18, 1991, and orally at 9:00 a.m., Wednesday, November 27, 1991, in the commission's hearing room above noted.

At the November 27, 1991, meeting the commission considered the rule change proposal. No written or oral comments were received.

The rule change affects no economic values.

In reviewing the entire record herein, it has been determined that WAC 480-70-240 should be amended and WAC 480-70-990 should be repealed, to read as set forth in Appendix A shown below and by this reference made a part hereof. These changes will delete any reference to the standard tariff format and allow solid waste collection companies to file tariffs using forms obtained from or approved by the commission

ORDER

WHEREFORE, IT IS ORDERED That WAC 480-70-240 and 480-70-990 as set forth is Appendix A, be amended and repealed as rules of the Washington Utilities and Transportation Commission to take effect pursuant to RCW 34.05.380(2).

IT IS FURTHER ORDERED That the order be forwarded to the code reviser for filing and recorded in the order register of the Washington Utilities and Transportation Commission pursuant to chapter 34.05 RCW and chapter 1-21 WAC.

DATED at Olympia, Washington, this 10th day of December, 1991.

Washington Utilities and Transportation Commission
Sharon L. Nelson, Chairman
Richard D. Casad, Commissioner
A. J. Pardini, Commissioner

Appendix "A"

AMENDATORY SECTION (Amending Order R-73, filed 6/25/75)

WAC 480-70-240 TARIFF, NAMING RATES AND CHARGES. (1) Every ((~~garbage and/or refuse~~)) solid waste collection company shall file with the commission and post at carrier's main office or carry on trucks, its tariff showing all rates and charges, including container rentals or other accessorial charges, for the transportation and disposal of ((~~garbage and refuse~~)) solid waste between all points on its line, route, or territory.

(a) Tariffs must be issued and filed in accordance with the commission's Tariff Circular No. 6 or reissues thereof.

(b) Tariffs must be ((~~in the form set forth in Appendix A herein except that the commission may authorize deviation therefrom for good cause shown~~)) submitted on forms prescribed or approved by the commission. Prescribed forms may be obtained from any commission office. Substitute forms must contain all information required by the commission. Tariffs not containing such information shall be rejected.

(c) Rates and charges shall cover a complete service, including disposal, unless a charge for disposal is specifically provided by the tariff.

(d) Two copies of all such tariffs shall be transmitted to the commission with a letter of transmittal. The letter of transmittal must be filed in duplicate so that the commission may stamp ((~~receiving~~)) the receipt date on one copy of said letter and return it to the carrier filing the tariff.

(2) When two or more ((~~garbage and/or refuse~~)) solid waste collection companies, under common control or management, operate in the same territory, rates and charges applicable to the transportation and disposal of ((~~garbage and refuse~~)) solid waste in the common territory must be published in a single tariff to which all such companies must be parties and must be equal for identical service.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 480-70-990 APPENDIX A—FORM—GARBAGE AND/OR REFUSE COLLECTION COMPANIES.

WSR 92-01-053
PERMANENT RULES
UTILITIES AND TRANSPORTATION COMMISSION
[Order R-359, Docket No. TV-910927—Filed December 11, 1991, 1:35 p.m.]

In the matter of amending WAC 480-12-255 relating to contracts between contract carriers and their shippers.

This action is taken pursuant to Notice No. WSR 91-21-094 filed with the code reviser on October 21, 1991. The rule change hereinafter adopted shall take effect pursuant to RCW 34.05.380(2).

This rule-making proceeding is brought on pursuant to RCW 80.01.040 and 81.80.080 and is intended administratively to implement these statutes.

This rule-making proceeding is in compliance with the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.05 RCW), the State Register Act (chapter 34.08 RCW), the State Environmental Policy Act of 1971 (chapter 43.21C RCW), and the Regulatory Fairness Act (chapter 19.85 RCW).

Pursuant to Notice No. WSR 91-21-094 the above matter was scheduled for consideration at 9:00 a.m., Wednesday, November 27, 1991, in the Commission's Hearing Room, Second Floor, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, WA, before Chairman Sharon L. Nelson and Commissioners Richard D. Casad and A. J. Pardini.

Under the terms of said notice, interested persons were afforded the opportunity to submit data, views, or arguments to the commission in writing prior to November 18, 1991, and orally at 9:00 a.m., Wednesday, November 27, 1991, in the commission's hearing room above noted.

At the November 27, 1991, meeting the commission considered the rule change proposal. No written or oral comments were received.

The rule change affects no economic values.

In reviewing the entire record herein, it has been determined that WAC 480-12-255 should be amended to read as set forth in Appendix A shown below and by this reference made a part hereof. WAC 480-12-255 as amended will allow photocopies, rather than original or duplicate originals, of contracts between contract carriers and their shippers to be filed with the commission for approval.

ORDER

WHEREFORE, IT IS ORDERED That WAC 480-12-255 as set forth in Appendix A, be amended as a rule of the Washington Utilities and Transportation Commission to take effect pursuant to RCW 34.05.380(2).

IT IS FURTHER ORDERED That the order be forwarded to the code reviser for filing and recorded in the order register of the Washington Utilities and Transportation Commission pursuant to chapter 34.05 RCW and chapter 1-21 WAC.

DATED at Olympia, Washington, this 10th day of December, 1991.

Washington Utilities and Transportation Commission
Sharon L. Nelson, Chairman
Richard D. Casad, Commissioner
A. J. Pardini, Commissioner

APPENDIX "A"

AMENDATORY SECTION (Amending Order R-5, filed 6/6/69, effective 10/9/69)

WAC 480-12-255 CONTRACTS. (1) Contracts between contract carriers and their shippers shall be terminable within the period for which they are written only in the manner provided in the contract and upon not less than five days notice to the commission and each contracting party, and every such contract shall so provide.

(2) No contract carrier shall operate under any individual contract or agreement for the transportation of property by motor vehicle, for compensation, with any shipper or shippers without having first filed with the commission, and been approved by the commission, ((~~an original or duplicate original~~)) a legible photocopy of the contract covering such agreement. Every such agreement shall be mutually binding upon both shipper and carrier, entered into and performed in good faith, for an agreed compensation, for an agreed term, covering a series of shipments during a stated period of time in contrast to contracts of carriage covering individual shipments, and which contract mutually binds the carrier to transport and the shipper to supply a specific category and substantial amount of freight during the term of the contract, and which contract shall conform to the following requirements.

(3) The time or term of performance by both parties must be stated.

(4) The route and/or area involved in the performance of the contract must be stated.

(5) The kind and minimum quantity of the commodity or commodities to be transported must be stated definitely. This minimum quantity shall be a substantial amount of all tonnage of the class of commodities which is the subject of the contract, shipped by the shipper by truck during the term of the contract over the route or in the area covered by the contract. A "substantial" amount of tonnage shall be an amount sufficient to make possible the operation of the carrier's own equipment, at a profit.

(6) All contracts shall provide that the rates and charges governing such operation shall not be less than those contained in applicable utilities and transportation commission tariff publication, save where commission order specifically authorizes such deviation. The filing of changes in rates by contract carriers shall be placed on the commission rate docket as provided in WAC 480-12-295 in the same manner as common carrier proposals: PROVIDED, That this shall not be required for contract carriers engaged in package delivery service, retail store delivery service, armored car service, transportation of newspapers, United States mail, periodicals, film, bakery goods, dairy products, automotive vehicles, flowers, nursery stock, explosives, logs, poles, pulpwood,

wood chips, hogged fuel, sawdust, wood shavings, garbage, refuse or debris.

(7) Where a contract carrier enters into more than four special and individual contracts with shippers, the commission may enter into a hearing for the purpose of determining whether such carrier's operations are those of a bona fide contract carrier.

(8) Every contract filed shall also contain the provision that it is made subject to the power and authority of the commission to fix, alter and amend just, fair, and reasonable classifications, rules and regulations and minimum rates and charges of contract carriers in intrastate service.

(9) No contract carrier shall sublet any hauling under any of his contracts, and in the event he is unable to meet the demands of the shipper for transportation of goods under any contract because of lack of facilities or otherwise, arrangements for the transportation of such commodities must be made by the shipper. Carriers subject to the provisions of this rule shall not act as agents of the shipper in such cases.

WSR 92-01-054
NOTICE OF PUBLIC MEETINGS
STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES
[Memorandum—December 10, 1991]

At their December meeting, the State Board for Community and Technical Colleges adopted Resolution 91-90 approving their meeting dates and locations for 1992. The meeting schedule is as follows:

January 22-23, 1992	Bates Technical College in Tacoma
February 1992	No February meeting
March 11-12, 1992	Pierce College at Puyallup
April 22-23, 1992	Big Bend Community College in Moses Lake
May 27-28, 1992	Yakima Valley Community College (in conjunction with other system meetings—WACTC/TACTC)
June 18-19, 1992	Spokane Falls Community College in Spokane
August 2-4, 1992	State board retreat at the Enzian Inn at Leavenworth
September 9-10, 1992	Clover Park Technical College in Steilacoom
October 14-15, 1992	Whatcom Community College in Bellingham (October 14 study session)
	Bellingham Technical College (October 15 regular meeting)
November, 1992	No November meeting
December 2-3, 1992	Lake Washington Technical College in Kirkland

WSR 92-01-055
RULES COORDINATOR
DEPARTMENT OF REVENUE
[Filed December 12, 1991, 9:04 a.m.]

As required in RCW 34.05.310(3) the rules coordinator for the Department of Revenue is Les Jaster, Rules Coordinator, Department of Revenue, P.O. Box 47460, Olympia, WA 98504-7460.

D. I. Okamoto
Director

WSR 92-01-056
PROPOSED RULES
GRAYS HARBOR COLLEGE
[Filed December 12, 1991, 10:29 a.m.]

Original Notice.

Title of Rule: Chapter 132B-108 WAC, Practice and procedure.

Purpose: To specify uniform rules of practice and procedures applicable to adjudicative proceedings under the Administrative Procedure Act, chapter 34.05 RCW.

Statutory Authority for Adoption: RCW 28B.50.140(13).

Statute Being Implemented: Chapter 34.05 RCW.

Summary: These new rules adopt uniform rules of practice and procedure.

Reasons Supporting Proposal: To comply with the Administrative Procedure Act, chapter 34.05 RCW.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Dr. Jewell Manspeaker, President, Grays Harbor College, (206) 532-9020.

Name of Proponent: Grays Harbor College, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 132B-108-010 adopts the model rules of the Office of Administrative Hearings; WAC 132B-108-020 provides for the designation of a presiding officer for adjudicative proceedings; WAC 132B-108-030 provides that proceedings shall be recorded in a manner specified by the presiding officer; WAC 132B-108-040 requires applications for adjudicative proceedings to be in writing and specifies where forms may be obtained and filed; WAC 132B-108-050 details what proceedings are subject to brief adjudicative procedures; WAC 132B-108-060 provides for discovery in the discretion of the presiding officer; WAC 132B-108-070 provides for the full or partial closing of adjudicative proceedings; and WAC 132B-108-080 provides that no cameras or recording devices are permitted at parts of hearings closed by the presiding officer, except for official recordings.

Proposal does not change existing rules.

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

Hearing Location: Grays Harbor College, Board Meeting Room, 200 Building, Aberdeen, Washington 98520, on March 16, 1992, at 3:30 p.m.

Submit Written Comments to: Dr. Jewell Manspeaker, President, Grays Harbor College, Aberdeen, Washington 98520, by March 16, 1992.

Date of Intended Adoption: March 16, 1992.

December 9, 1991
Dr. Jewell C. Manspeaker
President

Chapter 132B-108 WAC
PRACTICE AND PROCEDURE

NEW SECTION

WAC 132B-108-010 ADOPTION OF MODEL RULES OF PROCEDURE. The model rules of procedure adopted by the chief

administrative law judge pursuant to RCW 34.05.250, as now or hereafter amended, are hereby adopted for use at Grays Harbor College. Those rules may be found in chapter 10-08 WAC. Other procedural rules adopted in this title are supplementary to the model rules of procedure. In the case of a conflict between the model rules of procedure and procedural rules adopted in this title, the procedural rules adopted by this institution shall govern. Rules adopted at this institution prior to July 1, 1989, remain in full force and effect unless specifically repealed or amended.

NEW SECTION

WAC 132B-108-020 APPOINTMENT OF PRESIDING OFFICERS. The president or president's designee shall designate a presiding officer for an adjudicative proceeding. The presiding officer shall be an administrative law judge, a member in good standing of the Washington State Bar Association, a panel of individuals, the president or his or her designee, or any combination of the above. Where more than one individual is designated to be the presiding officer, one person shall be designated by the president or president's designee to make decisions concerning discovery, closure, means of recording adjudicative proceedings, and similar matters.

NEW SECTION

WAC 132B-108-030 METHOD OF RECORDING. Proceedings shall be recorded by a method determined by the presiding officer, among those available pursuant to the model rules of procedure in WAC 10-08-170.

NEW SECTION

WAC 132B-108-040 APPLICATION FOR ADJUDICATIVE PROCEEDING. An application for adjudicative proceeding shall be in writing. Application forms are available at the following address:

Office of the President
Grays Harbor College
1620 Edward P. Smith Drive
Aberdeen, WA 98520

Written application for an adjudicative proceeding should be submitted to the above address within twenty days of the agency action giving rise to the application, unless provided for otherwise by statute or rule.

NEW SECTION

WAC 132B-108-050 BRIEF ADJUDICATIVE PROCEDURES. This rule is adopted in accordance with RCW 34.05.482 through 34.05.494, the provisions of which are hereby adopted. Brief adjudicative procedures shall be used in all matters related to:

(1) Residency determinations made pursuant to RCW 28B.15.013, conducted by the admissions office;

(2) Challenges to contents of education records;

(3) Student conduct proceedings. The procedural rules in chapter 132B-120 WAC apply to these proceedings;

(4) Outstanding debts owed by students or employees;

(5) Loss of eligibility for participation in institution-sponsored athletic events, pursuant to chapter 132B-120 WAC.

NEW SECTION

WAC 132B-108-060 DISCOVERY. Discovery in adjudicative proceedings may be permitted at the discretion of the presiding officer. In permitting discovery, the presiding officer shall make reference to the civil rules of procedure. The presiding officer shall have the power to control the frequency and nature of discovery permitted, and to order discovery conferences to discuss discovery issues.

NEW SECTION

WAC 132B-108-070 PROCEDURE FOR CLOSING PARTS OF THE HEARINGS. A party may apply for a protective order to close part of a hearing. The party making the request should state the reasons for making the application to the presiding officer. If the other party opposes the request, a written response to the request shall be made within ten days of the request to the presiding officer. The presiding officer shall determine which, if any, parts of the proceeding shall be closed, and state the reasons therefor in writing within twenty days of receiving the request.

NEW SECTION

WAC 132B-108-080 RECORDING DEVICES. No cameras or recording devices shall be allowed in those parts of proceedings which the presiding officer has determined shall be closed pursuant to WAC 132B-108-010, except for the method of official recording selected by the institution.

WSR 92-01-057
PROPOSED RULES
GRAYS HARBOR COLLEGE
[Filed December 12, 1991, 10:42 a.m.]

Original Notice.

Title of Rule: Chapter 132B-104 WAC, Board of trustees; and chapter 132B-133 WAC, Organization.

Purpose: The purpose of chapter 132B-104 WAC and WAC 132B-104-010 is to identify dates and times of meetings of the board of trustees. The purpose of chapter 132B-133 WAC and WAC 132B-133-010 and 132B-133-020 is to detail the organization and operation of the college in compliance with RCW 34.05.220 (1)(b) and 42.17.250 (1)(a) and (b).

Statutory Authority for Adoption: RCW 28B.50.140(13).

Statute Being Implemented: RCW 34.05.220 (1)(b) and 42.17.250 (1)(a) and (b).

Summary: WAC 132B-104-010 identifies dates and times of meetings of the board of trustees; and WAC 132B-133-010 and 132B-133-020 details the organization and operation of the college.

Reasons Supporting Proposal: To comply with RCW 34.05.220 (1)(b) and 42.17.250 (1)(a) and (b).

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Dr. Jewell Manspeaker, President, Grays Harbor College, (206) 532-9020.

Name of Proponent: Grays Harbor College, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: These new rules identify a specific date, time and location for meetings of the college board of trustees. Also, the rules describe the organization structure and operations of the college, together with the location where information respecting educational offerings may be found.

Proposal does not change existing rules.

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

Hearing Location: Grays Harbor College, Board Meeting Room, 200 Building, Aberdeen, Washington 98520, on March 16, 1992, at 3:30 p.m.

Submit Written Comments to: Dr. Jewell C. Manspeaker, President, Grays Harbor College, Aberdeen, Washington 98520, by March 16, 1992.

Date of Intended Adoption: March 16, 1992.

December 9, 1991
Dr. Jewell C. Manspeaker
President

Chapter 132B-104 WAC
BOARD OF TRUSTEES

NEW SECTION

WAC 132B-104-010 TIME AND PLACE OF BOARD MEETINGS. The board of trustees shall hold one regular meeting on the third Monday of every odd-numbered month, except July, at 3:30 p.m., and such special meetings as may be requested by the chair of the board or by a majority of the members of the board and announced in accordance with law.

All regular and special meetings of the board of trustees shall be held at the board room of the college at Aberdeen, Washington, unless scheduled elsewhere, and shall be open to the general public, except for lawful executive sessions.

No official business shall be conducted by the board of trustees except during a regular or special meeting.

Chapter 132B-133 WAC
ORGANIZATION

NEW SECTION

WAC 132B-133-010 DESCRIPTION OF ORGANIZATION—PURPOSE. The purpose of this chapter is to establish rules implementing RCW 34.05.220 (1)(b) and 42.17.250 (1)(a) and (b).

NEW SECTION

WAC 132B-133-020 ORGANIZATION—OPERATION—INFORMATION. (1) Organization. Grays Harbor College is established in Title 28B RCW as a public institution of higher education. The institution is governed by a five-member board of trustees, appointed by the governor. The board employs a president, who acts as the chief executive officer of the institution. The president establishes the structure of the administration.

(2) Location. Grays Harbor College is located on a campus in Aberdeen, Grays Harbor County, Washington.

(3) Operation. The administrative office is located at the following address:

1620 Edward P. Smith Drive
Aberdeen, WA 98520

The office hours are 8:00 a.m. to 4:30 p.m., Monday through Friday, except legal holidays.

(4) Information. Additional and detailed information concerning the educational offerings may be obtained from the catalog, copies of which are available at the following address:

1620 Edward P. Smith Drive
Aberdeen, WA 98520

WSR 92-01-058
PROPOSED RULES
GRAYS HARBOR COLLEGE
[Filed December 12, 1991, 10:46 a.m.]

Original Notice.

Title of Rule: Chapter 132B-130 WAC, Tuition and fee schedules; chapter 132B-131 WAC, Scholarships; and chapter 132B-132 WAC, Financial aid.

Purpose: To adopt rules specifying where interested parties may obtain information about tuition and fees, scholarships and financial aid while attending Grays Harbor College.

Statutory Authority for Adoption: RCW 28B.50.140(13).

Summary: WAC 132B-130-010 details how tuition fees are set; WAC 132B-130-020 identifies where such information can be obtained; WAC 132B-131-010 details where on campus information about scholarships may be obtained; and WAC 132B-132-010 details where financial aid information can be obtained.

Reasons Supporting Proposal: To provide the public with information on where to inquire about tuition and fees, scholarships and financial aid.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Dr. Jewell Manspeaker, President, Grays Harbor College, (206) 532-9020.

Name of Proponent: Grays Harbor College, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: These new rules are intended to provide the public with information about where inquiry can be made about tuition and fees, scholarships and financial aid.

Proposal does not change existing rules.

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

Hearing Location: Grays Harbor College, Board Meeting Room, 200 Building, Aberdeen, Washington 98520, on March 16, 1992, at 3:30 p.m.

Submit Written Comments to: Dr. Jewell Manspeaker, President, Grays Harbor College, Aberdeen, Washington 98520, by March 16, 1992.

Date of Intended Adoption: March 16, 1992.

December 9, 1991
Dr. Jewell C. Manspeaker
President

Chapter 132B-130 WAC
TUITION AND FEE SCHEDULES

NEW SECTION

WAC 132B-130-010 TUITION AND FEE SCHEDULES. Chapter 28B.15 RCW sets the parameters for tuition and fee levels at state community colleges. The legislature then establishes current biennium tuition and fee rates. Based on this legislation, the specific amounts to be charged are transmitted to Grays Harbor College by the state board for community college education.

NEW SECTION

WAC 132B-130-020 LOCATION OF SCHEDULES. Additional and detailed information and specific amounts to be charged for each category of students will be found in the college catalog and in the following locations on the Grays Harbor College campus:

(1) The office of admissions;
(2) The registration and records office;
(3) The business office.

Chapter 132B-131 WAC
SCHOLARSHIPS

NEW SECTION

WAC 132B-131-010 SCHOLARSHIPS. Detailed information concerning the criteria, eligibility, procedures for application, and other information regarding scholarships at Grays Harbor College is located in the office of financial aid on the Grays Harbor College campus.

Chapter 132B-132 WAC
FINANCIAL AID

NEW SECTION

WAC 132B-132-010 FINANCIAL AID. Federal, state, and private financial aid applications and information may be obtained at the following address:

Office of Financial Aid
Grays Harbor College
Aberdeen, WA 98520-7599

Award of federal and state aid will be made in accordance with applicable federal and state laws and regulations.

WSR 92-01-059
NOTICE OF PUBLIC MEETINGS
BOARD OF TAX APPEALS
[Memorandum—December 10, 1991]

The Board of Tax Appeals scheduled its regular 1992 meetings at 10 a.m. on the second Thursday of March, June, September, and December. The meetings will be held at the board's offices, 910 5th Avenue S.E., Olympia, WA 98504-0915.

WSR 92-01-060
RULES COORDINATOR
BOARD OF TAX APPEALS
[Filed December 12, 1991, 10:49 a.m.]

Pursuant to RCW 34.05.310(3), the Board of Tax Appeals designates Richard A. Virant, Chair, as its rules coordinator. The address is Board of Tax Appeals, 910 5th Avenue S.E., P.O. Box 40915, Olympia, WA 98504-0915.

Susan Riddle
Administrative Assistant

WSR 92-01-061
EMERGENCY RULES
DEPARTMENT OF HEALTH
[Order 219—Filed December 12, 1991, 1:25 p.m.]

Date of Adoption: December 3, 1991.

Purpose: Establish rules for the acquisition retention and security of health care information to implement chapter 335, Laws of 1991.

Statutory Authority for Adoption: RCW 70.02.050(3).

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; and that state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this Finding: This emergency rule is necessary to bridge the gap between the previous emergency rule and the permanent rule being adopted. The emergency rule is necessary to enable the department to obtain health care information necessary to protect public health.

Effective Date of Rule: Immediately.

December 3, 1991
Kristine M. Gebbie
Secretary

NEW SECTION

WAC 246-08-390 ACQUISITION, RETENTION AND SECURITY OF HEALTH CARE INFORMATION. This section sets forth the process by which the department of health or disciplining authority obtains and protects health care information under RCW 70.02-.050. This section does not apply to health care information obtained by the department through other sources.

(1) Acquisition.

(a) The department shall request health care information in writing.

(b) Health care providers shall provide the requested information pursuant to RCW 70.02.050.

(2) Retention. The department shall maintain health care information obtained under this section as long as necessary to perform agency functions.

(3) Security. The department shall secure the records and protect confidentiality.

(a) The manager of the program within the department that requested the records shall act as the custodian of records, and shall provide access to the information only as necessary to perform agency responsibilities.

(b) The custodian shall monitor the location and security of the information.

(4) The department shall not make health care information obtained under RCW 70.02.050 available for public inspection and copying except as may be required by chapter 42.17 RCW. Health care information obtained under this section may be released to public agencies or entities as required by law or upon agreement by the agency or entity that the health care information will be used only for authorized statutory purposes and will not be disclosed further.

WSR 92-01-062
PROPOSED RULES
DEPARTMENT OF HEALTH
[Filed December 12, 1991, 1:28 p.m.]

Original Notice.

Title of Rule: Acquisition, retention and security of health care information.

Purpose: Adopt permanent rules to comply with statutory requirements of RCW 70.02.050(3).

Other Identifying Information: This is currently an emergency rule.

Statutory Authority for Adoption: RCW 70.02.050(3).

Statute Being Implemented: RCW 70.02.050(3).

Summary: Sets forth Department of Health process for acquiring, retaining and providing security of health care information obtained by the Department of Health in the process of performing its statutory duties.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Colleen Klein, 1300 S.E. Quince, Mailstop 7851, 586-4570.

Name of Proponent: Department of Health, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This rule sets forth Department of Health process for acquiring, retaining and providing security of health care information. It will enable the department to obtain records in a timely manner and keep them as long as necessary to perform agency functions.

Proposal does not change existing rules.

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

Hearing Location: General Administration Auditorium, 11th and Columbia, Olympia, Washington 98504, on January 23, 1992, at 1:00 p.m.

Submit Written Comments to: Leslie Baldwin, Rules Coordinator, 1300 Quince Street, P.O. Box 47902, Olympia, WA 98504-7902, by January 22, 1992.

Date of Intended Adoption: January 30, 1992.

December 9, 1991
Kristine M. Gebbie
Secretary

NEW SECTION

WAC 246-08-390 ACQUISITION, RETENTION AND SECURITY OF HEALTH CARE INFORMATION. This section sets forth the process by which the department of health or disciplining authority obtains and protects health care information under RCW 70-.02.050. This section does not apply to health care information obtained by the department through other sources.

(1) Acquisition.

(a) The department shall request health care information in writing.

(b) Health care providers shall provide the requested information pursuant to RCW 70.02.050.

(2) Retention. The department shall maintain health care information obtained under this section as long as necessary to perform agency functions.

(3) Security. The department shall secure the records and protect confidentiality.

(a) The manager of the program within the department that requested the records shall act as the custodian of records, and shall provide access to the information only as necessary to perform agency responsibilities.

(b) The custodian shall monitor the location and security of the information.

(4) The department shall not make health care information obtained under RCW 70.02.050 available for public inspection and copying except as may be required by chapter 42.17 RCW. Health care information obtained under this section may be released to public agencies or entities as required by law or upon agreement by the agency or entity that the health care information will be used only for authorized statutory purposes and will not be disclosed further.

WSR 92-01-063
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF AGRICULTURE
(Hop Commission)
[Memorandum—December 10, 1991]

The Washington Hop Commission has adopted a schedule for 1992 regular and annual meetings. Per WAC 16-532-020 (11)(a) we are required to hold four regular and one annual meeting each year. We file the following information with the Washington State Register, as required by RCW 42.30.075:

February 11	Toppenish
April 7	Yakima
June 9	Prosser
October 6	Sunnyside
December 10 (annual meeting)	Yakima

Interested parties may call the Washington Hope Commission at (509) 453-4749 for the time and site of each meeting.

WSR 92-01-064
PERMANENT RULES
BUILDING CODE COUNCIL
[Filed December 13, 1991, 10:23 a.m., effective July 1, 1992]

Date of Adoption: November 8, 1991.

Purpose: To adopt by reference the 1991 edition of the Uniform Mechanical Code with amendments as chapter 51-22 WAC.

Statutory Authority for Adoption: RCW 19.27.074, 19.27.031, 19.27A.070 through 19.27A.100, and chapters 19.27 and 19.27A RCW.

Pursuant to notice filed as WSR 91-16-114 on August 7, 1991.

Effective Date of Rule: July 1, 1992.

November 8, 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 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 51-22-003 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, the provisions of the 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. Section 423. 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. Section 504. (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. Clearances 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 nonrigid 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. Section 807. (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 servicing 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 as 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 and M Occupancies and regulated by the Fire Code.

Approved, unvented portable oil–fueled heaters may be used as a 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 products of combustion to the exterior by mechanical means.

3. Heaters shall be safely and securely supported with hangers and brackets of noncombustible material 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. Section 1002. (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 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 nonmetallic 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 3320 (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 systems 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. Duct 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 casings) 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. Section 1104. 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 wallboard 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.

EXCEPTIONS 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. Section 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. Section 1903. (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 ducts 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.

WSR 92-01-065
PERMANENT RULES
BUILDING CODE COUNCIL
[Filed December 13, 1991, 10:29 a.m., effective July 1, 1992]

Date of Adoption: November 8, 1991.

Purpose: To adopt by reference the 1991 editions of the Uniform Fire Code and the Uniform Fire Code Standards with amendments, chapters 51-24 and 51-25 WAC.

Statutory Authority for Adoption: RCW 19.27.074, 19.27.031, and chapter 19.27 RCW.

Pursuant to notice filed as WSR 91-16-115 on August 7, 1991.

Changes Other than Editing from Proposed to Adopted Version: WAC 51-24-10507 (e) 3, this section was amended to note that the requirements only apply to new buildings constructed after July 1, 1992, added a NOTE as to the applicability of this section to structural additions, repairs, and alterations to existing buildings, under the exception, the aggregate area of clustered portable school classrooms was reduced to 5,000 square feet, and the area and height increases as well as the allowance of one-hour construction substitution was further defined; and WAC 51-24-79601(d), this section was amended to allow an alternative to the handling of leaking tanks. A leaking tank shall either be emptied and removed or repaired in accordance with chapter 173-360 WAC.

Effective Date of Rule: July 1, 1992.

November 8, 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 MATERIALS[1]

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
Cryogens		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 MATERIALS[1] (continued)

TYPE OF MATERIAL		AMOUNT
Unstable (reactive) gases		See No. c.7
Unstable (reactive liquids:	Class 4	Any amount
	Class 3	Any amount
	Class 2	5 gallons
	Class 1	10 gallons
Unstable (reactive) solids:	Class 4	Any amount
	Class 3	Any amount
	Class 2	50 pounds
	Class 1	100 pounds
Water-reactive liquids:	Class 3	Any amount
	Class 2	5 gallons
	Class 1	10 gallons
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.

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 overcurrent 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 (LD_{50}) 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 (LD_{50}) 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 (LC_{50}) 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 1, 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 alkyd, 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 -0-0- 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-resistive 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.

3. Division 1. An approved automatic fire–extinguishing system shall be installed in all newly constructed buildings classified as E–1 Occupancies constructed after July 1, 1992.

NOTE: For the purpose of this section, structural additions exceeding 60% of the appraised value of such building or structure, or alterations and repairs to any portion of a building or structure within a twelve month period that exceeds 100% of the appraised value of such building or structure shall be considered new construction. In the case of structural additions, separation walls shall define separate buildings.

EXCEPTION: Portable school classrooms, provided:
A. Aggregate area of clusters of portable school classrooms does not exceed 5,000 square feet; and
B. Clusters of portable school classrooms separated as required in Chapter 5 of the Building Code.

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 area and height increases and substitution for one–hour construction as allowed by the Building 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.

(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.

(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.

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 either promptly emptied and removed from the ground or repaired 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.

(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.

(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.

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.

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.

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.

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.

(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-resistive 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-resistive 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-resistive 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 noncombustible 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 51-24-99500 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

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 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 51–25–003 UNIFORM FIRE CODE STANDARDS. The 1991 edition of the Uniform Fire Code Standards published by the International 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 amendments 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 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.

WSR 92-01-066
PERMANENT RULES
BUILDING CODE COUNCIL
[Filed December 13, 1991, 10:35 a.m., effective July 1, 1992]

Date of Adoption: November 8, 1991.

Purpose: To adopt by reference and with amendments the 1991 edition of the Uniform Plumbing Code, chapter 51–26 WAC.

Statutory Authority for Adoption: RCW 19.27.074, 19.27.031, and chapter 19.27 RCW.

Pursuant to notice filed as WSR 91–16–116 on August 7, 1991.

Effective Date of Rule: July 1, 1992.

November 8, 1991
Gene J. 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 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 51–26–003 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. Section 310. (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. Section 315. (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. Section 401. (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. Section 503. (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. Section 1004. (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[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)
Assembly Places-Theaters, Auditoriums, Convention Halls, etc.--for permanent 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		
Assembly Places-Theatres, Auditoriums, Convention Halls, etc.--for public use	Male: 1:1-100, 2:101-200, 3:201-400 Female[14]: 3:1-50, 4:51-100, 8:101-200, 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 500 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 for each additional 500 persons.		1 per 75[12]
Dormitories[9] School or Labor	Male: 1 per 10 Female[14]: 1 per 8 Add 1 fixture for each additional 25 males (over 10) and 1 for each additional 20 females (over 8).	1 per 25 Over 150, add 1 fixture for each additional 50 males.	Male: 1 per 12 Female: 1 per 12 Over 12 add one fixture for each additional 20 males and 1 for each 15 additional females.	1 per 8 For females, add 1 bathtub per 30. Over 150, add 1 per 20.	1 per 75[12]
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 Over 55, add 1 fixture for each additional 40 persons.	1 per 50	Male: 1 per 40 Female: 1 per 40	1 per 8	
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 Female 1:1-15 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 Female 1 per 40 1 per 40		
Hospitals Individual Room Ward Room	1 per room 1 per 8 patients		1 per room 1 per 10 patients	1 per room 1 per 20 patients	1 per 75[12]
Industrial[6] Warehouses Workshops, foundries and similar establishments (for employee use)	Male Female 1:1-10 1:1-10 2:11-25 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		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 Female[14] 1 per 25 1 per 20	0:1-9 1:10-50 Add one fixture for each additional 50 males.	Male Female 1 per 10 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 Female[14] 1:1-15 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 Female 1 per 40 1 per 40	1 per 8	1 per 75[12]
Office or Public Buildings	Male Female[14] 1:1-100 3:1-50 2:101-200 4:51-100 3:201-400 8:101-200 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 Female 1:1-200 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 Female[14] 1:1-15 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 Female 1 per 40 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)
Penal Institutions-For employee use	Male: 1:1-15, 2:16-35, 3:36-55 Female: 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		1 per 75[12]
Penal Institutions-For prison use Cell Exercise room	1 per cell 1 per exercise room	1 per exercise room	1 per cell 1 per exercise room		1 per cell block floor 1 per exercise room
Restaurants,[11] Pubs and Lounges	Male: 1:1-50, 2:51-150, 3:151-300 Female: 1:1-50, 2:51-150, 4:151-300 Over 300, add 1 fixture for each additional 200 persons	1:1-150 Over 150, add 1 fixture for each additional 150 males	Male: 1:1-150, 2:151-200, 3:201-400 Female: 1:1-150, 2:151-200, 3:201-400 Over 400, add 1 fixture for each additional 400 persons		
Schools-For staff use All schools	Male: 1:1-15, 2:16-35, 3:36-55 Female: 1:1-15, 2:16-35, 3:36-55 Over 55, add 1 fixture for each additional 40 persons	1 per 50	Male: 1 per 40 Female: 1 per 40		
Schools-For student use Nursery	Male: 1:1-20, 2:21-50 Female: 1:1-20, 2:21-50 Over 50, add 1 fixture for each additional 50 persons		Male: 1:1-25, 2:26-50 Female: 1:1-25, 2:26-50 Over 50, add 1 fixture for each additional 50 persons		1 per 75[12]
Elementary	Male: 1 per 30 Female: 1 per 25	1 per 75	Male: 1 per 35 Female: 1 per 35		1 per 75[12]
Secondary	Male: 1 per 40 Female: 1 per 30	1 per 35	Male: 1 per 40 Female: 1 per 40		1 per 75[12]
Others (Colleges, Universities, Adult Centers, etc.)	Male: 1 per 40 Female: 1 per 30	1 per 35	Male: 1 per 40 Female: 1 per 40		1 per 75[12]
Worship Places Educational and Activities Unit	Male: 1 per 125, 2:126-250 Female[14]: 1 per 75, 2:76-125, 3:126-250	1 per 125	1 per 2 water closets		1 per 75[12]
Worship Places Principal Assembly Place	Male: 1 per 150, 2:151-300 Female[14]: 1 per 75, 2:76-150, 3:151-300	1 per 150	1 per 2 water closets		1 per 75[12]

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 workingmen 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. (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 92-01-067
PERMANENT RULES
BUILDING CODE COUNCIL
[Filed December 13, 1991, 10:39 a.m., effective July 1, 1992]

Date of Adoption: November 8, 1991.

Purpose: To adopt by reference and with amendments the 1991 edition of the Uniform Plumbing Standards, chapter 51-27 WAC.

Statutory Authority for Adoption: RCW 19.27.074, 19.27.031, and chapter 19.27 RCW.

Pursuant to notice filed as WSR 91-16-117 on August 7, 1991.

Effective Date of Rule: July 1, 1992.

November 8, 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 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, 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.

WSR 92-01-068
PERMANENT RULES
BUILDING CODE COUNCIL
[Filed December 13, 1991, 11:10 a.m., effective July 1, 1992]

Date of Adoption: November 8, 1991.

Purpose: To repeal chapter 51-18 WAC, Washington state water conservation performance standards. Standards have been relocated under chapter 51-27 WAC.

Citation of Existing Rules Affected by this Order: Repealing chapter 51-18 WAC.

Statutory Authority for Adoption: RCW 19.27.170 and chapter 19.27 RCW.

Pursuant to notice filed as WSR 91-20-160 on October 2, 1991.

Effective Date of Rule: July 1, 1992.

November 8, 1991
Gene J. Colin
Chair

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 51-18-010 DECLARATION OF PURPOSE.
WAC 51-18-020 APPLICATION.
WAC 51-18-030 WATER EFFICIENCY STANDARDS.
WAC 51-18-040 EXCEPTIONS.
WAC 51-18-050 IMPLEMENTATION.

WSR 92-01-069
PERMANENT RULES
BUILDING CODE COUNCIL
[Filed December 13, 1991, 11:16 a.m., effective July 1, 1992]

Date of Adoption: November 8, 1991.

Purpose: To adopt guidelines for building code exemptions for housing for indigent persons.

Citation of Existing Rules Affected by this Order: Repealing WAC 51-16-040, 51-16-050, 51-16-060, 51-16-070, and 51-16-100; and amending WAC 51-16-010, 51-16-020, 51-16-030, and 51-16-080.

Statutory Authority for Adoption: RCW 19.27.074 and chapter 19.27 RCW.

Other Authority: Chapter 139, Laws of 1991.

Pursuant to notice filed as WSR 91-20-174 on October 2, 1991.

Effective Date of Rule: July 1, 1992.

November 8, 1991
Gene J. Colin
Chair

Chapter 51-16 WAC
STATE BUILDING CODE ((~~UPDATE AND AMENDMENT—ADOPTION OF THE 1988 EDITIONS OF THE UNIFORM CODES~~)) GUIDELINES

AMENDATORY SECTION (Amending Order 88-11, filed 12/1/88, effective 7/1/89)

WAC 51-16-010 AUTHORITY. These ((~~rules~~)) guidelines are adopted under the authority of chapter 19.27 RCW.

AMENDATORY SECTION (Amending Order 88-11, filed 12/1/88, effective 7/1/89)

WAC 51-16-020 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~~)) guidelines is to provide local governments with amendatory language for specific applications. The guidelines are not required to be adopted and enforced by local governments.

AMENDATORY SECTION (Amending WSR 91-01-117, filed 12/19/90, effective 7/1/91)

WAC 51-16-030 ((~~UNIFORM BUILDING CODE AND UNIFORM BUILDING CODE STANDARDS~~)) EXEMPTIONS FOR INDIGENT HOUSING GUIDELINES. ((~~The 1988 edition of the Uniform Building Code, and the 1988 edition of the Uniform Building Code Standards as published by the International Conference of Building Officials and available from the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California 90601 are hereby adopted by reference with the following additions, deletions and exceptions:~~

~~400. The following amendments are adopted to UBC chapter 4.~~

~~Sec. 404. Add the following definitions:~~

~~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.~~

~~Sec. 407. Add the following definition:~~

~~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.~~

~~Sec. 409. Revise the definition of health hazard as follows:~~

~~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.~~

~~Sec. 414. Add the following definition:~~

~~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.~~

~~Sec. 420. Add the following definition:~~

~~SINGLE FAMILY RESIDENTIAL BUILDING is a dwelling containing only one dwelling unit.~~

~~800. The following amendments are adopted to UBC chapter 8.~~

~~Sec. 801. Revise the definition of "Division 3" and add an exception as follows:~~

~~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.~~

~~For occupancy separation see Table No. 5-B.~~

~~Sec. 802 (c). Revise as follows:~~

~~(c) Special provisions. Rooms in Division 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.

EXCEPTION: 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 3319(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 3319.

Balance of section to remain unchanged.

900. The following amendments are adopted to UBC chapter 9:

Sec. 901 (a). Revise as follows:

Sec. 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 used for retail sales, and storage and use of Class 3 solid and liquid oxidizers in Groups I, M and R Occupancies, see the Fire Code. For application and use of control areas, see Footnote 1 of Tables Nos. 9-A and 9-B. The primary use of a building will be considered as a Group H, Division 1, 2, or 3 or 7 Occupancy when its primary use is for storage, and the aggregate quantity of hazardous materials in the building is in excess of Tables Nos. 9-A or 9-B. Group H Occupancies shall be:

Sec. 901(a). Division 2.6. Revise Exception as follows:

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.

Sec. 901(a). Division 7. Revise as follows:

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.

Sec. 901(f). Revise as follows:

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).

Sec. 902(g). Revise as follows:

(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.

Sec. 902(h). Revise as follows:

(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.

Sec. 902(k). Delete exception.

Sec. 903. Revise first paragraph as follows:

Group H Occupancies shall be located on property in accordance with Section 504, Tables Nos. 9-C and 9-D and other provisions of this chapter. In Group H, Division 2 or Division 3 Occupancies, not less than 25 percent of the perimeter wall of the occupancy shall be an

exterior wall.

Sec. 904(b). Revise first paragraph as follows:

(b) Ventilation in Hazardous Locations. Areas or spaces in which explosive, corrosive, combustible, flammable or highly toxic dusts, mists, fumes, vapors or gases are or may be emitted due to the processing, use, handling or storage of materials shall be mechanically ventilated as required by the Fire Code and the Mechanical Code.

Sec. 906. Revise title as follows:

Shaft and exit enclosures

Sec. 906. Add a new paragraph as follows:

In buildings with Group H, Division 6 Occupancies, a fabrication area may have mechanical, duct and piping penetrations which extend through not more than two floors within that fabrication area. The annular space around penetrations for cables, cable trays, tubing, piping, conduit or ducts shall be sealed at the floor level to restrict the movement of air. The fabrication area, including the areas through which the ductwork and piping extend, shall be considered a single conditioned environment.

Sec. 908. Revise paragraph 5 as follows:

Combustible fiber storage rooms with a fiber storage capacity not exceeding 500 cubic feet, shall be separated from the remainder of the building by a one-hour fire-resistive occupancy separation. Combustible fiber storage vaults having a fiber storage capacity of more than 500 cubic feet, shall be separated from the remainder of the building by a two-hour fire-resistive occupancy separation.

Sec. 909. Revise as follows:

Sec. 909. An approved fire alarm system shall be installed in Group H Occupancies as specified in the Fire Code.

Sec. 910. Revise first paragraph as follows:

Explosion control

Sec. 910. Explosion control; equivalent protective devices, suppression systems or barricades shall be provided to control or vent the gases resulting from deflagrations of dusts, gases or mists in rooms, buildings or other enclosures as required by the Fire Code so as to minimize structural or mechanical damage. If detonation rather than deflagration is considered likely, protective devices or systems such as fully contained barricades shall be provided, except that explosion venting to minimize damage from less than 2.0 grams of TNT (equivalence) is permitted. Walls, floors and roofs separating a use from an explosion exposure shall be designed to resist a minimum internal pressure of 100 pounds per square foot in addition to the loads required by Chapter 23.

Sec. 911(f) 1. Revise as follows:

(f) Piping and tubing. 1. General. HPM piping and tubing shall comply with this subsection and shall be installed in accordance with nationally recognized standards. Piping and tubing systems shall be metallic unless the material being transported is incompatible with such system. Systems supplying gaseous HPM having a health hazard ranking of 3 or 4 shall be welded throughout, except for connections, valves and fittings, to the systems which are within a ventilated enclosure. HPM supply piping or tubing in service corridors shall be exposed to view.

Table No. 9-A. Revise as follows:

Delete all -- (dash marks) in the columns and replace with N.A.

Add a reference at the end of the table before "N.L." as follows:

N.A. = Not Applicable.

Table No. 9-A. Revise Footnote No. 5 as follows:

[5] Quantities may be increased 100 percent when stored in approved storage cabinets, gas cabinets, fume hoods, exhausted enclosures or safety cans as specified in the Fire Code. When Footnote No. 4 also applies, the increase for both footnotes may be applied.

Table No. 9-A. Add new Footnotes Nos. 11 and 12 as follows:

Solid Liquid
Lbs.[11] and Gallons[11]

[11] The aggregate quantity of nonflammable solid and nonflammable or noncombustible liquid hazardous materials within a single control area of a Group B, Division 2 Occupancies used for retail sales may exceed the exempt amounts when such areas are in compliance with the Fire Code.

Oxidizer, Class 3[12]

[12] A maximum quantity of 200 pounds of solid or 20 gallons of liquid Class 3 oxidizers may be permitted in Groups I, M and R Occupancies when such materials are necessary for maintenance purposes or operation of equipment. See the Fire Code.

Table No. 9-B. Revise as follows:

Delete all -- (dash marks) in the right hand column and replace with 0 (zeros).

Table No. 9-B. Revise Footnote No. 6 as follows:

[6] Quantities may be increased 100 percent when stored in approved storage cabinets, gas cabinets, fume hoods, exhausted enclosures or safety cans as specified in the Fire Code. When Footnote No. 5 also applies, the increase for both footnotes may be applied.

Under USE[3] -- CLOSED SYSTEMS -- Gas, add Footnote No. 6 to all items, except for Highly Toxics.

Table No. 9-B. Add a new Footnote No. 9 as follows:

Solid Liquid
(Lbs.)[4,5,9] and Gallons[4,5,9]

[9] The aggregate quantity of nonflammable solid and nonflammable or noncombustible liquid health hazard materials within a single control area of a Group B, Division 2 Occupancies used for retail sales may exceed the exempt amounts when such areas are in compliance with the Fire Code.

Table No. 9-C. Revise as follows:

OCCUPANCY GROUP	MINIMUM DISTANCE FROM PROPERTY LINE[1]	FIRE RESISTANCE OF EXTERIOR WALLS	OPENINGS IN EXTERIOR WALLS[2]
H-2, 3 not in a detached building	When area does not exceed 1,000 sq. ft.	4 hours less than 5 feet, 3 hours less than 10 feet, 1 hour less than 20 feet	Not permitted less than 5 feet; protected less than 20 feet
H-2, 3 not in a detached building	20 feet when the area exceeds 1,000 sq. ft.[3]	No requirement based on location[3]	No requirement based on location[3]

~~Sec. 913. Add the following section:~~

~~Sec. 913. The amendments, revisions and changes to Chapter 9 of the Uniform Building Code which are contained in the 1989 Supplement to the Uniform Building Code are hereby adopted.~~

~~1200. The following amendments are adopted to UBC chapter 12.~~

~~Sec. 1201. Amend Division 3 as follows:~~

~~Division 3 Dwellings, family child day care homes and lodging houses.~~

~~Sec. 1204. Revise as follows:~~

~~Sec. 1204. Stairs, exits and smokeproof enclosures shall be as specified in Chapter 33.~~

~~Exception: Only one exit door from a family child day care home need comply with the requirements of Section 3304(b).~~

~~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.~~

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

~~All escape or rescue windows shall have a minimum net clear openable area of 5.7 square feet. The minimum net clear openable height dimension shall be 24 inches. The minimum net clear openable width dimension shall be 20 inches. When windows are provided as a means of escape or rescue they shall have a finished sill height not more than 44 inches above the floor.~~

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

~~1. Such devices are equipped with approved release mechanisms which are openable from the inside without the use of a key or special knowledge or effort; and~~

~~2. The building is equipped with smoke detectors installed in accordance with Section 1210.~~

~~Sec. 1210. Revise as follows:~~

~~Sec. 1210. (a) Smoke detectors. 1. General. Dwelling units 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 $1,000.00 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. Wiring shall be permanent and without a disconnecting switch other than those required for overcurrent protection. Smoke detectors may be 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 detectors 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 in the upper level, except that when the lower level contains a sleeping area, a 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 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 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 and hotels. In efficiency dwelling units, hotel suites and in hotel sleeping rooms, detectors shall be located on the ceiling or wall of the main room or hotel 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.

Balance of section to remain unchanged.

Sec. 1213. Add the following paragraph and exception:

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 ladened vapors.

2300. The following amendments are adopted to UBC chapter 23.

Section 2312(h) 2. I. Diaphragms. Revise subsection (iv) as follows:

(iv) Where wood diaphragms are used to laterally support concrete or masonry walls, the anchorage shall conform to Section 2312(h) 2. H above. In Seismic Zones Nos. , 3 and 4 anchorage shall not be accomplished by use of toe nails or nails subject to withdrawal, nor shall wood ledgers or framing be used in cross-grain bending or cross-grain tension, and the continuous ties required by paragraph (iii) above shall be in addition to the diaphragm sheathing.

2700. The following amendments are adopted to UBC chapter 27.

Sec. 2722(f) 6. Revise item 1 of the exception as follows:

EXCEPTION: This requirement need not apply in any of the following cases, provided the compactness limitations for beams given in Section 2722 (f) 4 shall apply to columns as well:

1. For columns with f_a less than 0.4Fy for all load combinations, except for loads specified in Section 2722(d) 1. Such columns shall have allowable stresses reduced 25 percent when one end frames into a joint not complying with Formula 22-3, and 50 percent when both ends frame into joints not complying with Formula 22-3.

Sec. 2722(f) 7. Revise as follows:

7. Trusses in SMRSF. Trusses may be used as horizontal members in SMRSF 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 0.4Fy 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.

3800. The following amendments are adopted to UBC

chapter 38.

Sec. 3801. Add the following subsection (c):

(c) When sprinklers are installed in an insulated ceiling cavity not meeting exceptions of UBC Standard 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.

Section 3802(h). Revise as follows:

(h) Group R Division 1 Occupancies. An automatic sprinkler system shall be installed throughout every apartment house three or more stories in height or containing more than 15 dwelling units and every hotel 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 unit and guest room portions of the building. The sprinkler system shall comply with the requirements of Washington State Building Code Standard No. 38-3W.

5100. The following amendments are adopted to UBC chapter 51.

Sec. 5103. Delete entire section.

Sec. 5105. Revise as follows:

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 shall be sleeved beneath the machine room floor and extend to not less than 12 inches below the shaft vent to must be installed in a manner that inhibits the passage of smoke into the machine room.

3800. The following amendments are adopted to chapter 38 of the UBC Standards:

Sec. 38-3W. Add the following new standard No. 38-3W.

WASHINGTON STATE BUILDING CODE STANDARD NO. 38-3W

INSTALLATION OF SPRINKLER SYSTEMS IN RESIDENTIAL OCCUPANCIES

Sec. 38.301W. Except for the limitations, deletions, modifications or amendments set forth in Section 38.302W of this standard, the installation of sprinkler systems in residential occupancies of four stories or less when required by the Uniform Building Code shall be in accordance with the "Standard for the Installation of Sprinkler Systems in Residential Occupancies, NFPA 13R-1988", published by the National Fire Protection Association, copyright 1988, Batterymarch Park, Quincy, Massachusetts 02269, as if set out at length herein.

Sec. 38.302W. The National Fire Protection Association standard adopted by section 38.301W applies to the selection, installation, inspection, maintenance and testing of residential sprinkler systems, except as follows:

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 B36.10
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, 9-5 (Tin-Antimony-Grade 95TA)	ASTM B32
Specifications for CPVC Pipe	ASTM F437 ASTM F438 ASTM F439 ASTM F442
Specification for Polybutylene Tube	ASTM D 3309

2. 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

~~Table 1-5.5~~

~~Materials and Dimensions~~	~~Standard~~
~~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~~	~~ASTM D 3309~~))

Cities and counties are permitted the option of adopting exemptions from the state building code requirements for buildings whose character of use or occupancy has been changed in order to provide housing for indigent persons. The adoption of an ordinance or resolution by cities and counties for the purpose to provide for occupancy exemptions for indigent housing as outlined in this section, shall not be considered a local government residential amendment requiring approval by the state building code council.

The guideline shall read as follows:

The character of use or occupancy of an existing building located in this state, may be changed in order to provide housing for indigent persons, without conforming to all of the requirements of the State Building Code provided that:

1. The building official has reviewed and approved the proposed exemption; and,

2. The proposed housing for indigent persons is less hazardous than the existing use; and,

3. Any code deficiencies exempted pose no threat to human life, health, or safety; and,

4. The building or buildings exempted are owned or administered by a public agency or non-profit corporation; and,

5. The exemption is authorized for no more than five years, subject to renewal of the exemption by the building official.

AMENDATORY SECTION (Amending WSR 90-13-033, filed 6/13/90, effective 7/23/90)

WAC 51-16-080 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 ((~~1988~~)) 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) Exempted work. 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 one hundred twenty square feet.

2. Fences not over six feet high.

3. Oil derricks.

4. Movable cases, counters, and partitions not over five feet nine inches high.

5. Retaining walls which are not over four 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 five thousand gallons and the ratio of height to diameter or width does not exceed two to one.

7. Platforms, walks, and driveways not more than thirty 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 fifty-four 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 five thousand 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.

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.

REPEALER

The following sections of the Washington Administrative Code are repealed:

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 51-16-100 REVIEW OF CITY AND COUNTY AMENDMENTS PREVIOUSLY APPROVED BY THE COUNCIL.

WSR 92-01-070
PERMANENT RULES
DEPARTMENT OF HEALTH
(Chiropractic Disciplinary Board)

[Order 227B—Filed December 16, 1991, 10:50 a.m.]

Date of Adoption: November 13, 1991.

Purpose: To adopt rules regarding peer review.

Statutory Authority for Adoption: RCW 18.26.110.

Pursuant to notice filed as WSR 91-20-169 on October 2, 1991.

Changes Other than Editing from Proposed to Adopted Version: WAC 246-807-400 Peer review membership, the board omitted the election of a vice-chairman from the original rule. In the absence of the chairman the committee needs a vice-chairman; WAC 246-807-430 Peer review conflict of interest, by deleting "or in dismissal from the peer review committee." This simplifies the intent; WAC 246-807-450 Peer review conduct of reviews, chapter 320 [, Laws of 1991] is replaced with the applicable RCW 18.26.340 and 18.26.350; WAC 246-807-460 Mediation, to keep the rule consistent with the statute, RCW 18.26.340(3); and WAC 246-807-470 Disciplinary board conflict of interest, clarifies the application of the conflict of interest law.

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

November 13, 1991
John W. Day, D.C.
Board Chair

NEW SECTION

WAC 246-807-400 PEER REVIEW MEMBERSHIP. The peer review committee is created within the chiropractic disciplinary board and shall be constituted as follows: The chair of the peer review committee shall be a member of the board and shall not vote except to break a tie; one doctor of chiropractic representing each congressional district from within the state; and one independent member representative of the health insurance industry; and one representative from the department of labor and industries. The committee shall elect by a simple majority a vice-chairman from its' members.

NEW SECTION

WAC 246-807-420 PEER REVIEW QUALIFICATIONS FOR APPOINTMENT. The members of the committee who are chiropractors shall be licensed in Washington, current residents, and have been engaged in the practice of chiropractic in Washington for five years. The members shall not have had their license revoked or suspended by the chiropractic disciplinary board. The chiropractic members shall not serve during the term of their appointment as insurance consultants, independent examiners, peer reviewers, or any other capacity to the health insurance industry. The doctors may serve as consultant examiners to the department of labor and industries. The remaining two members must be residents of the state who are not and never have been, licensed as chiropractors or members of any health care profession. All members shall be appointed by a majority vote of the board.

NEW SECTION

WAC 246-807-430 PEER REVIEW CONFLICT OF INTEREST. Any member of the peer review committee shall disqualify him/her self from participation in a case for personal and/or professional involvement or association with the involved doctor, patient, patient's representative, or the insurer or professional competition in the community with the involved doctor. Members shall also be disqualified for lack of impartiality. Upon offer of appointment a potential member of the peer review committee will be required to complete a conflict of interest pledge. Refusal to complete the pledge will result in not being appointed. This rule shall not be construed to conflict with any provision of chapter 42.18 RCW, the Executive Branch Conflict of Interest Act.

NEW SECTION

WAC 246-807-440 PEER REVIEW QUORUM. A simple majority of the committee members shall constitute a quorum of the committee. A quorum of the committee shall be required to issue final decisions setting forth the committee's findings and recommendations.

NEW SECTION

WAC 246-807-450 PEER REVIEW CONDUCT OF REVIEWS. The committee shall conduct the reviews as provided by RCW 18.26.340 and 18.26.350. The committee shall meet, complete the review, and submit a written report to include the committee's findings and recommendations to all parties and the board within ninety days of the submission of the case to the peer review committee, unless an extension is authorized by the chair of the peer review committee.

NEW SECTION

WAC 246-807-460 MEDIATION. The peer review committee shall maintain and provide a list of mediators by geographical region available to all parties upon request. The mediation process shall be without cost except actual costs of mediation shall be paid if the

requesting party is a chiropractor or third-party payor. The mediator shall be selected by the peer review committee by the same criteria as the peer review committee members. If resolution of the review is not satisfactory to all parties, it may be submitted to the peer review committee for final action.

NEW SECTION

WAC 246-807-470 DISCIPLINARY BOARD CONFLICT OF INTEREST. Members of the board shall not participate in deciding a case or in rule making where their participation presents a conflict of interest, creates an appearance of a conflict of interest or where the board determines the member's participation raises questions as to the impartiality of the board.

WSR 92-01-071
PROPOSED RULES
DEPARTMENT OF HEALTH
(Board of Optometry)
[Filed December 16, 1991, 10:52 a.m.]

Original Notice.

Title of Rule: WAC 246-851-990 Optometry fees.

Purpose: To establish a fee for a temporary practice permit. To establish a fee for optometrists not licensed in Washington who attend the annual board continuing education seminar.

Statutory Authority for Adoption: RCW 43.24.086.

Summary: Establishes a fee for a temporary practice permit. Establishes a fee for optometrists not licensed in Washington who attend the annual board continuing education seminar.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Judy Haenke, 1300 S.E. Quince Street, Olympia, WA 98504, 753-4614.

Name of Proponent: Washington State Board of Optometry, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Establishes a fee for a temporary permit and establishes a fee for optometrists not licensed in Washington who attend the annual board continuing education seminar. The seminar is funded through the optometry budget. There is no fee for Washington licensees.

Proposal Changes the Following Existing Rules: Proposed amendment will add fees for a temporary permit and for attendance at the board seminar for optometrists not licensed in Washington.

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

Hearing Location: Tacoma Room, WestCoast SeaTac Hotel, 18220 Pacific Highway South, Seattle, WA, on February 14, 1992, at 9:30 a.m.

Submit Written Comments to: Judy Haenke, Program Manager, 1300 S.E. Quince Street, Mailstop EY-21, Olympia, WA 98504, by February 13, 1992.

Date of Intended Adoption: February 14, 1992.

December 13, 1991
Kristine M. Gebbie
Secretary

AMENDATORY SECTION (Amending Order 173, filed 6/6/91, effective 7/7/91)

WAC 246-851-990 OPTOMETRY FEES. The following fees shall be charged by the professional licensing division of the department of health:

Title of Fee	Fee
Application—Nonrefundable	$100.00
Examination/initial license	250.00
Reexamination/initial license	250.00
Temporary permit	50.00
Out-of-state seminar	100.00
License renewal	160.00
Late renewal	45.00
Duplicate license	15.00
Certification	25.00

WSR 92-01-072
PROPOSED RULES
DEPARTMENT OF HEALTH
[Filed December 16, 1991, 10:54 a.m.]

Original Notice.

Title of Rule: WAC 246-917-990 Physician and surgeon fees.

Purpose: To establish a fee for temporary permits.

Statutory Authority for Adoption: RCW 43.70.250.

Summary: Establishes a fee for temporary permits.

Reasons Supporting Proposal: To implement legislation requiring boards to issue temporary permits.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Patti Rathbun, Board of Medical Examiners, Olympia, 586-8934.

Name of Proponent: Board of Medical Examiners, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Establishes a fee for temporary permits.

Proposal Changes the Following Existing Rules: Adds fee for temporary permit.

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

Hearing Location: General Administration Auditorium, 11th and Columbia, Olympia, Washington 98504, on January 23, 1992, at 1:30 p.m.

Submit Written Comments to: Leslie Baldwin, 1300 Quince Street, P.O. Box 47902, Olympia, WA 98504-47902, by January 22, 1992.

Date of Intended Adoption: January 30, 1992.

December 13, 1991
Kristine M. Gebbie
Secretary

AMENDATORY SECTION (Amending Order 131, filed 2/26/91, effective 3/29/91)

WAC 246-917-990 PHYSICIAN AND SURGEON FEES. The following fees shall be charged by the professional licensing division of

the department of health:

Title of Fee	Fee
Physician and surgeons:	
Application with examination or reexamination (both components)	$600.00
Examination or reexamination (component I)	295.00
Examination or reexamination (component II)	320.00
Applicants (without full examination)	300.00
Renewal	107.50
Renewal effective April 1, 1991	100.00
Late renewal penalty	50.00
Disciplinary assessment	107.50
Disciplinary assessment effective April 1, 1991	100.00
Surcharge–impaired physician	25.00
Certification	50.00
Duplicate license	15.00
Temporary permit	50.00
Limited license:	
Limited license application	200.00
Renewal	107.50
Renewal effective April 1, 1991	100.00
Duplicate license	15.00
Disciplinary assessment	107.50
Disciplinary assessment effective April 1, 1991	100.00
Surcharge–impaired physician	25.00

WSR 92-01-073
PROPOSED RULES
WESTERN WASHINGTON UNIVERSITY
[Filed December 16, 1991, 1:58 p.m.]

Original Notice.

Title of Rule: Amending WAC 516–12–400 Definitions, 516–12–430 General regulations, and 516–13–080 Operation; and adding new section WAC 516–13–090 Enforcement.

Purpose: Establish a dismount zone for bicycles to be walked rather than ridden on campus at specific time periods as posted.

Statutory Authority for Adoption: RCW 28B.35.120(11).

Summary: Establish a dismount zone for bicycles to be walked rather than ridden in specified areas on campus at specific time periods, and establishes an enforcement policy.

Reasons Supporting Proposal: As early as the academic year 1988–1989, the transportation and parking advisory committee, composed of faculty, staff, administrators and students, began examining the current regulations. This early review was a result of bicycle and pedestrian safety concerns expressed by various members of the university community, as well as the university central safety committee. The committee concluded that the current policy of allowing a mixture of pedestrian and bicycle riders on walkways is a safety hazard. In 1989, the transportation and parking advisory committee was directed to continue this review and to make recommendations regarding this issue. The committee's intent was to arrive at solutions that would create the safest conditions possible for both pedestrians and bicyclists. They developed some informal recommendations, which were reported in a number of articles in the Western Front, to generate comments and other ideas. A public forum was held to produce further comments. This forum was attended by approximately 35 people and generated bicyclists' concerns and alternative suggestions. By May 1991, formal recommendations were finalized as a result of the work of the bicycle/pedestrian safety task force and the input from the student forum. The following is a summary of those task force recommendations:

1. Establish bicycle dismount zones (areas on campus in which bicycles shall not be ridden by [but] may be walked).

A. Establish permanent and temporary dismount zones for safety purposes as needed;

B. Dismount zones to be in effect during the ten minutes prior to each hour from 8 a.m. to 5 p.m. Monday through Friday;

C. Adopt changes in the WAC rules governing bicycle regulations that reflect effective times of dismount zones;

D. Recommended dismount zone areas.

2. Establish a bicycle education committee.

3. Motorized vehicles should be restricted from pedestrian pathways unless authorized by parking services or when responding to an emergency situation.

Portions of the university parking and traffic regulations governing the operation of bicycles were rewritten and are proposed for adoption here.

Name of Agency Personnel Responsible for Drafting and Enforcement: Ann Wallace, Parking Services, Western Washington University, 676–3602; and Implementation: VPB and FA George A. Pierce, Old Main 300, Western Washington University, 676–3180.

Name of Proponent: Western Washington University, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See Reasons Supporting Proposal above.

Proposal Changes the Following Existing Rules: See Reasons Supporting Proposal above.

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

Hearing Location: Old Main 340, Western Washington University, Bellingham, Washington, on January 22, 1992, at 12 noon.

Submit Written Comments to: Gloria McDonald, Rules Coordinator, Mailstop 4738, Western Washington University, Bellingham, Washington 98225, by January 21, 1992.

Date of Intended Adoption: March 1, 1992.

December 5, 1991
Wendy K. Bohlke
Assistant Attorney General

AMENDATORY SECTION (Amending Resolution No. 6–04–87, filed 8/20/87)

WAC 516–12–400 DEFINITIONS. As used in this chapter, and chapters 516–13 and 516–14 WAC, the following words and phrases mean:

(1) "Area designator": A tag affixed to a permit indicating a parking lot assignment for a vehicle.

(2) "Automobile": Any motorized vehicle having four or more

wheels.

(3) "Board": The board of trustees of Western Washington University.

(4) "Campus": All state lands devoted to the educational or research activities of the university.

(5) "Dismount zone": Any area designated by signs or symbols as a place where bicycles shall not be ridden but may be walked.

(6) "Employee": Any individual appointed to the faculty, staff, or administration of the university.

((~~(6)~~)) (7) "Habitual offender": Any vehicle license number or permit number accruing ten or more paid or unpaid parking citations.

((~~(7)~~)) (8) "Motorcycle": Any two or three wheeled motorized vehicle.

((~~(8)~~)) (9) "Motor vehicle" or "vehicle": Any automobile or motorcycle.

((~~(9)~~)) (10) "Parking appeals board": The board which hears parking citation appeals.

((~~(10)~~)) (11) "Parking manager": The person appointed parking manager of the university by the president or designee.

((~~(11)~~)) (12) "Parking space": A parking area designated by a sign, wheelstop, white-painted lines, and/or white traffic buttons.

((~~(12)~~)) (13) "Permit": Any special or temporary parking permit authorized by the parking manager.

((~~(13)~~)) (14) "President": The president of Western Washington University.

((~~(14)~~)) (15) "Public safety department": The university public safety department.

((~~(15)~~)) (16) "Student": Any person enrolled in the university as a student.

((~~(16)~~)) (17) "Transportation and parking department": The transportation and parking department of the university.

((~~(17)~~)) (18) "Time-limited parking space": A space in which parking is allowed for a specific time period.

((~~(18)~~)) (19) "University": Western Washington University.

((~~(19)~~)) (20) "Valid permit": An unexpired parking permit authorized by the parking manager, properly registered and displayed on the vehicle.

((~~(20)~~)) (21) "Wheelstop": A cement, metal, or wood barrier approximately eight inches high.

AMENDATORY SECTION (Amending WSR 90-17-032, filed 8/9/90, effective 9/9/90)

WAC 516-12-430 GENERAL REGULATIONS. (1) The registered owner(s) and [the] operator of a vehicle or the person to whom a permit is issued involved in a violation of these regulations will be jointly and severally responsible for the violation.

(2) All vehicles, attended or unattended, must display a valid Western Washington University parking permit when parked on the campus unless parked in a metered parking space (with meter payment), a time-limited space, or((~~, with approval [by] [of] the parking services office,~~)) a visitor's space ((~~designated for visitors~~)) (with a visitor's permit).

(3) Policy on assignments to parking lots will be established by the parking manager.

(4) If a parking permit holder cannot locate a parking space in the assigned lot, he/she may park in the nearest visitor area and then must call the parking services office. Motorcycle permit holders will go to the next nearest motorcycle lot.

(5) The university reserves the right to refuse parking privileges to anyone who has

(a) Had a permit revoked.

(b) Falsified a parking application or registration.

(c) Counterfeited or altered an area designator or permit.

(d) Failed to pay outstanding citations.

(e) Been identified as a habitual offender.

(f) Been found to be in possession of or using a lost or stolen permit.

(6) The speed limit on campus is 10 mph or as posted. Vehicles must be operated in a careful and prudent manner at all times and must be operated in compliance with established speed limits. Drivers of vehicles must obey all regulatory signs and comply with directions given by members of the transportation and parking department and officers of the public safety department in the control and regulation of parking and traffic.

(7) The operator of a vehicle must yield the right-of-way to pedestrians crossing streets and roadways within the campus, and at intersections or clearly marked crosswalks or city streets which cross the campus. Pedestrians must not cross any street or roadway except at an intersection or clearly marked crosswalk. Pedestrians must utilize sidewalks where provided on streets and roadways. If no sidewalk is provided, pedestrians will utilize the extreme left-hand side and move to their left and clear of the roadway or street upon meeting an oncoming vehicle.

(8) Vehicles owned by or assigned on a permanent basis to administrative units on campus and bearing "E," "B" or "M" license plates or a university insignia may be parked in "G" or "C" lots for brief periods while the driver is on university business. Long-term parking is not permitted, nor is any parking allowed in reserved spaces except when a space is designated for that specific vehicle. University vehicles may be parked in metered spaces provided that meter regulations are observed. Violations incurred will be the responsibility of the driver. All operators of these or other state vehicles will abide by all traffic and parking regulations.

(9) No person may utilize any vehicle parked on campus as a living unit without specific approval from the parking manager. Violators will be cited and/or towed.

(10) Vehicles are to be maintained in operating condition at all times on university property. Repairs will not be made on campus unless authorization has been received in advance from the parking manager. A vehicle which appears to be abandoned, with or without current Western Washington University registration or license plates, may be impounded after an attempt is made to locate and notify the owner of the impending action.

(11) The university rents space to individuals who wish to park on campus and who are issued a parking permit. The university assumes no responsibility or liability under any circumstances for vehicles or bicycles parked on campus nor does it assume any personal liability in connection with its parking program. No bailment of any sort is created by the issuance of a permit.

(12) The person who obtains a permit is responsible for assuring that the vehicle, regardless of who drives it, is parked in conformance with these regulations.

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

AMENDATORY SECTION (Amending Order 6-02-83, Motion No. 6-02-83, filed 6/28/83, effective 9/19/83)

WAC 516-13-080 OPERATION. (1) Pedestrians have the right-of-way on all sidewalks, pathways, and plaza areas on campus. Bicyclists will use due caution when riding bicycles on campus.

(2) It is prohibited for bicycles to be ridden in areas specifically designated as permanent and/or temporary dismount zones during the ten minutes prior to and until the hour from 8:00 a.m. to 5:00 p.m. during regular class days or at other times when so posted.

NEW SECTION

WAC 516-13-090 ENFORCEMENT. A bicycle rider who refuses to abide by these regulations will be asked to leave the campus. A person who refuses to obey the request is subject to being cited for criminal trespass under the provisions of chapter 9A.52 RCW. Enforcement described in this chapter does not preclude other established university disciplinary procedures.

WSR 92-01-074
NOTICE OF PUBLIC MEETINGS
UNIVERSITY OF WASHINGTON
[Memorandum—December 13, 1991]

In accordance with RCW 42.30.075, the board of regents of the University of Washington established the following meeting schedule for 1992 at its regular meeting held December 13, 1991.

Day	Date
Friday	January 17
Friday	February 21
Friday	March 20

Friday	April 17
Friday	May 15
Friday	June 12
Friday	July 17
Friday	August 21
Friday	September 18
Friday	October 23
Friday	November 20 – in Spokane
Friday	December 11

The meetings will commence at 1:00 p.m. unless public notice is given to the contrary. The meetings will be held in Room 301, Administration Building, on the University of Washington main campus, Seattle, Washington, unless another location is established and public notice given.

WSR 92-01-075
NOTICE OF PUBLIC MEETINGS
HUMAN RIGHTS COMMISSION
[Memorandum—December 16, 1991]

The Washington State Human Rights Commission has scheduled its meetings for 1992 as follows. A work session for the commissioners and required staff will be held the evening prior to each meeting, except for the February meeting.

DATE	LOCATION
January 23	Everett
February 20, 21 and 22	Olympia
March 24	Longview
April 30	Richland
May 28	Ellensburg
June 25	Walla Walla
July 23	Silverdale
August 27	Yakima
September 24	Vancouver
October 22	Bellingham
November 19	Spokane
December 17	Seattle

WSR 92-01-076
NOTICE OF PUBLIC MEETINGS
HUMAN RIGHTS COMMISSION
[Memorandum—December 16, 1991]

This is to advise you that the Washington State Human Rights Commission will hold its January regular commission meeting in Everett on January 22 and 23, 1992. The meetings will both be held at the Everett City Hall, City Council Chambers, 3002 Wetmore Avenue, Everett. The meeting on January 22 will be a training and planning session and will begin at 7:00 p.m. The regular business meeting on January 23 will begin at 9:30 a.m.

WSR 92-01-077
RULES COORDINATOR
DEPARTMENT OF RETIREMENT SYSTEMS
[Filed December 16, 1991, 2:13 p.m.]

This is to inform you that the Department of Retirement Systems, under RCW 34.05.310(3) is designating Hector Gonzalez, Manager of Legal/Legislative Affairs, as the agency's rules coordinator. My address is: Department of Retirement Systems, Capital Plaza Building, 1025 East Union Avenue, Mailstop ES-11/8380, Olympia, WA 98504-2511.

Hector Gonzalez
Manager
Legal/Legislative Affairs Unit

WSR 92-01-078
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF HEALTH
[Memorandum—December 13, 1991]

I would like to inform you that we have had a change in two meeting dates for the Board of Physical Therapy. On November 21, 1991, I sent a memo for publishing that had the previous meeting dates for 1992 listed. The two changes are in the January and March meeting dates. The new dates are January 27, 1992, and March 31, 1992.

If you need additional information, please contact Beth Blakley at 753-0876.

WSR 92-01-079
PERMANENT RULES
LIQUOR CONTROL BOARD
[Filed December 16, 1991, 2:48 p.m.]

Date of Adoption: December 11, 1991.

Purpose: Implement chapter 192, Laws of 1991, and set forth a permit for the raffle of beverage alcohol by nonprofit organizations.

Citation of Existing Rules Affected by this Order: Amending WAC 314-38-040.

Statutory Authority for Adoption: RCW 66.08.030.

Pursuant to notice filed as WSR 91-22-074 on November 4, 1991.

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

December 12, 1991
Paula O'Connor
Chairman

NEW SECTION

WAC 314-38-040 BEVERAGE ALCOHOL RAFFLE PERMIT — FEE (1) Any organization authorized to conduct a raffle under RCW 9.46.0315 may raffle beverage alcohol upon obtaining a raffle permit from the board. The fee for a raffle permit shall be ten dollars for a one-time raffle permit or twenty-five dol-

lars for an annual permit.

(2) An application for a raffle permit shall be on a form prescribed by the board and filed with the board at the headquarters office in Olympia thirty days in advance of the commencement of ticket sales.

(3) An application for a raffle permit must contain the following information:

(a) The full name of the bona fide charitable or bona fide nonprofit organization with verification of qualification as prescribed in RCW 9.46.0209;

(b) name, address, and phone number of the organization officer in charge of the raffle

(c) the date the raffle ticket sales will commence;

(d) the date, time and exact location of the drawing;

(e) a description of the beverage alcohol being raffled including its estimated value;

(f) and the source of the alcohol to be raffled.

(4) An organization officer must certify that:

(a) only organization members may purchase tickets or be awarded prizes;

(b) the organization meets the qualifications of a bona fide charitable or bona fide nonprofit organization as provided in RCW 9.46.0209;

(c) the organization will not sell more than $5,000 dollars worth of raffle tickets in a calendar year;

(d) the organization will not sell raffle tickets to anyone under twenty one years of age when alcohol is awarded as a prize.

(5) Alcohol to be raffled must have all applicable Washington State taxes paid and may only be:

(a) purchased at retail or

(b) donated by a private citizen.

(6) Upon application being filed and fee paid the board may issue a raffle permit. The raffle permit will state the:

(a) organization name,

(b) address,

(c) date and time of the drawing,

(d) effective dates of the raffle permit.

(e) and a description of the alcohol to be raffled.

(7) The raffle permit shall be posted at the location of the drawing prior to and during the drawing. The organization or person in charge of the raffle shall; when requested by any representative or agent of the board and/or any law enforcement officer; exhibit to such person the raffle permit and shall allow such person to inspect the raffle items at any time.

WSR 92-01-080
PERMANENT RULES
LIQUOR CONTROL BOARD
[Filed December 16, 1991, 2:50 p.m.]

Date of Adoption: December 11, 1991.

Purpose: To identify legal sources of liquor to be consumed at banquet permit functions. To explain restrictions on the purchase and delivery of the liquor to the banquet permit function.

Citation of Existing Rules Affected by this Order: Amending WAC 314-18-060.

Statutory Authority for Adoption: RCW 66.08.030.

Pursuant to notice filed as WSR 91-22-075 on November 4, 1991.

Changes Other than Editing from Proposed to Adopted Version: Added amendatory string notation.

Effective Date of Rule: Thirty days after filing.

December 12, 1991
Paula O'Connor
Chairman

AMENDATORY SECTION (Amending Orders 110 and 112, Resolution Nos. 119 and 121, filed 8/4/82)

WAC 314-18-060 LIQUOR TO BE SERVED AND CONSUMED—RESTRICTIONS (1) Class H discount liquor ((~~or military discount liquor~~)) cannot be sold, served, or consumed under or by authority of a banquet permit. Liquor to be served will be purchased from an authorized retail source only.

(2) Licensees and/or commercial caterers shall not pay for or advance the moneys to purchase the liquor for the event for which the banquet permit application has been made, but they may transport the prepaid liquor purchased by the applicant to whom the banquet permit was issued.

(3) No banquet permittee may buy or accept delivery of liquor from any manufacturer, brewer, wholesaler, distiller, winery, importer, or agent thereof.

(4) It is not necessary for a banquet permit applicant to purchase liquor at the time the permit is issued, and individuals attending a banquet function may bring their own liquor.

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 92-01-081
WITHDRAWAL OF PROPOSED RULES
HIGHER EDUCATION PERSONNEL BOARD
[Filed December 16, 1991, 3:08 p.m.]

The Higher Education Personnel Board hereby withdraws proposed WAC 251-09-025, 251-09-030, and 251-18-180 rule amendments and proposed WAC 251-01-010, 251-01-155, and 251-01-320 repealers filed with your office on October 1, 1991, as WSR 91-20-140, and continued on December 6, 1991, as part of WSR 92-01-028.

In addition, the Higher Education Personnel Board hereby withdraws proposed WAC 251-01-395 rule amendment filed with your office on October 23, 1991, as WSR 91-21-129, and continued on December 6, 1991, as part of WSR 92-01-028.

John A. Spitz
Director

WSR 92-01-082
PROPOSED RULES
SUPERINTENDENT OF PUBLIC INSTRUCTION
[Filed December 16, 1991, 3:48 p.m.]

Original Notice.

Title of Rule: Chapter 392-196 WAC, School personnel—Teacher assistance program.

Purpose: To set forth policies and procedures for a teacher assistance program.

Statutory Authority for Adoption: RCW 28A.405.450 and 28A.415.010.

Statute Being Implemented: RCW 28A.405.450 and 28A.415.010.

Summary: The proposed amendment changes two rules governing the teacher assistance program to be consistent with the legislative amendments to RCW 28A.415.010.

Reasons Supporting Proposal: Required by changes in RCWs.

Name of Agency Personnel Responsible for Drafting: Richard M. Wilson, Superintendent of Public Instruction, Old Capitol Building, (206) 753-2298; Implementation: David Moberly, Superintendent of Public Instruction, Old Capitol Building, (206) 753-6742; and Enforcement: Ted Andrews, Superintendent of Public Instruction, Old Capitol Building, (206) 753-3222.

Name of Proponent: Judith Billings, Superintendent of Public Instruction, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed amendments allow for the administration and coordination of the teacher assistance program through the educational service districts as required by the amendments to RCW 28A.415.010.

Proposal Changes the Following Existing Rules: The teacher assistance program has been administered through the Office of the Superintendent of Public Instruction in accordance with RCW 28A.405.450. The legislation cited above required a change.

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

Hearing Location: Superintendent of Public Instruction, Old Capitol Building, Wanamaker Conference Room, Olympia, Washington 98504-7200, on February 7, 1992, at 9:00 a.m.

Submit Written Comments to: Richard M. Wilson, Superintendent of Public Instruction, Legal Services, Olympia, Washington 98504-7200, by February 4, 1992.

Date of Intended Adoption: February 14, 1992.

December 16, 1991
Judith A. Billings
Superintendent of
Public Instruction

AMENDATORY SECTION (Amending Order 18, filed 7/19/90, effective 8/19/90)

WAC 392-196-005 AUTHORITY. The authority for this chapter is RCW 28A.405.450 which authorizes the superintendent of public instruction to adopt rules to establish and operate a teacher assistance program and RCW 28A.415.010 which authorizes the educational service district to administer, coordinate, and act as fiscal agent for the teacher assistance program.

AMENDATORY SECTION (Amending Order 16, filed 7/3/90, effective 8/3/90)

WAC 392-196-045 DEFINITION—SCHOOL DISTRICT WORKSHOPS. As used in this chapter, the term "school district workshops" shall mean an in-service training program sponsored or approved by the school district for the purpose of providing professional training for the mentors and the beginning teachers in ((~~one or more of the following:~~

~~(1) Communication skills;~~

~~(2) Teacher effectiveness; and/or~~

~~(3) School district policies and procedures~~)) areas of need as identified by participating teams. This training will be in addition to regularly required school district staff development activities.

Such workshops shall be no longer than two days in length, but need not be consecutive days, and shall not be held during school hours. School districts will be provided fifty dollars per team, per workshop to support the costs associated with providing two days of training.

AMENDATORY SECTION (Amending Order 18, filed 7/19/90, effective 8/19/90)

WAC 392-196-080 SCHOOL DISTRICT APPLICATION TO ((~~SPI~~)) ESD FOR PARTICIPATION IN THE TEACHER ASSISTANCE PROGRAM. Any district may apply to ((~~the superintendent of public instruction~~)) its educational service district for participation in the teacher assistance program. The application shall require the superintendent of the district to provide the following assurances:

(1) The board of directors of the district has reviewed the requirements of this chapter and has agreed to the conditions therein.

(2) The mentor teacher shall be paid a mentor teacher stipend.

(3) The beginning[/experienced] teacher shall be paid a beginning[/experienced] teacher stipend.

(4) The beginning[/experienced] teacher and mentor shall be required to attend and shall be reimbursed by the district for travel expenses for attendance at the educational service district sponsored workshops or training sessions.

(5) The mentor [teacher, the] [and] beginning [teacher, and the experienced] teacher[s] shall be released from teaching responsibilities in order to jointly or separately observe each other or observe colleagues in teaching situations.

(6) The district shall provide for or approve two days of workshops as training sessions as defined in WAC 392-196-045. The mentor and beginning [or participating experienced] teacher[s] shall be required to attend together and shall be reimbursed by the district for expenses for attendance at the two school district sponsored or approved workshops or training sessions.

(7) The total released time from classroom teaching as required by subsection (5) of this section shall be at least twenty-four scheduled instructional hours per school year but no more than twenty-four scheduled instructional hours shall be paid for with funds made available under this chapter.

(8) Mentor teachers shall not be involved in evaluations of their beginning [or experienced] teachers conducted pursuant to RCW 28A.405.100.

(9) The mentor [teacher,] [and] beginning teacher[,] and experienced teacher shall be required to complete and forward to the ((~~superintendent of public instruction~~)) educational service district such evaluation reports of the teacher assistance program as requested by the ((~~superintendent of public instruction~~)) educational service district.

(10) Mentor teachers shall periodically inform their principals respecting the contents of training sessions and other program activities.

(11) The superintendent of the district shall supply the ((~~superintendent of public instruction~~)) educational service district, at times specified by the ((~~superintendent of public instruction~~)) educational service district, such information as requested regarding the teacher assistance program, including agendas and evaluation material from each district sponsored or approved workshop or training session.

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

AMENDATORY SECTION (Amending Order 37, filed 11/2/90, effective 12/3/90)

WAC 392-196-085 SELECTION PROCESS. ((~~Nominations for the teacher assistance program must be received by the office of the superintendent of public instruction by 5:00 p.m. September 15 of a given year. PROVIDED, That if September 15 falls on a weekend, the nominations must be received by the office of the superintendent of public instruction by 5:00 p.m. on the Monday following September 15. Applications will be accepted based upon date of receipt at the office of the superintendent of public instruction until funding is depleted.~~)) Specific numbers of nominations will be allocated to each ESD based upon the percentage of public school students in each ESD. ((~~If all ESD nominations are not allocated by the Friday after Labor Day, remaining applications will be accepted on the basis of the date received.~~)) Each educational service district will submit to the superintendent of public instruction the procedure, including timelines, it will follow in selecting participants.

AMENDATORY SECTION (Amending Order 16, filed 7/3/90, effective 8/3/90)

WAC 392-196-100 DISTRIBUTION OF STATE MONEYS FOR THE TEACHER ASSISTANCE PROGRAM. The superintendent of public instruction shall issue grant awards to the ((~~participating~~)) educational service districts which in turn shall reimburse school districts according to the dollar amount per team established pursuant to WAC 392-196-095.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 392-196-090 SUPERINTENDENT OF PUBLIC INSTRUCTION CONSULTATION.

WSR 92-01-083
PERMANENT RULES
WILDLIFE COMMISSION

[Order 523—Filed December 16, 1991, 3:59 p.m., effective April 16, 1992]

Date of Adoption: October 5, 1991.

Purpose: To repeal existing 1990-92 game fishing seasons, catch limits and regulations.

Citation of Existing Rules Affected by this Order: Repealing sections shown below.

Statutory Authority for Adoption: RCW 77.12.040.

Pursuant to notice filed as WSR 91-12-049 on June 5, 1991.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: Rules will be effective April 16, 1992.

Effective Date of Rule: April 16, 1992.

December 16, 1991
Curt Smitch
Director
for Dean A. Lydig
Chair

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 232-12-618 1990-92 WASHINGTON GAME FISH REGULATIONS.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 232-28-61717 AMENDMENT TO THE 1988-90 GAME FISHING REGULATIONS—WASHOUGAL RIVER.

WAC 232-28-61728 AMENDMENT TO 1988-90 GAME FISH SEASONS AND CATCH LIMITS—CEDAR AND SAMMAMISH RIVER SYSTEMS, AND IN LAKES WASHINGTON AND SAMMAMISH, SALMON BAY, AND LAKE WASHINGTON SHIP CANAL (ALSO KNOWN AS LAKE UNION SHIP CANAL).

WAC 232-28-61729 AMENDMENT TO 1988-90 GAME FISH REGULATIONS—PUYALLUP AND CARBON RIVERS.

WAC 232-28-618 1990-92 WASHINGTON GAME FISH SEASONS AND CATCH LIMITS.

WAC 232-28-61802 1990-92 WASHINGTON GAME FISH SEASONS AND CATCH LIMITS—SAUK RIVER.

WAC 232-28-61803 1990-92 WASHINGTON GAME FISH SEASONS AND CATCH LIMITS—TYE RIVER.

WAC 232-28-61804 1990-92 WASHINGTON GAME FISH SEASONS AND CATCH LIMITS—TOUTLE RIVER, SOUTH FORK.

WAC 232-28-61805 1990-92 WASHINGTON GAME FISH SEASONS AND CATCH LIMITS—SPOKANE RIVER.

WAC 232-28-61807 1990-92 WASHINGTON GAME FISH SEASONS AND CATCH LIMITS—STATEWIDE.

WAC 232-28-61808 1990-92 WASHINGTON GAME FISH SEASONS AND CATCH LIMITS—WARDEN LAKE AND SOUTH WARDEN LAKE (GRANT COUNTY).

WAC 232-28-61809 1990-92 WASHINGTON GAME FISH SEASONS AND CATCH LIMITS—CASHMERE POND (CHELAN COUNTY).

WAC 232-28-61812 1990-92 WASHINGTON GAME FISH SEASONS AND CATCH LIMITS—GRANDE RONDE RIVER.

WAC 232-28-61813 WASHINGTON GAME FISH SEASONS AND CATCH LIMITS—SNAKE RIVER.

WAC 232-28-61815 WASHINGTON GAME FISH SEASONS AND CATCH LIMITS—CEDAR AND SAMMAMISH RIVERS, LAKE WASHINGTON, LAKE SAMMAMISH, SALMON BAY AND LAKE WASHINGTON SHIP CANAL (ALSO KNOWN AS LAKE UNION SHIP CANAL).

WAC 232-28-61817 1990-92 WASHINGTON GAME FISH SEASONS AND CATCH LIMITS—TOLT AND SNOQUALMIE RIVERS.

WSR 92-01-084
PERMANENT RULES
WILDLIFE COMMISSION

[Order 524—Filed December 16, 1991, 4:02 p.m., effective April 16, 1992]

Date of Adoption: October 5, 1991.

Purpose: To establish the 1992–94 Washington game fish seasons, catch limits, and regulations.

Citation of Existing Rules Affected by this Order: Amending WAC 232-12-001.

Statutory Authority for Adoption: RCW 77.04.055 and 77.12.040.

Pursuant to notice filed as WSR 91-12-048 on June 5, 1991.

Changes Other than Editing from Proposed to Adopted Version: The special regulations for Dolly Varden/bull trout were changed from a statewide closure to closing Regions 1, 2, 3, and 5 to the taking of Dolly Varden/bull trout and implementing a 20" minimum size limit in Regions 4 and 6 with existing bag limits and seasons. Critical spawning areas that are presently closed in Regions 4 and 6 will remain closed to the taking of these species. The final regulation provides additional protection for these populations statewide but modifies the original proposal consistent with the stream management strategy and public comment; the special regulations for wild sea-run cutthroat were changed from wild cutthroat release statewide (west regions) in all medium to large streams and marine areas where sea-run cutthroat occur to a 14" minimum size limit on all hatchery fish. Areas that are stocked with hatchery fish would be "Wild Cutthroat Release" with a 12" minimum size limit. The final regulation increases protection beyond the level provided by current regulations for both mixed and single stock fisheries but modifies the original proposal to allow for harvest of fish over 14" in single stock fisheries. This modification is consistent with the stream management strategy and public comment. In addition, wild cutthroat release regulations were placed on Marine Areas 12 and 13 since there is an increased harvest on hatchery fish, the same regulations are appropriate for marine waters as they are on river systems where mixed stocks are present; the special regulations for wild steelhead release from June 1 to October 31 on streams that historically had significant native summer-run steelhead populations in Regions 4, 5, and 6 were changed to wild steelhead release June 1 to November 30 in all streams in Regions 4, 5 and 6, to enhance wild summer-run steelhead; the panfish limits regulation for a daily catch limit of 25 crappie and/or bluegill in the aggregate was changed to remove the proposed bluegill and crappie limits statewide, including two-day possession limits for these species, and to change Potholes Reservoir to year around season, crappie and bluegill – catch limit – 25 (species combined). The reason for the change is to accommodate a concern in the Potholes area. The public felt limits were not needed statewide since the populations were healthy and in large numbers, and concerns of potential overharvest of bluegills and crappie in the Potholes area were expressed; the final regulation for Moses Lake was amended to include, "Bluegill – catch limit – five. Only bluegill more than eight inches long may be kept" to allow the bluegill population to recover; the original proposal for year around lake seasons in Region 4 was removed as a result of public comment. Supporters of year around lake seasons felt that additional recreational opportunity would be provided and that it would alleviate some of the crowding problems. Those opposing the change to year around seasons felt strongly about the family tradition of the "opening day" celebration, felt that year around fishing on lakes currently with year around fishing seasons is lousy, and did not support a reduction in the limit. This proposal warrants further public discussion before changes are made. In addition, to removing the proposal for region-wide waters, however, several lakes were removed from seasonal listings and placed on general lake seasons, April – October, to increase fishing opportunity without adversely impacting the resource. These waters are Armstrong, Cochran, Fontal, Hannan, Langlois, Martha (Alderwood Manor), Geneva, North, Pine, Shadow, Silver (Snohomish County), Storm, Wagner's and Wilderness. In addition, several waters were placed on year around seasons. They are Ballinger, Blackman's, Desire, Flowing, Goodwin, Haller, Martha (Warm Beach), Ohop, Shoecraft, and Tanwax (Region 4 waters). Lake Sutherland (Region 6) was placed on a year around season with a trout catch limit of 8. These changes were made to increase fishing opportunity without adversely impacting the resource; new language was added to Amber Lake to extend the additional season for catch-and-release only through November 30 to increase angler opportunity; additional language was added to the Tolt River as follows: "North Fork above Yellow Creek: June 1–October 31 season. Trout – catch-and-release only, selective fishery regulations" to establish the Tolt River as a demonstration of westside streams wild trout production capability; two-day possession limits were adopted for bass and walleye based on public input; the spring season on Medical Lake, West was extended from July 4 to July 6. Extension of the season to July 6 would allow the season to run through a three-day weekend or Saturday when the fourth of July falls on a Friday. No harvest effects to the resource are expected by this change. Some positive economic benefits would accrue on the named weekends. This change was requested by the public; Fishtrap Creek was modified to open June 15, rather than June 1, to be consistent with seasons established for the Nooksack River and tributaries; the Region 4 night closure was clarified. The public asked if the department could make the night closure in Region IV clearer to understand. The closure had been listed in the pamphlet under rivers, streams and beaver ponds for all waters. The words "on all waters" were deleted; Ebey Lake was modified to a one trout catch limit and minimum length of 18" as a result of a public request at a public hearing. This will add Ebey Lake to "quality" trout management waters. Public comment supported this proposal; a small portion of Lake Whatcom, west of Electric Avenue, was closed to provide protection of the spawning area of smallmouth bass; wording for clarification was added to the Toutle River, South Fork, for steelhead catch-and-pos-

session limits; selective fishery regulations were enacted on Castle Lake to protect remaining native fish, especially rainbow that apparently survived the Mt. St. Helen's eruption. This will protect at least a portion of the spawners and will also promote a quality fishery. With the visitor use anticipated in the Monument area, the additional opportunity for quality fishing should be a plus to the economy of the area. Anglers interviewed were supportive of protective regulations; Coldwater Lake was closed to fishing based on a recommendation from the United States Forest Service until the completion of the construction of the Coldwater–Johnson facility. Due to safety and logistical concerns during the construction phase, the access on forest service lands to the lake is closed; language for the Wishkah River was corrected to allow fishing on the east and west forks; added a closure to the taking of all trout during the short migration period, April 1 to May 31, on the Walla Walla River, from the mouth to the Touchet River. This was requested by the public to enhance protection for steelhead smolts during the migration period in the Walla Walla River from the mouth to the Touchet River; Enchantment Park Ponds was established as a juvenile only fishery, requested by the City of Leavenworth and Trout Unlimited. This will result in a new fishing opportunity for local and tourist youth; a tributary closure was added to the Kettle River. An August meeting with the Kettle River Fisheries Committee resulted in a request to further protect the native rainbow trout population in the Kettle River. The tributary streams are the primary spawning and initial rearing habitat for this stock of rainbow; the initial proposal to close the Skykomish River from the Highway 2 bridge above Goldbar to the forks, June 1 through July 31 was changed to close the area 1500' upstream and 1000' downstream of the outlet at Skykomish Rearing Pond to all fishing June 1 through 8:00 a.m. August 1. The primary concern is to provide a sanctuary for broodstock in the vicinity of the rearing pond. This can be accomplished by posting signs 1500' upstream and 1000' downstream and eliminate the need to close the entire area between the Highway 2 bridge and the forks; the regulation proposal to open Blue Creek in December and January on Fridays and Saturdays, daylight hours only, was changed to maintain the current regulations for Blue Creek. This change was necessary to maintain an orderly fishery in this area; the initial proposal for Lake Wenatchee was pulled. The Department of Wildlife plans to develop a plan for fish plants and feels implementation of this proposal would be premature. In response to public comments relating to the impacts of planting trout in Lake Wenatchee, the department is evaluating alternative sites; the final regulation for the Yakima River allows anglers to fish from boats with motors from the existing (United States Bureau of Reclamation) "Roza Dam Restricted Area" signs to the Roza Access Area. This was requested by the United States Bureau of Reclamation (USBR) to clarify that USBR maintains a trespass closure between the dam and signs posted approximately 400' upriver from Roza Dam. This will allow easier access to catch–and–release trout fishing in the backwaters of Roza Dam and will provide an increase in nonconsumptive recreational opportunity; the special regulation for Marcel Lake for a catch–and–release only fishery on coastal cutthroat, whereby no cutthroat could be kept and bait was prohibited was changed to a year around season. The change was a result of public input. The lake is on private property and the local community group already restricts cutthroat fishing; the special regulation for Spanaway Lake which opened that portion of the outlet to the county park boundary was changed to open the lake and its outlet downstream to the dam (approximately 800 feet) to a year around fishery. This is a result of public input and better defines the area to be opened. It provides legitimate opportunity to catch planted rainbow trout year around; and technical revisions have been made throughout the adopted version of the WAC to use consistent terminology, clarify obvious conflicts and ambiguities, supply obvious omissions and to correct or provide more specific statement of dates, limits restricted and closed areas, and to correct typographical errors.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: These rules will become effective April 16, 1991 [1992].

Effective Date of Rule: April 16, 1992.

December 16, 1991
Curt Smitch
Director
for Dean A Lydig
Chair

AMENDATORY SECTION (Amending Order 387, filed 4/26/89)

WAC 232-12-001 DEFINITION OF TERMS. Definitions used in rules of the commission are defined in RCW 77.08.010. In addition, unless the context clearly requires otherwise:

(1) Snagging, gaffing, or spearing means: An effort to impale game fish in a part of its body other than its mouth by use of hooks or other devices.

(2) A valid license, permit, tag, stamp or punchcard means: A license, permit, tag, stamp, or punchcard that was issued to the bearer for the current season by the commission and is required to hunt, fish or possess wildlife and has not been altered except as provided by rule of the commission.

(3) Hook means: One single, double, or treble hook.

(4) Barbless hook means: A single, pointed hook from which all barbs have been filed off, pinched down, removed or deleted when manufactured.

(5) Falconry means: Possession, control, or use of a raptor for the purpose of hunting and free flight training.

(6) Anadromous game fish means:

(a) Steelhead trout, Oncorhynchus mykiss

(b) Searun cutthroat, Oncorhynchus clarkii

(c) Searun Dolly Varden, Salvelinus malma

(7) Handgun means: Any pistol, revolver or short firearm with a barrel length of less than sixteen inches and does not have a shoulder stock.

(8) A lure means: A manufactured article with ((~~one or~~)) no more than three hooks attached, utilized for attraction or enticement of game fish.

(9) Bait means: A natural substance, fresh or processed, utilized for attraction or enticement of wildlife and game fish.

NEW SECTION

WAC 232-12-619 1992-94 WASHINGTON GAME FISH REGULATIONS. These regulations are effective from April 16, 1992, to April 15, 1994, both dates inclusive.

Definitions.

Boat fishing: Fishing while in or on a boat, raft, or any other floating device.

Catch-and-release: A type of angling where none of the fish caught are retained by the angler.

Daily catch limit: The maximum number of fish of a given species and size which a person may legally retain in a single day. When you are fishing with bait, all legal trout are counted as part of the daily catch limit, whether kept or released. Steelhead may be caught and released while using bait until the daily catch limit is retained.

Fish in possession: Any fish retained, secure from escape, whether dead or alive.

In waters designated as "fly fishing only" an angler may not fish from any floating device equipped with a motor, except where specifically allowed under special regulations for individual waters.

Mouth of stream, river, or slough: Those waters upstream of a line projected between the outermost uplands at the mouth. Outermost uplands means those lands are not covered by water during an ordinary high water.

Maximum size limit: The longest length of a fish of a given species that an angler may keep, measured from snout to tip of tail (not fork).

Minimum size limit: The shortest length of a fish of a given species that an angler may keep, measured from snout to tip of tail (not fork).

Night closure: On those waters where night closures are specified, it is unlawful to fish from one hour after official sunset to one hour before official sunrise.

Fishing seasons open at 12:01 a.m. on the first day and close at 11:59 p.m. on the last day.

Possession limit: The maximum number of fish allowed to be retained in the field, in transit, in the home, and/or in a food-storage facility.

Selective fishery regulations: Only artificial flies or lures with a barbless single-pointed hook are allowed; bait is prohibited; fish may be released until the catch limit is retained. No one may fish from any floating device equipped with a motor, except where specifically allowed under special regulations for individual waters. If any fish has swallowed the hook or is hooked in the gill, eye or tongue, it should be kept if legal to do so.

Slough: Any swamp, marsh, bog, pond, side-channel, or backwater connected to a river by water. Many waters commonly called sloughs are not connected to a river and, therefore, are considered lakes.

Wild cutthroat release: Only cutthroat trout with missing adipose fins may be possessed. There must be a healed scar in the location of the missing fin.

Wild steelhead release: Only steelhead with missing adipose or ventral fins may be possessed. There must be a healed scar in the location of the missing fin. It is unlawful to use a gaff hook to land steelhead in waters designated "wild steelhead release."

State-wide regulations.

Taking and possessing game fish.

It is unlawful to:

Use a gaff hook to land steelhead in waters designated as "wild steelhead release."

Take bullfrogs except by angling, hand dip netting, spearing (gigging) or with bow and arrow.

Feed or use any substance to attract game fish unless specifically authorized by special regulations.

Fish for game fish with a bow and arrow or spear.

Possess fish which are under the minimum size or over the maximum size as shown in general or special regional regulations.

Annual limit - steelhead trout only: Each angler who possesses a valid steelhead permit card may retain thirty steelhead over twenty inches in length per year (May 1 to April 30).

Exception for rehabilitated lakes.

Lakes have no size, catch, or possession limits on the day of their rehabilitation and for ten days following. Dip nets are allowed for the taking of fish during this period. All fishing license requirements apply.

Licenses - requirements.

When taking bullfrogs, a hunting or fishing license is required.

Free fishing weekends:

The weekends corresponding with National Fishing Week have been declared as family fishing weekends in Washington. On these weekends (June 6-7, 1992; June 5-6, 1993) fishing licenses will not be required to fish for game fish, except steelhead trout. These free fishing days are valid for everyone, regardless of residency or age. All other regulations remain in effect. Only waters open to fishing may be fished; lure and/or bait restrictions and size and catch limits currently in place must be followed.

1992-94 license fees.

Military personnel, regardless of the length of time in the state of Washington, who are permanently stationed at a military installation within the state, are entitled to purchase a resident license. Military personnel must have a license to fish for game fish anywhere in the state. Dependents must establish a ninety-day residency.

NEW SECTION

WAC 232-28-619 1992-94 WASHINGTON GAME FISH SEASONS AND CATCH LIMITS. Region I.

Description: That area of the state contained within the boundaries of Asotin, Columbia, Ferry, Garfield, Lincoln, Pend Oreille, Spokane, Stevens, Walla Walla, and Whitman counties.

All state-wide and Region I regulations (given below) apply to all Region I waters unless specifically exempted or amended by special regulations (listed for separate waters and categories of waters).

When fishing or hunting within the boundaries of the Colville Indian Reservation, contact the office of the Colville Confederated Tribes to find out what tribal per-

mits and regulations apply.

When fishing near Snake River dams, be aware of restricted zones upstream and downstream of the dams.

Region I regulations. Open seasons:

Note: All waters are closed year around to the taking of Dolly Varden/bull trout and grass carp.

All waters in Lincoln and Whitman counties: Year around season, unless specified otherwise under special regulations.

Lakes, ponds, and reservoirs in other Region I counties: April 26, 1992, through October 31, 1992, and April 25, 1993, through October 31, 1993, unless specified otherwise under special regulations.

Rivers, streams, and beaver ponds in other Region I counties: June 1 through October 31 (both, 1992 and 1993), unless specified otherwise under special regulations.

(For Columbia River reservoirs, see page __.)

Catch, size, and possession limits: The catch limit for trout caught in either lakes or streams is an aggregate total and must not exceed eight. The following represents general catch, size, and possession limits for game fish (before fishing, check individual waters listed under special regulations for exceptions):

GAME FISH SPECIES	DAILY CATCH LIMITS	MINIMUM SIZE LIMITS	POSSESSION LIMITS
Bass.....	Five—not more than three over fifteen inches	None	Ten—not more than six over fifteen inches
Dolly Varden/ Bull Trout.....	It is unlawful to fish for or retain Dolly Varden or bull trout		
Grass Carp.....	It is unlawful to fish for or retain grass carp		
Trout*..... (Including kokanee and steelhead)	Eight, of which not more than two may be over twelve inches if taken from rivers, streams, and beaver ponds	None	One catch limit and (in addition) two steelhead over twenty inches
Walleye.....	Five	Eighteen inches	Ten—not more than two over twenty-four inches
Whitefish.....	Fifteen	None	One catch limit
All other game fish.....	No limit	None	No limit
Bullfrogs.....	Ten	None	One catch limit

*Note: When fishing with bait, all trout equal to or greater than the minimum size are counted as part of the daily catch limit whether kept or released. Steelhead may be caught and released while using bait until the daily catch limit is retained. Where use of bait is prohibited by special regulations, or where artificial lures or flies are used voluntarily, fish may be released until the daily catch limit is retained. If any fish has swallowed the hook or is hooked in the gill, eye or tongue, it should be kept if legal to do so.

Special regulations. Region 1. Basic state-wide and regional regulations apply to all waters except where modified in special regulations below.

Amber Lake: April 26, 1992, through September 30, 1992, and April 25, 1993, through September 30, 1993, seasons. Trout – catch limit – two. Selective fishery regulations, except electric motors allowed. Additional season October 1 through November 30, catch-and-release only, single barbless hooks – bait prohibited.

Alpowa Creek: April 26, 1992, through June 30, 1992, and April 25, 1993, through June 30, 1993, seasons.

Asotin Creek, from mouth upstream to SR129 Bridge: Year around season. Retaining steelhead over twenty inches in length is prohibited.

From SR129 Bridge upstream, South Fork and North Fork from mouth to USFS boundary: Retaining steelhead over twenty inches in length is prohibited. Lawful to fish up to base of Headgate Dam.

North Fork from USFS boundary upstream and all other tributaries: Trout (including steelhead) – catch limit – two, minimum length twelve inches. Retaining steelhead over twenty inches in length is prohibited. Bait prohibited.

Badger Lake: April 26, 1992, through September 30, 1992, and April 25, 1993, through September 30, 1993, seasons.

Bayley Lake (Stevens County) including inlet stream: April 26, 1992, through July 4, 1992, and April 25, 1993, through July 4, 1993, seasons. Trout – catch limit – one. Only eastern brook trout between twelve inches and sixteen inches or rainbow over sixteen inches may be retained. Fly fishing only, barbless hook. Use of motors prohibited.

July 5 through October 31 season. Catch-and-release, fly fishing only, barbless hook. Use of motors prohibited.

Bead Lake: Year around season.

Beaver Lake (Columbia County): March 1 through October 31 season. Fishing from any floating device prohibited.

Bergevin Ranch Pond: June 1 through October 31 season. Limited to juveniles (under fifteen years old) and holders of complimentary or free licenses.

Big Four Lake: March 1 through October 31 season. Trout – catch limit – two. Fly fishing only. Fishing from any floating device prohibited.

Blue Creek (Walla Walla County): April 26, 1992, through June 30, 1992, and April 25, 1993, through June 30, 1993, seasons.

Blue Lake (Columbia County): March 1 through October 31 season. Fishing from any floating device prohibited.

Blue Lake (Pend Oreille County): Year around season.

Bonnie Lake: Year around season.

Browns Lake and inlet streams (Pend Oreille County): Fly fishing only.

Burbank Slough: Year around season. Fishing from

any floating device prohibited.

Caldwell Lake: Trout – catch limit – two over twelve inches. Internal combustion engines prohibited.

Calispell River, from mouth to Calispell Lake: Year around season.

From Calispell Lake upstream to source: June 1 through October 31 season. Trout – minimum length eight inches; bait prohibited.

Casey Pond (Walla Walla County): Year around season.

Chapman Lake: April 26, 1992, through November 15, 1992, and April 25, 1993, through November 15, 1993, seasons. Trout – catch limit – sixteen, at least eight of which must be kokanee. Feeding (chumming) permitted.

Chewelah Creek, forks and tributaries: Trout – minimum length eight inches; bait prohibited.

Clear Lake: April 26, 1992, through September 30, 1992, and April 25, 1993, through September 30, 1993, seasons.

Columbia River and impoundments and all connecting sloughs—see regulations page __.

Colville River, from mouth to bridge at Town of Valley: Year around season.

From Valley upstream and tributaries: June 1 through October 31 season. Trout – minimum length eight inches; bait prohibited.

Cooks Lake (Pend Oreille County): Year around season.

Coppei Creek: April 26, 1992, through June 30, 1992, and April 25, 1993, through June 30, 1993, seasons.

Cottonwood Creek (Asotin County): Closed to the taking of steelhead over twenty inches.

Cottonwood Creek (Lincoln County), outside city limits of Davenport: April 26, 1992, through September 30, 1992, and April 25, 1993, through September 30, 1993, seasons.

Curl Lake: June 1 through October 31 season. Fishing from any floating device prohibited.

Curlew Lake: Year around season.

Curlew Pond (Walla Walla County): Year around season.

Davis Lake (Pend Oreille County): Trout – catch limit – eight, no more than two over twenty inches.

Dayton Pond (Columbia County): March 1 through October 31 season. Juveniles only (under fifteen years old).

Deadman Creek (Garfield County): Year around season.

Deer Lake (Columbia County): March 1 through October 31 season. Fishing from any floating device prohibited.

Deer (Deer Springs) Lake (Lincoln County): April 26, 1992, through September 30, 1992, and April 25, 1993, through September 30, 1993, seasons.

Deer Lake (Stevens County): Trout – catch limit – eight, no more than two over twenty inches.

Downs Lake: April 1 through September 30 season.

Dry Creek (Walla Walla County): April 26, 1992, through June 30, 1992, and April 25, 1993, through June 30, 1993, seasons.

Eloika Lake: Year around season.

Evans Pond (Asotin County): Year around season.

Fan Lake: April 26, 1992, through September 30, 1992, and April 25, 1993, through September 30, 1993, seasons. Internal combustion engines prohibited.

Ferry Lake: Year around season.

Fishhook Pond (Walla Walla County): Fishing from any floating device prohibited.

Fish Lake (Spokane County): April 26, 1992, through September 30, 1992, and April 25, 1993, through September 30, 1993, seasons. Internal combustion engines prohibited.

Fishtrap Lake: April 26, 1992, through September 30, 1992, and April 25, 1993, through September 30, 1993, seasons.

Fourth of July Lake: December 1 through March 31 season. Trout – catch limit – five, no more than two over fourteen inches. Internal combustion engines prohibited.

Garfield Juvenile Pond (Whitman County): Year around season. Juveniles only (under fifteen years old).

Golf Course Pond (Asotin County): Year around season.

Goose Creek (Lincoln County), within the city limits of Wilbur: Limited to juveniles (under fifteen years old) and holders of complimentary or free licenses only.

Grande Ronde River, from mouth to County Road Bridge about two and one-half miles upstream: Year around season. Trout – catch limit – two, minimum length twelve inches, maximum length twenty inches. Retaining steelhead over twenty inches in length is prohibited. Selective fishery regulations September 1 through May 31.

From County Road Bridge upstream to Oregon state line and all tributaries: June 1 through April 15 season.

Note: Cottonwood Creek is closed to the taking of steelhead over twenty inches. Trout – catch limit – two, minimum length twelve inches; selective fishery regulations June 1 through August 31. Only steelhead with missing adipose fins may be possessed September 1, 1992, through April 15, 1993, and September 1, 1993, through April 15, 1994. There must be a healed scar in the location of the missing fin.

Granite Creek and tributaries (Pend Oreille County): Closed waters.

Harvey Creek (tributary to Sullivan Lake), from mouth to Bridge 4830 on county road (about one and one-half miles): Closed waters.

From Bridge 4830 on county road upstream: Trout – minimum length eight inches; bait prohibited.

Hatch Lake (Stevens County): December 1 through March 31 season.

Headgate Pond: Limited to juveniles (under fifteen years old) and holders of complimentary or free licenses.

Hog Canyon Lake: December 1 through March 31 season. Trout – catch limit – five, no more than two over fourteen inches.

Horseshoe Lake (Pend Oreille County): Trout – catch limit – sixteen, at least eight of which must be kokanee. Feeding (chumming) permitted.

J–Line Pond (Walla Walla County): Year around season.

Jefferson Park Pond (Walla Walla County): Juveniles only (under fifteen years old).

Kalispell Creek and tributaries: April 26, 1992, through October 31, 1992, and April 25, 1993, through October 31, 1993, seasons. Trout – minimum length eight inches; bait prohibited.

Kettle River, from the Burlington–Northern Railroad bridge at Twin Bridges upstream to Napoleon Bridge: June 1 through March 31 season. Walleye – catch limit – eight, no more than one over twenty inches. Only walleye less than sixteen inches or over twenty inches may be kept. Trout – catch limit – two, minimum length twelve inches.

From Napoleon Bridge upstream: All tributaries closed. June 1 through October 31 season. Trout – catch limit – two, minimum length twelve inches; bait prohibited. Only single pointed hooks may be used. Additional season: November 1 through May 31, catch–and–release only, barbless hooks, bait prohibited. Exception: Bait and single pointed barbed hook may be used for whitefish only November 1 through March 31.

Kings Lake and tributaries: Closed waters.

Latah (Hangman) Creek: Year around season.

Liberty Lake: April 26, 1992, through September 30, 1992, and April 25, 1993, through September 30, 1993, seasons.

Little Spokane River, from mouth to SR 291 Bridge: Year around season.

From SR 291 Bridge upstream to the West Branch: April 26, 1992, through October 31, 1992, and April 25, 1993, through October 31, 1993, seasons. Additional December 1 through March 31 season for whitefish only.

West Branch and Little Spokane River upstream: June 1 through October 31 season.

Long Lake (Ferry County): Fly fishing only.

Long Lake (Spokane River Reservoir): Year around season. Bass – catch–and–release only, May 1 through June 30. See also Spokane River.

Loon Lake: Trout – catch limit – eight, no more than two over twenty inches.

Lyons Park Pond (College Place): Juveniles only (under fifteen years old).

Marmes Pond (Franklin County): November 1 through March 31 season. Fishing from any floating device prohibited.

McDowell Lake (Stevens County): Catch–and–release, fly fishing only, barbless hook.

Medical Lake: May 1 through June 14 and September 1 through September 30 seasons. Trout – catch limit – one. Selective fishery regulations.

Medical Lake, West: April 26, 1992, through July 6, 1992, and April 25, 1993, through July 6, 1993, and September 1 through September 30 seasons.

Mill Creek (Walla Walla County), from mouth to 9th St. Bridge: June 1 through April 15 season. Open only to the taking of steelhead over twenty inches from September 1 through April 15. Wild steelhead release.

From 9th St. Bridge to Wilbur St. Bridge, within city limits of Walla Walla: Closed year around.

From Wilbur St. Bridge to Oregon state line: June 1 through October 31 season.

Mill Creek Reservoir: Year around season. Internal combustion engines prohibited.

Mud Lake (Ferry County): Year around season.

Negro Creek (Lincoln County): June 16 through March 31 season from mouth at Sprague Lake to town of Sprague.

Negro Creek (Whitman County): April 26, 1992, through July 15, 1992, and April 25, 1993, through July 15, 1993, seasons.

Newman Lake: Year around season.

Pampa Pond (Whitman County): April 26, 1992, through July 15, 1992, and April 25, 1993, through July 15, 1993, seasons. Fishing from any floating device prohibited.

Pataha Creek, mouth to Pomeroy city limits: Year around season.

Within the city limits of Pomeroy: April 26, 1992, through October 31, 1992, and April 25, 1993, through October 31, 1993, seasons. Juveniles only (under fifteen years old).

Remainder of creek: June 1 through October 31 season. Trout – minimum length eight inches; bait prohibited.

Pend Oreille River: Year around season.

Petit Lake: Internal combustion engines prohibited.

Phalon Lake: Closed waters.

Quarry Pond (Walla Walla County): March 1 through October 31 season. Fishing from any floating device prohibited.

Rainbow Lake (Columbia County): March 1 through October 31 season. Fishing from any floating device

prohibited.

Red Lake: Year around season.

Rigley Lake: April 26, 1992, through May 31, 1992, and April 25, 1993, through May 31, 1993, and September 1 through October 31 seasons. Trout – catch limit – three over twelve inches. Selective fishery regulations.

Rocky Lake (Stevens County): April 26, 1992, through May 31, 1992, and April 25, 1993, through May 31, 1993, seasons.

Roosevelt Lake (Columbia River): Year around season. Trout – catch limit – five, no more than two over twenty inches. Trout – closed March 1 through May 31 in San Poil arm upstream from mouth of Manilla Creek. Walleye – catch limit – eight, not more than one over twenty inches. Only walleye less than sixteen inches or over twenty inches may be kept; closed April 1 through May 31 in Spokane arm upstream from SR25 Bridge; in Kettle arm upstream from Burlington–Northern Railroad bridge at Twin Bridges; in San Poil arm upstream from mouth of Manilla Creek.

Sherman Creek (Ferry County), from the mouth at Lake Roosevelt upstream to four hundred feet above the water diversion dam for the hatchery: Closed waters.

Silcot Pond (Asotin County): Year around season.

Silver Lake (Spokane County): April 26, 1992, through September 30, 1992, and April 25, 1993, through September 30, 1993, seasons.

Silver Lake, North: April 26, 1992, through June 14, 1992, and April 25, 1993, through June 14, 1993, seasons.

Snake River: Year around season. Closed to the taking of all trout April 1 through May 31. Trout – catch limit – six over ten inches, no more than two over twenty inches. Retaining steelhead over twenty inches in length is prohibited from June 1 through August 31. Wild steelhead release from September 1 through March 31. Barbless hooks required when fishing for steelhead on that portion of the Snake River which forms the boundary between Washington and Idaho.

Closed waters: Within four hundred feet of the base of any dam and within a four hundred foot radius around the fish ladder entrance at Lyons Ferry Hatchery, within a two hundred foot radius upstream of the fish ladder exit above Lower Granite Dam, and within an area one thousand two hundred feet downstream from the base of the west lock gate at Little Goose Dam on the south bank of the Snake River and one hundred feet out into the river from said river bank.

Note: On the mainstem Snake River between Washington and Idaho the license of either state is valid. The angler must be in compliance with the laws of the state issuing the license. This provision does not allow an angler licensed in Idaho to fish on the Washington shore, or in the sloughs or tributaries of Washington. An angler fishing the Snake River is restricted to one daily catch limit even if licensed by both states.

Spokane River, from the mouth at Lake Roosevelt upstream to the Seven Mile Bridge, including Long Lake, formed by Long Lake Dam (see also Long Lake): Year around season. Trout – catch limit – five, no more than two over twenty inches. Walleye – catch limit – eight, no more than one over twenty inches. Only walleye less than sixteen inches or over twenty inches may be kept; closed April 1 through May 31.

From Seven Mile Bridge upstream to the Monroe Street Dam: June 1 through December 31 season. Trout – catch limit – one.

From Monroe Street Dam upstream to Greene Street Bridge in Spokane: Year around season.

From Greene Street Bridge in Spokane upstream to the Idaho/Washington state line: June 1 through October 31 season. Trout – catch limit – one, minimum length 12 inches; selective fishery regulations, except motors allowed.

Sprague Lake: Year around season. Trout – catch limit – five. Channel catfish – catch limit – five. Bass – only bass less than twelve inches or over seventeen inches may be kept. Closed waters: October 1 through May 31 in the area southwest of Harper Island and posted markers on shore. Note: The inlet stream, Negro Creek, is closed April 1 through June 15.

Spring Lake (Columbia County): March 1 through October 31 season. Fishing from any floating device prohibited.

Starvation Lake: April 26, 1992, through May 31, 1992, and April 25, 1993, through May 31, 1993, seasons. Additional season June 1 through October 31, catch–and–release only. Single barbless hooks – bait prohibited.

Sullivan Creek, from Mill Pond upstream: Trout – minimum length eight inches; bait prohibited.

Sullivan Lake (Pend Oreille County): Year around season.

Touchet River, from mouth to Highway 12 Bridge at Waitsburg: June 1 through April 15 season. Open only to the taking of steelhead over twenty inches from September 1 through April 15. Wild steelhead release.

From Highway 12 Bridge at Waitsburg to Wolf Fork Bridge: June 1 through August 31 season. Wild steelhead release. See page__. Additional September 1 through April 15 season. Trout (including steelhead) minimum length twenty inches. Wild steelhead release, see page__.

From Wolf Fork Bridge upstream and all tributaries: June 1 through October 31 season. Trout – catch limit – two, minimum length twelve inches, bait prohibited.

Tucannon River, note: All tributaries closed. Wild steelhead release.

From mouth to Highway 12 Bridge: June 1 through August 31 season. Open only to the taking of steelhead over twenty inches and whitefish September 1 through April 15.

From the Highway 12 Bridge to the Little Tucannon River: June 1 through October 31 season. Open only to

the taking of steelhead over twenty inches and whitefish November 1 through April 15. The Tucannon River is closed to fishing from the mouth of Cummings Creek upstream to the Tucannon Hatchery Bridge.

From the Little Tucannon River upstream: June 1 through October 31 season. Trout – catch limit – two, minimum length twelve inches; bait prohibited.

Waitts Lake: April 26, 1992, through last day of February 1993 and April 25, 1993, through last day of February 1994 seasons.

Walla Walla River, wild steelhead release.

From mouth to the Touchet River: Year around season. Closed to the taking of all trout April 1 through May 31, from Highway 12 Bridge at Wallula Junction upstream.

From the Touchet River upstream to state line: June 1 through August 31 season. Additional September 1 through April 15 season; open only to the taking of steelhead over twenty inches.

Watson Lake: March 1 through October 31 season. Fishing from any floating device prohibited.

Williams Lake (Spokane County): April 26, 1992, through September 30, 1992, and April 25, 1993, through September 30, 1993, seasons.

Williams Lake (Stevens County): December 1 through March 31 season.

Region II.

Description: That area of the state contained within the boundaries of Adams, Douglas, Franklin, Grant, and Okanogan counties.

All state-wide and Region II regulations (given below) apply to all Region II waters unless specifically exempted or amended by special regulations (listed for separate waters and categories of waters).

When fishing or hunting within the boundaries of the Colville Indian Reservation, contact the office of the Colville Confederated Tribes to find out what tribal permits and regulations apply.

Region II regulations. Open seasons:

Note: All waters are closed year around to the taking of Dolly Varden/bull trout and grass carp.

All waters in Adams, Franklin, and Grant counties: Year around season, unless specified otherwise under special regulations.

Lakes, ponds, and reservoirs in Douglas and Okanogan counties: April 26, 1992, through October 31, 1992, and April 25, 1993, through October 31, 1993, unless specified otherwise under special regulations.

Rivers, streams, and beaver ponds in Douglas and Okanogan counties: June 1 through October 31 (both, 1992 and 1993), unless specified otherwise under special regulations.

Lawful to fish to base of all dams in Region II, except Zosel Dam (Okanogan River). See also Columbia River regulations and Region I, Snake River for other exceptions.

(For Columbia River reservoirs, see page x.)

Catch, size and possession limits: The catch limit for trout caught in either lakes or streams is an aggregate total and must not exceed eight. The following represents general catch, size, and possession limits for game fish (before fishing, check individual waters listed under special regulations for exceptions):

GAME FISH SPECIES	DAILY CATCH LIMITS	MINIMUM SIZE LIMITS	POSSESSION LIMITS
Bass.....	Five—not more than three over fifteen inches	None	Ten—not more than six over fifteen inches
Dolly Varden/ Bull Trout.....	It is unlawful to fish for or retain Dolly Varden or bull trout		
Grass Carp.....	It is unlawful to fish for or retain grass carp		
Trout* (Including kokanee and steelhead):			
All waters in Adams, Franklin, and Grant counties	Five, of which not more than two may be over twelve inches if taken from rivers, streams, and beaver ponds	None	One catch limit and (in addition) two steelhead over twenty inches
	OR		
All waters in Douglas and Okanogan counties	Eight, of which not more than two may be over twelve inches if taken from rivers, streams, and beaver ponds	None	One catch limit and (in addition) two steelhead over twenty inches
Walleye.....	Five	Eighteen inches	Ten—not more than two over twenty-four inches
Whitefish.....	Fifteen	None	One catch limit
All other game fish.....	No limit	None	No limit
Bullfrogs.....	Ten	None	One catch limit

*Note: When fishing with bait, all trout equal to or greater than the minimum size are counted as part of the daily catch limit whether kept or released. Steelhead may be caught and released while using bait until the daily catch limit is retained. Where use of bait is prohibited by special regulations, or where artificial lures or flies are used voluntarily, fish may be released until the daily catch limit is retained. If any fish has swallowed the hook or is hooked in the gill, eye or tongue, it should be kept if legal to do so.

Special regulations. Region II. Basic state-wide and regional regulations apply to all waters except where modified in special regulations below.

Note: All seasons apply to inlet and outlet streams of named lakes in Grant and Adams counties.

Aeneas Lake (Okanogan County): Trout – catch limit – five. Fly fishing only, barbless hook.

Alta Lake (Okanogan County): April 26, 1992, through July 31, 1992, and April 25, 1993, through July 31, 1993, seasons.

Banks Lake (Grant County): Trout – catch limit – eight.

Big Twin Lake (Okanogan County): Trout – catch limit – one; selective fishery regulations.

Billy Clapp Lake (Grant County): Trout – catch limit – eight.

Black Pine Lake (Okanogan County): Year around season.

Blue Lake (Grant County): April 26, 1992, through September 30, 1992, and April 25, 1993, through September 30, 1993, seasons. Trout – catch limit – eight.

Blue Lake (Sinlahekin, Washington – Okanogan County): Trout – catch limit – one; selective fishery regulations, except electric motors allowed.

Blue Lake (near Wannacut Lake – Okanogan County): Trout – catch limit – one; selective fishery regulations, except electric motors allowed.

Bobcat Creek Ponds (Grant County): March 1 through September 30 season.

Bonaparte Lake (Okanogan County): Year around season. Trout – catch limit – eight, no more than one over twenty inches.

Buck Lake (Okanogan County): Year around season.

Burke Lake (Grant County): March 1 through July 31 season.

Buzzard Lake (Okanogan County): Year around season.

Caliche Lake (lower) (Grant County): March 1 through July 31 season.

Caliche Lake (upper) (Grant County): March 1 through July 31 season.

Campbell Lake (Okanogan County): September 1 through last day of February season.

Cascade Lake (Grant County): March 1 through July 31 season.

Cattail Lake (Grant County): March 1 through July 31 season.

Chewuch River (Chewack River) (Okanogan County), from mouth to Lake Creek: Trout – catch limit – two, minimum length twelve inches. Bait prohibited. Wild steelhead release. Additional December 1 through March 31 season for whitefish only.

Chopaka Lake (Okanogan County): Trout – catch limit – one. Fly fishing only, barbless hook.

Cliff Lake (Grant County): March 1 through July 31 season.

Columbia River and impoundments and all connecting sloughs – see regulations, page __.

Coot Lake (Grant County): March 1 through July 31 season.

Cougar Lake (near Winthrop – Okanogan County): September 1 through last day of February season.

Cow Lake (Adams County): Channel catfish – catch limit – five. Bass – only bass less than twelve inches or over seventeen inches may be kept.

Coyote Creek Ponds (Adams County): March 1 through September 30 season.

Crab Creek, from Morgan Lake Road to Goose Lake Road (excluding Marsh Unit II impoundments): March 1 through July 31 season. Trout – catch limit – five. Fishing from any floating device prohibited.

From Goose Lake Road to O'Sullivan Dam (excluding Marsh Unit I off-stream impoundments): June 15 through September 30 season. Trout – catch limit – five. Fishing from any floating device prohibited.

Crumbacher Lake (Okanogan County): April 26, 1992, through July 31, 1992, and April 25, 1993, through July 31, 1993, seasons.

Crystal Lake (Grant County): March 1 through July 31 season.

Cup Lake (Grant County): March 1 through July 31 season.

Davis Lake (Okanogan County): September 1 through last day of February season. Trout – catch limit – five.

Deadman Lake (Adams County): March 1 through September 30 season.

Deep Lake (Grant County): April 26, 1992, through September 30, 1992, and April 25, 1993, through September 30, 1993, seasons. Trout – catch limit – eight.

Dibble Lake (Okanogan County): Year around season.

Dollar Lake (Grant County): March 1 through July 31 season.

Dot Lake (Grant County): March 1 through July 31 season.

Dry Falls Lake: April 26, 1992, through November 30, 1992, and April 25, 1993, through November 30, 1993, seasons. Trout – catch limit – one. Selective fishery regulations.

Duck Lake, including adjacent Fry Lake (Okanogan County): Year around season.

Dusty Lake (Grant County): March 1 through September 30 season.

Ell Lake (Okanogan County): Trout – catch limit – one. Selective fishery regulations.

Finnel Lake (Adams County): Channel catfish – catch limit – five. Bass – only bass less than twelve inches or over seventeen inches may be kept.

Fish Lake (Okanogan County): April 26, 1992, through July 31, 1992, and April 25, 1993, through July 31, 1993, seasons.

Fourth of July Lake (Adams County): December 1 through March 31 season. Trout – catch limit – five, no more than two over fourteen inches. Internal combustion engines prohibited.

Gadwall Lake (Grant County): March 1 through July 31 season.

George Lake (Grant County): March 1 through July 31 season.

Gold Creek (Okanogan County), from mouth to Foggy Dew Creek: Trout – minimum length eight inches. Bait prohibited.

Green Lake (Okanogan County): October 1 through April 30 season. Trout – catch limit – five.

Green Lake, lower (Okanogan County): October 1 through April 30 season. Trout – catch limit – five.

Grimes Lake: June 1 through August 31 season. Trout – catch limit – one. Selective fishery regulations, except electric motors allowed.

Hallin Lake (Adams County): Channel catfish – catch limit – five. Bass – only bass less than twelve inches or over seventeen inches may be kept.

Hampton Lake, lower (Grant County): March 1 through July 31 season. Internal combustion engines prohibited.

Hampton Lake, upper (Grant County): March 1 through July 31 season. Internal combustion engines prohibited.

Hays Creek and Ponds (Adams County): March 1 through September 30 season.

Hourglass Lake (Grant County): March 1 through July 31 season.

Hutchinson Lake (Adams County): March 1 through September 30 season. Internal combustion engines prohibited.

Indian Dan Pond: July 1 through October 31 season.

Jameson Lake (Douglas County): April 26, 1992, through July 4, 1992, and April 25, 1993, through July 4, 1993, and October 1 through October 31 seasons.

Jasmine Creek: Juveniles only (under fifteen years old).

Lake Creek, upstream from Pasayten Wilderness boundary: June 1 through August 31 season. Trout – minimum length eight inches. Bait prohibited.

Lemna Lake (Grant County): March 1 through July 31 season.

Lenice Lake: April 26, 1992, through October 31, 1992, and April 25, 1993, through October 31, 1993, seasons. Trout – catch limit – one. Selective fishery regulations.

Lenore Lake (Grant County): Closed: December 1 through last day of February. March 1 through May 31 season. Catch–and–release only, selective fishery regulations, except electric motors allowed. June 1 through November 30 season. Trout – catch limit – one. Selective fishery regulations, except electric motors allowed. Closed waters: Area within two hundred yard radius of trash rack leading to the irrigation pumping station (south end of lake) and area approximately one hundred yards beyond the mouth of inlet stream to State Highway 17.

Little Twin Lake: December 1 through May 31 season. Trout – catch limit – five.

Long Lake (Okanogan County): April 26, 1992, through July 31, 1992, and April 25, 1993, through July 31, 1993, seasons. Trout – catch limit – five.

Lost River (Okanogan County): From one–quarter mile above bridge to Pasayten Wilderness boundary: Trout – catch limit – two, minimum length twelve inches. Bait prohibited.

Lyman Lake (Okanogan County): Year around season.

Marie Lake (Hampton Sloughs) (Grant County): March 1 through July 31 season.

Martha Lake (Grant County): March 1 through July 31 season.

Merry Lake: April 26, 1992, through October 31, 1992, and April 25, 1993, through October 31, 1993, seasons. Trout – catch limit – one. Selective fishery regulations.

Methow River, from mouth (railroad bridge) upstream to second powerline crossing (approximately one mile): June 1 through March 31 season. Trout – catch limit – two, minimum length twelve inches. Wild steelhead release.

From second powerline crossing above railroad bridge (approximately one mile) upstream to mouth of Lost River: June 1 through March 31 season. Trout – catch limit – two, minimum length twelve inches; bait prohibited June 1 through September 30. Wild steelhead release.

Migraine Lake (Grant County): March 1 through July 31 season.

Mirror Lake: April 26, 1992, through September 30, 1992, and April 25, 1993, through September 30, 1993, seasons. Trout – catch limit – eight.

Moccasin Lake (Okanogan County): Trout – catch limit – five. Fly fishing only, barbless hook.

Molson Lake (Okanogan County): Year around season.

Moran Slough (including inlet and outlet streams): Closed water.

Moses Lake: Crappie – catch limit – five. Only crappie more than ten inches long may be kept. Bluegill – catch limit – five. Only bluegill more than eight inches long may be kept.

North Potholes Reserve Ponds (Grant County): February 1 through October 10 season. Fishing from any floating device prohibited, except float tubes permitted.

Nunnally Lake: April 26, 1992, through October 31, 1992, and April 25, 1993, through October 31, 1993, seasons. Trout – catch limit – one. Selective fishery regulations. Closed waters: Outlet stream of Nunnally Lake.

Okanogan River (Okanogan County): Year around

season. Wild steelhead release. Closed waters: From Zosel Dam downstream one-quarter mile below the railroad trestle.

Osoyoos Lake (Okanogan County): Year around season.

Palmer Lake (Okanogan County): Year around season. Bass – only bass less than twelve inches or over seventeen inches may be kept. Set lines may be used for burbot. An angler may use no more than one set line having attached thereto any number of hooks. Set lines must be clearly identified with the angler's name and address.

Para-Juvenile Lake: March 1 through July 31 season. Trout – catch limit – five. Juveniles only (under fifteen years old).

Park Lake: April 26, 1992, through September 30, 1992, and April 25, 1993, through September 30, 1993, seasons. Trout – catch limit – eight. Additional season October 1 through October 31, catch-and-release only, single barbless hook-bait prohibited.

Pearrygin Lake (Okanogan County): April 26, 1992, through July 31, 1992, and April 25, 1993, through July 31, 1993, seasons.

Perch Lake: April 26, 1992, through September 30, 1992, and April 25, 1993, through September 30, 1993, seasons. Trout – catch limit – eight.

Pillar Lake (Grant County): March 1 through July 31 season.

Poacher Lake (Grant County): March 1 through July 31 season.

Potholes Reservoir: Year around season. Crappie and bluegill – catch limit – twenty-five (species combined).

Quail Lake: March 1 through September 30 season. Catch-and-release only, fly fishing only, barbless hook.

Quincy Lake (Grant County): March 1 through July 31 season.

Rat Lake (Okanogan County): November 1 through May 31 season.

Ringold Springs Creek (Hatchery Creek): Closed waters.

Rock Island Ponds (Douglas County): Year around season.

Rocky Ford Creek and Ponds (Grant County): Trout – catch limit – one. Fly fishing only, barbless hook. Fishing from bank only (no wading).

Roosevelt Lake (Columbia River) (Grant County): See Region I.

Round Lake (Okanogan County): April 26, 1992, through July 31, 1992, and April 25, 1993, through July 31, 1993, seasons. Trout – catch limit – five.

Royal Lake (Adams County): April 26, 1992, through September 30, 1992, and April 25, 1993, through September 30, 1993, seasons. Internal combustion engines prohibited.

Royal Slough (including Marsh Unit IV impoundments): Closed waters.

Rufus Woods Lake (Douglas County): Year around season. Trout (including kokanee) – catch limit – two.

Saddle Mountain Lake: Closed waters.

Sago Lake (Grant County): March 1 through July 31 season.

Salmon Creek, North Fork: Trout – minimum length eight inches. Bait prohibited.

Salmon Creek, West Fork, from mouth to South Fork: Trout – minimum length eight inches. Bait prohibited.

Scabrock Lake (Grant County): March 1 through July 31 season.

Shiner Lake (Adams County): March 1 through September 30 season. Internal combustion engines prohibited.

Shoveler Lake: March 1 through July 31 season.

Sidley Lake: Year around season. Trout – catch limit – three.

Similkameen River (Okanogan County) from mouth to Enloe Dam: June 1 through March 31 season. Trout – catch limit – two, minimum length twelve inches. Bait prohibited June 1 through September 30. Wild steelhead release.

From Enloe Dam to Canadian border: Additional December 1 through March 31 season for whitefish only.

Sinlahekin Creek (Okanogan County), from Palmer Lake to Cecile Creek bridge: June 1 through August 31 season. Trout – minimum length eight inches. Bait prohibited. Additional December 1 through March 31 season for whitefish only.

Snake River: See Region I.

Snipe Lake (Grant County): March 1 through July 31 season.

Spectacle Lake (Okanogan County): April 26, 1992, through July 31, 1992, and April 25, 1993, through July 31, 1993, seasons. Possession of fish other than trout is prohibited.

Sprague Lake: Year around season. Trout – catch limit – five. Channel catfish – catch limit – five. Bass – only bass less than twelve inches or over seventeen inches may be kept. Closed waters: October 1 through May 31 in the area southwest of Harper Island and posted markers on shore. Note: The inlet stream, Negro Creek, is closed April 1 through June 15.

Spring Lakes (Quincy, Washington – Grant County): March 1 through July 31 season.

Sullivan Pond (Okanogan County): Year around season.

Summit Lake (Okanogan County): Year around season.

Twisp River (Okanogan County), from mouth to War

Creek: Trout – catch limit – two, minimum length twelve inches. Bait prohibited. Wild steelhead release.

Vic Meyers (Rainbow) Lake: April 26, 1992, through September 30, 1992, and April 25, 1993, through September 30, 1993, seasons. Trout – catch limit – eight.

Warden Lake (Grant County): March 1 through July 31 season.

Warden Lake, South (Grant County): March 1 through July 31 season.

Washburn Island Pond (Okanogan County): April 1 through September 30 season. Bass – only bass less than 12 inches or over seventeen inches may be kept. Internal combustion engines prohibited.

Wells Ponds (Okanogan County): Year around season.

Whitestone Lake (Okanogan County): Year around season. Bass – only bass less than twelve inches or over seventeen inches may be kept.

Widgeon Lake (Grant County): March 1 through July 31 season.

Region III.

Description: That area of the state contained within the boundaries of Benton, Chelan, Kittitas, and Yakima counties.

All state-wide and Region III regulations (given below) apply to all Region III waters unless specifically exempted or amended by special regulations (listed for separate waters and categories of waters).

When fishing or hunting within the boundaries of the Yakima Indian Reservation contact the Office of the Confederated Tribes and Bands of the Yakima Indian Nation. Phone to find out what tribal permits and regulations apply. Waters open under tribal regulations are also open under state regulations.

Region III regulations. Open seasons:

Note: All waters are closed year around to the taking of Dolly Varden/bull trout and grass carp.

Lakes, ponds, and reservoirs: April 26, 1992, through October 31, 1992, and April 25, 1993, through October 31, 1993, unless specified otherwise under special regulations and except: In Benton County: Year around, and all waters lying within the following boundaries: Roza Canal starting at Terrace Heights Drive, easterly to the Yakima/Benton County line, south along that line to the Yakima River, westerly along the Yakima River to Terrace Heights Drive: Year around.

Rivers, streams, and beaver ponds: June 1 through October 31 (both 1992 and 1993), unless specified otherwise under special regulations and except: In Benton County: Year around. (See special regulations for Yakima and Columbia rivers.)

Catch, size, and possession limits: The catch limit for trout caught in either lakes or streams is an aggregate total and must not exceed eight. The following represents general catch, size, and possession limits for game fish (before fishing, check individual waters listed under special regulations for exceptions):

GAME FISH SPECIES	DAILY CATCH LIMITS	MINIMUM SIZE LIMITS	POSSESSION LIMITS
Bass.....	Five—not more than three over fifteen inches	None	Ten—not more than six over fifteen inches
Dolly Varden/ Bull Trout.....	It is unlawful to fish for or retain Dolly Varden or bull trout		
Grass Carp.....	It is unlawful to fish for or retain grass carp		
Kokanee*.....	Eight	None	One catch limit
Trout*..... (Including steelhead)	Eight, of which not more than two may be over twelve inches if taken from rivers, streams, and beaver ponds	None	One catch limit and (in addition) two steelhead over twenty inches
Walleye.....	Five	Eighteen inches	Ten—not more than two over twenty-four inches
Whitefish.....	Fifteen	None	One catch limit
All other game fish.....	No limit	None	No limit
Bullfrogs.....	Ten	None	One catch limit

*Note: When fishing with bait, all trout equal to or greater than the minimum size are counted as part of the daily catch limit whether kept or released. Steelhead may be caught and released while using bait until the daily catch limit is retained. Where use of bait is prohibited by special regulations, or where artificial lures or flies are used voluntarily, fish may be released until the daily catch limit is retained. If any fish has swallowed the hook or is hooked in the gill, eye or tongue, it should be kept if legal to do so.

Special regulations. Region III. Basic state-wide and regional regulations apply to all waters except where modified in special regulations below.

American River, from mouth to Rainier Fork: Trout – minimum length eight inches; bait prohibited.

Bachelor Creek: Year around season.

Beehive (Lake) Reservoir: April 26, 1992, through July 4, 1992, and April 25, 1993, through July 4, 1993, seasons.

Berglund Lake: Year around season.

Black Lake (Lower Wheeler Reservoir): April 26, 1992, through July 4, 1992, and April 25, 1993, through July 4, 1993, seasons.

Box Canyon Creek, from mouth to bridge on USFS Road No. 4930 (approximately four miles): Closed waters.

Buckskin Creek and Tributaries (Yakima County), from the west boundary of Suntides Golf Course to its mouth: Closed waters.

Bumping Lake (Reservoir): Year around season. Kokanee catch limit – thirty-three. Feeding (chumming) permitted.

Bumping River, from mouth to American River: Trout – minimum length eight inches; bait prohibited.

Additional December 1 through March 31 season for whitefish only.

From mouth of American River to Bumping Reservoir: Lawful to fish to base of Bumping Dam. Additional December 1 through March 31 season for whitefish only.

Byron Pond: August 1 through October 31 season.

Cashmere Pond: Juveniles only (under fifteen years old).

Chelan Hatchery Creek: Year around season. Juveniles only (under fifteen years old).

Chelan Lake: Year around season. Trout – catch limit – two, minimum length fifteen inches. Except closed season April 1 through June 30, north (uplake) of a line between Purple Point (at Stehekin) and Painted Rocks, and within four hundred feet of the mouths of all other tributaries uplake from Fields Point. An angler may use one set line with any number of hooks for burbot. Set lines must be clearly identified with the angler's name and address. Except east (downlake) of Fields Point from May 15 through September 30: Trout – catch limit – eight, minimum length eight inches, not more than two over fifteen inches.

Chelan Lake Tributaries from mouths upstream one mile except Stehekin River: July 1 through October 31 season. Trout – minimum length eight inches; bait prohibited.

Chelan River: Year around season. Trout – catch limit – two, minimum length twelve inches.

Chiwaukum Creek, from mouth to South Fork: Trout – minimum length eight inches; bait prohibited.

Chiwawa River, from mouth to Rock Creek: Trout – minimum length eight inches; bait prohibited.

Clear Lake (Chelan County): April 26, 1992, through July 4, 1992, and April 25, 1993, through July 4, 1993, seasons.

Cle Elum Lake (Reservoir): Year around season. Trout – catch limit – two, minimum length twelve inches. Kokanee catch limit – sixteen. An angler may use one set line with any number of hooks for burbot. Set lines must be clearly identified with the angler's name and address.

Cle Elum River, from mouth to Cle Elum Dam: Lawful to fish to base of Cle Elum Dam. Additional December 1 through March 31 season for whitefish only.

Columbia Park Pond: Year around season. Juveniles only (under fifteen years old).

Columbia River and impoundments and all connecting sloughs – see Columbia River regulations page __.

Dry Lake (near Roses Lake): Year around season.

Eightmile Lake: Trout – catch limit – five, not more than two mackinaw.

Elton Ponds: Year around season. Internal combustion engines prohibited.

Enchantment Park Ponds: Juveniles only (under fifteen years old).

Entiat River, from mouth to Fox Creek: June 1 through March 31 season. Trout – catch limit – two, minimum length twelve inches; bait prohibited June 1 through November 30. Wild steelhead release.

Fiorito Lakes: Internal combustion engines prohibited.

Fish Lake (Chelan County): Year around season. Trout – catch limit – five, no more than two over fifteen inches.

Freeway Lake: See Rotary Lake.

Gold Creek, from mouth to Wilderness Boundary: Closed waters.

I-82 Ponds (1-7): Internal combustion engines prohibited.

Icicle Creek (River), from mouth to four hundred feet below Leavenworth National Fish Hatchery rack: June 1 through March 31 season. Trout – catch limit – two, minimum length twelve inches. Wild steelhead release.

From Rock Island Bridge upstream to Leland Creek: Trout – minimum length eight inches; bait prohibited.

Indian Creek (Yakima County): Closed waters.

Kachess Lake (Reservoir): Year around season. Trout – catch limit – two, minimum length twelve inches. Kokanee catch limit – sixteen. Feeding (chumming) permitted. An angler may use one set line with any number of hooks for burbot. Set lines must be clearly identified with the angler's name and address.

Kachess River: Lawful to fish to base of Kachess Dam. From Kachess Lake (Reservoir) upstream to Mineral Creek: Closed waters.

Keechelus Lake (Reservoir): Year around season. Trout – catch limit – two, minimum length twelve inches. Kokanee catch limit – sixteen. Feeding (chumming) permitted. An angler may use one set line with any number of hooks for burbot. Set lines must be clearly identified with the angler's name and address.

Leech Lake (White Pass area): Trout – catch limit – eight, no more than two over twelve inches, fly fishing only.

Lilly Lake (Chelan County): April 26, 1992, through July 4, 1992, and April 25, 1993, through July 4, 1993, seasons.

Little Naches River, Pileup Creek to Road 1913 Bridge: Trout – minimum length eight inches; bait prohibited.

Little Wenatchee River, from Lake Wenatchee to the falls below U.S. Forest Service Road 6700 Bridge at Riverside Campground: Trout – minimum length eight inches; bait prohibited.

Mad River, from Pine Flat Campground upstream to Jimmy Creek: Trout – minimum length eight inches; bait prohibited.

McCabe Pond: Eight fish catch limit for all species combined. Fishing from any floating device prohibited.

Mercer Creek, that portion within Ellensburg city limits: Juveniles only (under fifteen years old). Trout – catch limit – five.

Merritt Lake: Trout – catch limit – sixteen.

Mineral Creek (tributary to upper Kachess River) from mouth to Wilderness Boundary: Closed waters.

Mud Lake: Trout – catch limit – two. Selective fishery regulations.

Myron Lake: Year around season. Trout – catch limit – two. Selective fishery regulations.

Naches River, from the mouth to Rattlesnake Creek: June 1 through March 31 season. Trout (including steelhead) – catch limit – two, minimum length twelve inches, no more than one over twenty inches. Wild steelhead release.

From Rattlesnake Creek to Little Naches River: June 1 through November 30 season. Wild steelhead release. Steelhead over twenty inches – catch limit – one. Additional December 1 through March 31 season for whitefish only.

Naneum Pond: Juveniles only (under fifteen years old).

Nason Creek, from the Kahler Creek Bridge (near Coles Corner) upstream to Stevens Creek: Trout – minimum length eight inches; bait prohibited.

Nason Creek Fish Pond: Juveniles (under fifteen years old) and handicapped persons only.

Panther Creek (Chelan County): Closed waters.

Rattlesnake Creek: Catch–and–release only, selective fishery regulations.

Rimrock Lake (Reservoir): Year around season. Kokanee – catch limit – sixteen. Feeding (chumming) permitted.

Roses Lake: December 1 through March 31 season.

Rotary Lake (Freeway Lake): Year around season.

Schaefer Lake: Trout – catch limit – sixteen.

Sorenson Pond: May 15 through September 1 season. Trout – catch limit – two. Fishing from any floating device prohibited.

Spectacle Lake (Kittitas County): Trout – catch limit – sixteen.

Stehekin River, from the mouth to Agnes Creek: July 1 through October 31 season. Trout – catch limit – two, minimum length fifteen inches; bait prohibited. Additional March 1 through June 30 season: Catch–and–release only, selective fishery regulations.

Swauk Creek, from mouth to Iron Creek: Trout – minimum length eight inches; bait prohibited.

Taneum Creek: Trout – minimum length eight inches; bait prohibited.

Three Lake: Year around season.

Tieton River: Lawful to fish to bases of Clear Lake Dam and Tieton (Rimrock) Dam. Additional December 1 through March 31 season for whitefish only.

Trapper Lake: Trout – catch limit – two, minimum length twelve inches. Selective fishery regulations.

Twin Lakes (Chelan County) and tributaries and outlet stream to junction with the Napeequa River: Closed waters.

Upper Wheeler Reservoir (Chelan County): Closed waters.

Wapato Lake: April 26, 1992, through July 31, 1992, and April 25, 1993, through July 31, 1993, seasons. Additional season August 1 through October 31, single barbless hooks – bait prohibited, and all trout must be released August 1 through October 31.

Wenas Lake: Year around season. Trout – catch limit – eight, of which not more than two may be brown trout.

Wenatchee Lake: Year around season. Trout – catch limit – two, minimum length twelve inches. Kokanee catch limit – sixteen. Feeding (chumming) permitted. Kokanee/sockeye under sixteen inches will be considered kokanee and under the jurisdiction of the department of wildlife while those sixteen inches and over will be considered sockeye salmon and under the jurisdiction of department of fisheries.

Wenatchee River, from mouth to Icicle River Road Bridge at Leavenworth: June 1 through March 31 season. Trout – catch limit – two, minimum length twelve inches. Wild steelhead release. Selective fishery regulations June 1 through November 30.

From Icicle River Road Bridge at Leavenworth to Lake Wenatchee: June 1 through November 30 season. Selective fishery regulations. Trout – catch limit – two, minimum length twelve inches, maximum length twenty inches. Retaining steelhead over twenty inches in length is prohibited.

White River, from mouth of Napeequa River upstream to White River Falls: Trout – minimum length eight inches; bait prohibited.

Wilson Creek (two branches within Ellensburg city limits): Juveniles only (under fifteen years old). Trout – catch limit – five.

Yakima River, from mouth to four hundred feet below Wapato Dam: Year around season. Closed: April 1 through May 31 for trout and steelhead. Trout – catch limit – two, minimum length twelve inches; steelhead catch limit – one. Wild steelhead release.

From Wapato Dam to four hundred feet below Roza Dam: June 1 through March 31 season. Trout – catch limit – two, minimum length twelve inches; steelhead catch limit – one. Wild steelhead release.

From Roza Dam to four hundred feet below Easton Dam: Year around season. Trout (including steelhead): Catch–and–release only, selective fishery regulations. Exception: Bait and single–pointed, barbed hooks may be used for whitefish only December 1 through last day of February. Anglers may fish from boats equipped with

motors from the U.S. Bureau of Reclamation restricted area signs at Roza Dam upstream to the boat launch ramp on the Roza Access Area (approximately one-half mile).

From Lake Easton to Keechelus Dam: Trout – minimum length eight inches; bait prohibited.

Yakima Sportsmen's Park Ponds: Year around season. Juveniles only (under fifteen years old).

Region IV.

Description: That area of the state contained within the boundaries of Island, King, San Juan, Skagit, Snohomish, and Whatcom counties, and that portion of Pierce County east of a line from the mouth of the Nisqually River through Drayton Passage, Pitt Passage, Carr Inlet, and the Tacoma Narrows.

All state-wide and Region IV regulations (given below) apply to all Region IV waters unless specifically exempted or amended by special regulations (listed for separate waters and categories of waters).

Region IV regulations. Open seasons:

Lakes, ponds, and reservoirs: April 26, 1992, through October 31, 1992, and April 25, 1993, through October 31, 1993, unless specified otherwise under special regulations.

Rivers, streams, and beaver ponds: June 1 through October 31 (both, 1992 and 1993), unless specified otherwise under special regulations. Night closure: August 1 through October 31.

*Note: See wild steelhead release requirement under "trout daily catch limit" below.

Catch, size, and possession limits: The catch limit for trout caught in either lakes or streams is an aggregate total and must not exceed eight. The following represents general catch, size, and possession limits for game fish (before fishing, check individual waters listed under special regulations for exceptions):

GAME FISH SPECIES	DAILY CATCH LIMITS	MINIMUM SIZE LIMITS	POSSESSION LIMITS
Bass.....	No limit until possession limit retained	Less than twelve inches or over fifteen inches	Five—not more than two over fifteen inches. Only bass less than twelve inches or over fifteen inches may be kept
Dolly Varden/ Bull Trout.....	Counts as part of trout catch limit	Twenty inches	Counts as part of trout possession limit
Grass Carp.....	It is unlawful to fish for or retain grass carp		
Trout*..... (Including kokanee, land-locked Atlantic salmon, and steelhead)	Eight, of which no more than two may be over twelve inches if taken from rivers, streams, and beaver ponds. *Wild steelhead release June 1 through November 30	None in lakes, ponds, and reservoirs. Eight inches in rivers, streams, and beaver ponds	One catch limit and (in addition) two steelhead over twenty inches
Grayling.....	Catch-and-release only		
Walleye.....	Five	Eighteen inches	Ten—not more than two over twenty-four inches
Whitefish.....	Fifteen	None	One catch limit
All other game fish.....	No limit	None	No limit
Bullfrogs.....	Ten	None	One catch limit

*Note: When fishing with bait, all trout equal to or greater than the minimum size are counted as part of the daily catch limit whether kept or released. Steelhead may be caught and released while using bait until the daily catch limit is retained. Where use of bait is prohibited by special regulations, or where artificial lures or flies are used voluntarily, fish may be released until the daily catch limit is retained. If any fish has swallowed the hook or is hooked in the gill, eye or tongue, it should be kept if legal to do so.

Special regulations. Region IV. Basic state-wide and regional regulations apply to all waters except where modified in special regulations below.

Alder Lake (Reservoir): Year around season.

American Lake: Year around season. Feeding (chumming) permitted.

Angle Lake: Year around season.

Baker Lake: Trout – no more than three over fourteen inches. Feeding (chumming) permitted. An area two hundred feet in radius around the pump discharge, at the south end of the lake is closed.

Ballinger Lake: Year around season.

Barnaby Slough: Closed waters.

Bass Lake: Year around season.

Bearpaw Lake (Whatcom County): Trout – catch and possession limit – one, minimum length eighteen inches. Selective fishery regulations.

Beaver Lake (Skagit County): Year around season.

Big Bear Creek (tributary of Sammamish River): Closed waters.

Big Beaver Creek, from closed water markers on Ross Lake upstream one-quarter mile: Closed waters. Upstream from one-quarter mile markers, including tributary streams, and beaver ponds that are tributary to Big Beaver Creek: July 1 through October 31 season; catch-and-release only, selective fishery regulations.

Big Lake: Year around season.

Bitter Lake: Year around season.

Blackman's Lake: Year around season. Trout – catch limit – five.

Boundary Lake: Year around season.

Bow Lake: Year around season.

Boxley Creek (North Bend), from its mouth to the falls located at approximately rivermile 0.9: Closed

waters.

Boyle Lake (the inlet and outlet are closed waters): Trout – catch limit – two, minimum length fourteen inches. Selective fishery regulations.

Bridges Lake (the inlet and outlet are closed waters): Trout – catch limit – two, minimum length fourteen inches. Selective fishery regulations.

Bryant Lake: Year around season.

Bug Lake: Year around season.

Calligan Lake: June 1 through October 31 season. All tributary streams, and the upper third of the outlet are closed waters.

Campbell Lake: Year around season.

Canyon Creek, (S.F. Stillaguamish River) mouth to forks: June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

Carbon River, from its mouth to the Highway 162 Bridge: June 1 through January 31 season. Trout – catch limit – two, minimum length fourteen inches. Additional February 1 through March 31 season: Selective fishery regulations. Wild steelhead release.

Cascade River: June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

Note: The area from the Rockport–Cascade Road Bridge to the mouth is closed June 1 through September 30.

Cassidy Lake: Year around season.

Cavanaugh Lake: Feeding (chumming) permitted.

Cedar River, from its mouth to the Landsburg diversion dam: June 15 through September 1 season. Trout – catch limit – two, minimum length fourteen inches. Bait prohibited.

From its mouth to the Landsburg Highway Bridge: Additional December 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches. Fishing from any floating device prohibited. Fishing unlawful between 7:00 p.m. and 5:00 a.m. Wild steelhead release.

From Landsburg diversion dam upstream to Chester Morse Reservoir: Closed waters.

Chambers Bay and that portion of Marine Area 13 inside a line from Gordan Point to the dock at Pioneer gravel pit (second gravel pit approximately 1.2 miles north of Chambers Bay): June 1 through October 31 season.

Chambers Lake (within Ft. Lewis Military Reservation): Trout – catch–and–release only. Selective Fishery regulations, except electric motors allowed. Contact Ft. Lewis for a land use permit.

Chaplain Lake: Closed waters.

Clay Pit Pond: Year around season.

Clear Lake (Pierce County): September 1 through June 30 season. (Closed July 1 through August 31.) Feeding (chumming) permitted.

Clear Lake (Skagit County): Year around season.

Clough Creek (North Bend): Closed waters.

Clover Creek, within the boundaries of McChord Air Force Base: Trout – catch limit – one, minimum length twelve inches. Selective fishery regulations.

Coal Creek (tributary of Lake Washington): Closed waters.

Coal Creek, (near Snoqualmie) from Highway 10 downstream: April 26, 1992, through October 31, 1992, and April 25, 1993, through October 31, 1993, seasons. Trout – no minimum length. Juveniles only (under fifteen years old).

County Line Ponds: Closed Waters.

Cranberry Lake (Island County): Year around season.

Dakota Creek: June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

Day Creek, mouth to Day Lake: Trout – catch limit – two, minimum length fourteen inches.

De Coursey Pond: Juveniles only (under fifteen years old).

Deer Creek and Little Deer Creek (tributaries to North Fork Stillaguamish): Closed waters.

Desire, Lake: Year around season.

Diablo Lake: Year around season.

Doloff Lake: April 26, 1992, through November 30, 1992, and April 25, 1993, through November 30, 1993, seasons.

Dugualla Bay (Lake): Year around season.

Eagle Lakes (Big and Little): Closed waters.

Ebey Lake: Fly fishing only. Trout – catch limit – one, minimum length eighteen inches.

Echo Glen Pond: Year around season.

Note: No public access. (State corrections facility.)

Echo Lake (Snohomish County, near Maltby): September 1 through June 30 season. (Closed July 1 through August 31.)

Egg Lake (San Juan County): Year around season.

Fazon Lake: February 1 through October 31 season. Channel catfish – possession limit – two.

Fenwick Lake (King County): Year around season.

Findley Lake: Closed waters.

Finney Creek (Skagit River), from its mouth to falls: Trout – catch limit – two, minimum length fourteen inches.

Fisher Slough: From mouth to Highway 530 Bridge: Year around season. Trout – catch limit – two, minimum length fourteen inches entire season. Upstream from Highway 530 Bridge: June 1 through October 31

season. Trout – catch limit – two, minimum length fourteen inches.

Fishtrap Creek (Whatcom County): From Kok Road to Bender Road: June 15 through October 31 season. Juveniles only (under fifteen years old).

Flowing Lake: Year around season.

Fortson Mill Pond #2: Juveniles only (under fifteen years old).

Gissberg Ponds: Year around season.

Goodwin Lake: Year around season. Feeding (chumming) permitted.

Green Lake (King County): Year around season.

Green Lake (Whatcom County): Year around season.

Green (Duwamish) River, from its mouth to the First Avenue Bridge: Year around season. Trout – catch limit – two, minimum length fourteen inches. It is unlawful to fish with more than one single hook on sinking artificial lures; or with leads, weights, or sinkers less than twelve inches above or below the lure or bait.

From the First Avenue Bridge to Tacoma Headworks Dam: June 15 through last day of February season. Trout – catch limit – two, minimum length fourteen inches. Fishing from any floating device prohibited November 1 through last day of February season. Note: Area from the Auburn–Black Diamond Bridge downstream to the 8th St. N.E. Bridge in Auburn is closed September 1 through October 15 and area from the Auburn–Black Diamond Bridge downstream to the Highway 18 Bridge is closed September 1 through October 31.

From the First Avenue Bridge to the Tacoma Headworks Dam: Additional March 1 through March 31 season. Trout – catch limit – two, minimum length fourteen inches. Wild steelhead release. Fishing from any floating device prohibited.

Greenwater River, from mouth to Greenwater Lakes: Trout – catch limit – two, minimum length twelve inches. Bait prohibited.

Haller Lake: Year around season.

Hancock Lake: June 1 through October 31 season. All tributary streams and the upper third of the outlet are closed waters.

Harrison Pond: Closed waters.

Hart Lake (Pierce County): Year around season.

Heart Lake (Skagit County, near Anacortes): April 26, 1992, through July 31, 1992, and April 25, 1993, through July 31, 1993, seasons.

Hozomeen Lake (Whatcom County): June 1 through October 31 season.

Hummel Lake: Year around season.

Issaquah Creek: Closed waters.

Jennings Park Pond: Juveniles only (under fifteen years old).

Johnson Creek (Whatcom County), from Northern Pacific Railroad tracks to the Lawson Street footbridge in Sumas: Juveniles only (under fifteen years old).

K–Mart Lake: Year around season.

Kapowsin Lake: Year around season.

Keevies Lake: Year around season.

Kelsey Creek (tributary of Lake Washington): Closed waters.

Killarney Lake: Year around season.

Kimball Creek (near Snoqualmie): April 26, 1992, through October 31, 1992, and April 25, 1993, through October 31, 1993, seasons. Trout – no minimum length. Juveniles only (under fifteen years old).

Kings Lake (King County): Closed waters.

Klaus Lake (the inlet and outlet to first Weyerhaeuser spur are closed waters): Trout – catch limit – two, minimum length fourteen inches. Selective fishery regulations.

Lake Washington Ship Canal: See Washington, Lake; Union, Lake; Portage Bay and Salmon Bay.

Little Bear Creek (tributary of Sammamish River): Closed waters.

Little Cranberry Lake: Year around season.

Lone Lake: Year around season.

Lost Lake (Snohomish County): September 1 through June 30 season. (Closed July 1 through August 31.)

Lucas Slough: Closed waters.

Marcel Lake: Year around season.

Marine areas: (See page __).

Martha Lake (Warm Beach): Year around season.

May Creek (tributary of Lake Washington): Closed waters.

Mercer Slough (tributary of Lake Washington): Closed waters.

Mill Pond (Auburn): Juveniles only (under fifteen years old).

Minkler Lake (Skagit County): Year around season.

Morton Lake: September 1 through June 30 season. (Closed July 1 through August 31.)

Muck Creek and tributaries (within Ft. Lewis Military Reservation): Trout – catch–and–release only. Selective fishery regulations. Contact Ft. Lewis for a land use permit.

Mud Lake (Skagit County): Year around season.

Mud Lake (Whatcom County, near Deming): Year around season.

Mudd Lake (Island County): Year around season.

New Mire Creek (tributary of Lake Sawyer): April 26, 1992, through October 31, 1992, and April 25, 1993, through October 31, 1993, seasons. Juveniles only (un-

der fifteen years old).

Newhalem Ponds: Closed waters.

Nisqually River: See Region VI.

Nooksack River, all tributary streams to the Nooksack River system: June 15 through October 31 season.

Nooksack River mouth to forks, Middle Fork to Dam. North Fork to Nooksack Falls: June 15 through March 31 season. Trout – catch limit – two, minimum length fourteen inches. Wild steelhead release. Fishing from boats equipped with motors prohibited on the North and Middle Forks November 1 through March 31.

South Fork, from its mouth to source: June 15 through October 31 season. Trout – catch limit – two, minimum length fourteen inches. Wild steelhead release, and selective fishery regulations.

From its mouth to Skookum Creek: Additional November 1 through March 31 season. Trout – catch limit – two, minimum length fourteen inches. Wild steelhead release. Fishing from boats equipped with motors prohibited.

North Creek (tributary of Lake Sammamish River): Closed waters.

Northern State Hospital Pond: Juveniles only (under fifteen years old).

Ohop Lake: Year around season.

Old Fishing Hole Pond (Kent): Juveniles only (under fifteen years old).

Padden Lake: Internal combustion engines prohibited.

Pass Lake: Year around season. Trout – catch limit – one, minimum length eighteen inches. Fly fishing only, barbless hook.

Peterson Lake: Year around season.

Philippa Creek (tributary to N.F. Snoqualmie River): Closed waters.

Pilchuck Creek, mouth to Highway 9 Bridge: June 1 through November 30 season. Trout – catch limit – two, minimum length fourteen inches. Bait prohibited. Additional December 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

Pilchuck River, its entire length: Closed March 1 through November 30.

From its mouth to five hundred feet downstream from the Snohomish City diversion dam: December 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches. Fishing from any floating device prohibited.

Pipers Creek (Carkeek Creek), from its mouth to concrete culvert adjacent the Metro plant (including Venema Creek): Closed waters.

From concrete culvert adjacent the Metro plant to source: April 26, 1992, through October 31, 1992, and April 25, 1993, through October 31, 1993, seasons. Trout – no minimum length. Juveniles only (under fifteen years old).

Pondilla Pond: Year around season.

Portage Bay: Year around season. Feeding (chumming) permitted.

Pratt River (tributary to Middle Fork Snoqualmie): Catch-and-release only, and selective fishery regulations.

Puyallup River, from its mouth to the Electron power plant outlet: June 1 through January 31 season. Trout – catch limit – two, minimum length fourteen inches.

From its mouth to the Soldier's Home Bridge in Orting: Additional February 1 through March 31 season. Trout – catch limit – two, minimum length fourteen inches. Wild steelhead release.

Raging River, from its mouth to the Highway 18 Bridge (three miles upstream from Preston): June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

Rattlesnake Lake: Selective fishery regulations, except electric motors allowed.

Ravensdale Lake: Trout – catch limit – two, minimum length twelve inches. Selective fishery regulations.

Ridley Lake (Whatcom County): July 1 through October 31 season. Trout – catch and possession limit – one, minimum length eighteen inches. Selective fishery regulations.

Rock Creek (below Landsburg): Closed waters.

Roesiger Lake: Year around season.

Ross Lake (Reservoir): July 1 through October 31 season. Trout – catch limit – three, possession limit – six, minimum length thirteen inches. Bait prohibited.

Note: The following tributaries to Ross Lake are closed from the closed water markers near their mouths upstream the distance indicated. Big Beaver Creek (see special regulation for Big Beaver Creek), Ruby Creek, entire stream. All other tributaries – one mile.

Ross Lake Tributary Streams not listed as closed: July 1 through October 31 season.

Salmon Bay, all waters from the Chittenden Locks (in Ballard) upstream (east) to the Fremont Bridge: July 1 through last day of February season. Trout – no more than two over twenty inches. Wild steelhead release.

Salmon Bay, from the east end of the north wing wall of the Chittenden Locks to a line approximately one hundred seventy-five feet seaward of, and parallel to the railroad bridge, and which runs through the wooden tower structure near the south shore: December 1 through last day of February season. Trout – catch limit – two, minimum length twelve inches. Wild steelhead release. It is unlawful to fish with more than one hook on sinking artificial lures; or with leads, weights, or sinkers less than twelve inches above or below the lure or bait. Fishing from any floating device prohibited. This area is closed March 1 through November 30. See also department of fisheries' regulations.

Samish, Lake: Year around season. Feeding (chumming) permitted.

Samish River, from its mouth to the old Highway 99 Bridge and from the department of fisheries' rack to the Hickson Bridge: June 1 through March 31 season. Trout – catch limit – two, minimum length fourteen inches. December 1 through March 31 wild steelhead release. Note: Closed from Highway 99 Bridge to department of fisheries' salmon rack.

Sammamish Lake: Year around season. Trout – no more than three over fourteen inches or two over twenty inches. Kokanee may not be kept. Bass – daily catch limit – five, not more than three over fifteen inches, no minimum size limit, and possession limit – ten, not more than six over fifteen inches.

Sammamish River (Slough), from the 68th Avenue N.E. Bridge to Lake Sammamish: June 1 through August 31 and December 1 through last day of February seasons. Trout – catch limit – two, minimum length twenty inches. Wild steelhead release. All tributaries are closed.

Sauk River, from its mouth to the mouth of the White Chuck River: June 15 through last day of February season. Trout – catch limit – two, minimum length fourteen inches. June 15 through October 31 wild steelhead release.

From the mouth of the White Chuck River to headwaters, including North and South Forks: Trout – catch limit – two, minimum length fourteen inches. Bait prohibited.

From its mouth to the Darrington Bridge: Additional March 1 through April 30 season. Catch–and–release only, and selective fishery regulations.

Sawyer, Lake: Year around season. Feeding (chumming) permitted.

Sequallitchew Lake: June 1 through October 31 season. Contact Ft. Lewis for land use permit.

Serene, Lake: September 1 through June 30 season. (Closed July 1 through August 31.)

Shady Lake: June 1 through July 4 and September 1 through October 31 seasons. Trout – catch limit – four, no more than one over twelve inches.

Shannon, Lake: Trout – no more than three over sixteen inches. Feeding (chumming) permitted.

Shoecraft Lake: Year around season.

Silver Lake (Island County): Year around season.

Skagit River, from its mouth to the Memorial Highway Bridge (Highway 536 at Mt. Vernon): Year around season. Trout – catch limit – two, minimum length fourteen inches. Retaining steelhead over twenty inches in length is prohibited from April 1 through May 31. (See Fisher Slough.)

From Memorial Highway Bridge (Highway 536 at Mt. Vernon) upstream to Gorge Powerhouse at Newhalem: June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

From the Gorge Powerhouse to Gorge Dam: Closed waters.

From Memorial Highway Bridge (Highway 536 at Mt. Vernon) to pipeline crossing at Sedro Woolley: Additional March 1 through March 31 season. Trout – catch limit – two, minimum length fourteen inches.

From pipeline crossing at Sedro Woolley to mouth of Bacon Creek: Additional March 1 through March 15 season. Trout – catch limit – two, minimum length fourteen inches. Note: Closed waters from the pipeline crossing at Sedro Woolley to the Dalles Bridge at Concrete March 16 through May 31.

From the Dalles Bridge at Concrete to the mouth of Bacon Creek: Additional March 16 through April 30 season. Catch–and–release only, and selective fishery regulations, except lawful to fish from a boat with motor but not while under power.

Skykomish River, from its mouth to mouth of Sultan River: June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches. Fishing from any floating device prohibited November 1 through last day of February from the boat ramp below Lewis Street Bridge at Monroe downstream two thousand five hundred feet. Additional March 1 through April 30 season: Trout – catch–and–release only, and selective fishery regulations. Fishing from any floating device prohibited from the boat ramp below Lewis Street Bridge at Monroe downstream two thousand five hundred feet.

From the mouth of the Sultan River to the forks: June 1 through March 31 season. Trout – catch limit – two, minimum length fourteen inches. Wild steelhead release. March 1 through March 31. Fishing from any floating device prohibited in the area one thousand five hundred feet upstream and one thousand feet downstream of the outlet at Skykomish Rearing Ponds and that same area is closed to fishing June 1 to 8:00 a.m. August 1.

Skykomish River, North Fork, from its mouth to one thousand feet downstream from Bear Creek Falls: June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches. Wild steelhead release. Closed waters from one thousand feet below Bear Creek Falls to one thousand feet above Bear Creek Falls.

From one thousand feet upstream of Bear Creek Falls to headwaters: Trout – catch limit – two, minimum length fourteen inches. Bait prohibited.

Skykomish River, South Fork, from its mouth to six hundred feet downstream from the Sunset Falls Fishway: June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches. Wild steelhead release. Closed waters from Sunset Falls Fishway to a point six hundred feet downstream of the fishway.

From Sunset Falls to source: Trout – catch limit – two, minimum length fourteen inches. Bait prohibited.

Additional November 1 through last day of February season for whitefish only.

Snohomish River, all channels, sloughs, and interconnected waterways (excluding all tributaries) From Puget Sound to Highway 529: Year around season. Trout – catch limit – two, minimum length fourteen inches.

From Highway 529 upstream (all channels): June 1 through March 31 season. Trout – catch limit – two, minimum length fourteen inches.

Snoqualmie River, from its mouth to the falls: June 1 through March 31 season. Trout – catch limit – two, minimum length fourteen inches. June 1 through November 30 bait prohibited. Fishing from any floating device prohibited November 1 through March 31 from the mouth of Tokul Creek downstream to boat ramp at Plumb access, about one–quarter mile. Note: Waters within the Puget Power tunnel at the falls are closed.

From Snoqualmie Falls, including the North and South Forks: Trout – catch limit – two, minimum length ten inches. Bait prohibited. Additional November 1 through last day of February season for whitefish only.

Middle Fork Snoqualmie from mouth to source including all tributaries: Catch–and–release only, and selective fishery regulations.

Soos Creek, from mouth to salmon hatchery rack: June 1 through August 31 season. Trout – catch limit – two, minimum length fourteen inches.

South Prairie Creek, closed downstream from Page Creek to its mouth.

Spada Lake (Reservoir): Trout – catch limit – five, minimum length twelve inches. Bait prohibited. Internal combustion engines prohibited. Note: All tributaries to lake are closed to fishing.

Spanaway Lake, and its outlet downstream to the dam (approximately 800 feet): Year around season.

Sportsman's Lake: Year around season.

Squalicum Creek, mouth to outlet of Bug Lake: Additional November 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

Squalicum Lake: Year around season. Trout – catch limit – two. Fly fishing only.

Steilacoom Lake: Year around season.

Stetattle Creek, from its mouth for one and one–half miles upstream, to mouth of Bucket Creek: Closed waters.

Stevens, Lake: Year around season. Feeding (chumming) permitted. Bass – possession limit – one over eighteen inches.

Stillaguamish River, and all sloughs, downstream of Warm Beach–Stanwood Highway: Year around season. Trout – catch limit – two, minimum length fourteen inches.

Stillaguamish River, upstream from the Warm Beach–Stanwood Highway to the forks (except Harvey Creek, Pioneer Ponds, and Portage Creek are closed): June 1 through March 31 season. Trout – catch limit – two, minimum length fourteen inches. Closed waters from the barrier dam (downstream of I–5) downstream two hundred feet.

Stillaguamish River, North Fork, from its mouth to Swede Heaven Bridge: Year around season. Trout – catch limit – two, minimum length fourteen inches. Fishing from any floating device prohibited upstream of the Highway 530 Bridge at mile post 28.8 (Cicero Bridge). March 1 through November 30 wild steelhead release. Fly fishing only April 16 through November 30.

Stillaguamish River, South Fork, from its mouth to four hundred feet downstream of the outlet to fishway at Granite Falls: June 1 through last of February season. Trout – catch limit – two, minimum length fourteen inches. Note: Closed from Mt. Loop Highway bridge above Granite Falls downstream to a point four hundred feet below the outlet of the end of the fishway.

Stitch Lake: Year around season.

Stuck River: See White River.

Sultan River, from its mouth to a point four hundred feet downstream from the diversion dam at river mile 16: June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches. Note: North and South Forks are closed to fishing.

Sunday Creek (tributary to N.F. Snoqualmie River): Closed waters.

Sunday Lake (Snohomish County): Year around season.

Swamp Creek (tributary to Sammamish River): Closed waters.

Tanwax Lake: Year around season.

Tapps Lake (Reservoir) and intake canal—Open area includes intake canal to within four hundred feet of the screen at Dingle Basin: Year around season.

Tate Creek (tributary to N.F. Snoqualmie River): Closed waters.

Taylor River (tributary to the Middle Fork Snoqualmie): Catch–and–release only, and selective fishery regulations.

Tennant Lake: Year around season. Fishing from any floating device prohibited from October 13 through January 15.

Terrell, Lake: Year around season. Fishing from any floating device prohibited from October 13 through January 15 except fishing from floating dock permitted.

Thornton Creek (tributary to Lake Washington): Closed waters.

Tibbetts Creek (tributary to Lake Sammamish): Closed waters.

Tokul Creek, from its mouth to the posted cable boundary marker located approximately seven hundred

feet upstream of the mouth: December 1 through March 31 season. Trout – catch limit – two, minimum length fourteen inches. This area is closed daily from 5:00 p.m. to 7:00 a.m.

From the posted cable boundary marker located approximately seven hundred feet upstream of the mouth to the railroad trestle: Closed to all fishing.

Tolt River, from its mouth to the USGS trolley cable at the confluence of the North and South Forks: June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches. June 1 through November 30 bait prohibited.

From the USGS trolley cable to the mouth of Yellow Creek on the North Fork, and to the dam on the South Fork: Closed waters.

North Fork above Yellow Creek: Trout – catch–and–release only, selective fishery regulations.

South Fork above the dam: Trout – catch limit – two, minimum length ten inches. Bait prohibited.

Tye River: Trout – catch limit – two, minimum length fourteen inches. Bait prohibited. Additional November 1 through last day of February season for whitefish only.

Union, Lake: Year around season. Feeding (chumming) permitted.

Voight's Creek: Closed waters from mouth to Highway 162 Bridge.

Wallace River, from its mouth to the first Burlington–Northern Railroad bridge downstream of the Highway 2 Bridge: June 1 through September 1 season. Trout – catch limit – two, minimum length fourteen inches. Note: Closed waters from the first Burlington–Northern Railroad bridge (below Highway 2) to a point two hundred feet upstream of the water intake of the salmon hatchery.

From the mouth to mouth of Olney Creek: Additional November 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches. Fishing from any floating device prohibited.

Wapato Lake: Year around season. Juveniles only (under fifteen years old).

Washington, Lake, including that portion of the Sammamish River from the 68th Avenue N.E. Bridge downstream: Year around season. Trout – no more than two over twenty inches. Wild steelhead release December 1 through May 31. May 1 through June 30 season: Trout – catch limit – eight, minimum length twelve inches. Closed to boat fishing one hundred yards either side of the floating bridges. Feeding (chumming) permitted year around. Kokanee/sockeye under twenty inches will be considered kokanee and under the jurisdiction of the department of wildlife while those twenty inches and over will be considered sockeye salmon and under the jurisdiction of the department of fisheries. Bass – daily catch limit – five, not more than three over fifteen inches, no minimum size limit, and possession limit – ten, not more than six over fifteen inches.

Whatcom Creek, mouth to stone bridge at Whatcom Falls Park: June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

From stone bridge at Whatcom Falls Park upstream to Lake Whatcom: April 26, 1992, through October 31, 1992, and April 25, 1993, through October 31, 1993, seasons. Trout – no minimum length. Juveniles only (under fifteen years old).

Whatcom, Lake: Trout – no more than one over fourteen inches. Feeding (chumming) permitted. (All tributaries are closed to fishing, and, in addition, that portion of Lake Whatcom between the Electric Avenue Bridge and the outlet dam.)

Whistle Lake (Skagit County): Year around season.

White (Stuck) River, from mouth to Highway 410 Bridge at Buckley: Trout – catch limit – two, minimum length twelve inches. Note: Puget Power canal, including the screen bypass channel, is closed to fishing above the screen at Dingle Basin.

From the Weyerhaeuser 6000 Road Bridge (Bridge Camp) to its source: Additional November 1 through January 31 season for whitefish and Dolly Varden (bull trout) only.

Willow Lake (Whatcom County): July 1 through October 31 season. Trout – catch and possession limit – one, minimum length eighteen inches. Selective fishery regulations.

Winter's Lake: Year around season.

Wiser Lake: Year around season.

Region IV.

Description: That area of the state contained within the boundaries of Island, King, San Juan, Skagit, Snohomish, and Whatcom counties, and that portion of Pierce County east of a line from the mouth of the Nisqually River through Drayton Passage, Pitt Passage, Carr Inlet, and the Tacoma Narrows.

All state–wide and Region IV regulations (given below) apply to all Region IV waters unless specifically exempted or amended by special regulations (listed for separate waters and categories of waters).

Region IV regulations. Open seasons:

Lakes, ponds, and reservoirs: April 26, 1992, through October 31, 1992, and April 25, 1993, through October 31, 1993, unless specified otherwise under special regulations.

Rivers, streams, and beaver ponds: June 1 through October 31 (both, 1992 and 1993), unless specified otherwise under special regulations. Night closure: August 1 through October 31.

*Note: See wild steelhead release requirement under "trout daily catch limit" below.

Catch, size, and possession limits: The catch limit for trout caught in either lakes or streams is an aggregate total and must not exceed eight. The following represents general catch, size, and possession limits for game fish (before fishing, check individual waters listed under

special regulations for exceptions):

GAME FISH SPECIES	DAILY CATCH LIMITS	MINIMUM SIZE LIMITS	POSSESSION LIMITS
Bass.....	No limit until possession limit retained	Less than twelve inches or over fifteen inches	Five—not more than two over fifteen inches. Only bass less than twelve inches or over fifteen inches may be kept
Dolly Varden/ Bull Trout.....	Counts as part of trout catch limit	Twenty inches	Counts as part of trout possession limit
Grass Carp.....	It is unlawful to fish for or retain grass carp		
Trout*..... (Including kokanee, land-locked Atlantic salmon, and steelhead)	Eight, of which no more than two may be over twelve inches if taken from rivers, streams, and beaver ponds. *Wild steelhead release June 1 through November 30	None in lakes, ponds, and reservoirs. Eight inches in rivers, streams, and beaver ponds	One catch limit and (in addition) two steelhead over twenty inches
Grayling.....	Catch-and-release only		
Walleye.....	Five	Eighteen inches	Ten—not more than two over twenty-four inches
Whitefish.....	Fifteen	None	One catch limit
All other game fish.....	No limit	None	No limit
Bullfrogs.....	Ten	None	One catch limit

*Note: When fishing with bait, all trout equal to or greater than the minimum size are counted as part of the daily catch limit whether kept or released. Steelhead may be caught and released while using bait until the daily catch limit is retained. Where use of bait is prohibited by special regulations, or where artificial lures or flies are used voluntarily, fish may be released until the daily catch limit is retained. If any fish has swallowed the hook or is hooked in the gill, eye or tongue, it should be kept if legal to do so.

Special regulations. Region IV. Basic state-wide and regional regulations apply to all waters except where modified in special regulations below.

Alder Lake (Reservoir): Year around season.

American Lake: Year around season. Feeding (chumming) permitted.

Angle Lake: Year around season.

Baker Lake: Trout – no more than three over fourteen inches. Feeding (chumming) permitted. An area two hundred feet in radius around the pump discharge, at the south end of the lake is closed.

Ballinger Lake: Year around season.

Barnaby Slough: Closed waters.

Bass Lake: Year around season.

Bearpaw Lake (Whatcom County): Trout – catch and possession limit – one, minimum length eighteen inches. Selective fishery regulations.

Beaver Lake (Skagit County): Year around season.

Big Bear Creek (tributary of Sammamish River): Closed waters.

Big Beaver Creek, from closed water markers on Ross Lake upstream one-quarter mile: Closed waters. Upstream from one-quarter mile markers, including tributary streams, and beaver ponds that are tributary to Big Beaver Creek: July 1 through October 31 season; catch-and-release only, selective fishery regulations.

Big Lake: Year around season.

Bitter Lake: Year around season.

Blackman's Lake: Year around season. Trout – catch limit – five.

Boundary Lake: Year around season.

Bow Lake: Year around season.

Boxley Creek (North Bend), from its mouth to the falls located at approximately rivermile 0.9: Closed waters.

Boyle Lake (the inlet and outlet are closed waters): Trout – catch limit – two, minimum length fourteen inches. Selective fishery regulations.

Bridges Lake (the inlet and outlet are closed waters): Trout – catch limit – two, minimum length fourteen inches. Selective fishery regulations.

Bryant Lake: Year around season.

Bug Lake: Year around season.

Calligan Lake: June 1 through October 31 season. All tributary streams, and the upper third of the outlet are closed waters.

Campbell Lake: Year around season.

Canyon Creek, (S.F. Stillaguamish River) mouth to forks: June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

Carbon River, from its mouth to the Highway 162 Bridge: June 1 through January 31 season. Trout – catch limit – two, minimum length fourteen inches. Additional February 1 through March 31 season: Selective fishery regulations. Wild steelhead release.

Cascade River: June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

Note: The area from the Rockport-Cascade Road Bridge to the mouth is closed June 1 through September 30.

Cassidy Lake: Year around season.

Cavanaugh Lake: Feeding (chumming) permitted.

Cedar River, from its mouth to the Landsburg diversion dam: June 15 through September 1 season. Trout – catch limit – two, minimum length fourteen inches. Bait prohibited.

From its mouth to the Landsburg Highway Bridge: Additional December 1 through last day of February

season. Trout – catch limit – two, minimum length fourteen inches. Fishing from any floating device prohibited. Fishing unlawful between 7:00 p.m. and 5:00 a.m. Wild steelhead release.

From Landsburg diversion dam upstream to Chester Morse Reservoir: Closed waters.

Chambers Bay and that portion of Marine Area 13 inside a line from Gordan Point to the dock at Pioneer gravel pit (second gravel pit approximately 1.2 miles north of Chambers Bay): June 1 through October 31 season.

Chambers Lake (within Ft. Lewis Military Reservation): Trout – catch–and–release only. Selective Fishery regulations, except electric motors allowed. Contact Ft. Lewis for a land use permit.

Chaplain Lake: Closed waters.

Clay Pit Pond: Year around season.

Clear Lake (Pierce County): September 1 through June 30 season. (Closed July 1 through August 31.) Feeding (chumming) permitted.

Clear Lake (Skagit County): Year around season.

Clough Creek (North Bend): Closed waters.

Clover Creek, within the boundaries of McChord Air Force Base: Trout – catch limit – one, minimum length twelve inches. Selective fishery regulations.

Coal Creek (tributary of Lake Washington): Closed waters.

Coal Creek, (near Snoqualmie) from Highway 10 downstream: April 26, 1992, through October 31, 1992, and April 25, 1993, through October 31, 1993, seasons. Trout – no minimum length. Juveniles only (under fifteen years old).

County Line Ponds: Closed Waters.

Cranberry Lake (Island County): Year around season.

Dakota Creek: June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

Day Creek, mouth to Day Lake: Trout – catch limit – two, minimum length fourteen inches.

De Coursey Pond: Juveniles only (under fifteen years old).

Deer Creek and Little Deer Creek (tributaries to North Fork Stillaguamish): Closed waters.

Desire, Lake: Year around season.

Diablo Lake: Year around season.

Doloff Lake: April 26, 1992, through November 30, 1992, and April 25, 1993, through November 30, 1993, seasons.

Dugualla Bay (Lake): Year around season.

Eagle Lakes (Big and Little): Closed waters.

Ebey Lake: Fly fishing only. Trout – catch limit – one, minimum length eighteen inches.

Echo Glen Pond: Year around season.

Note: No public access. (State corrections facility.)

Echo Lake (Snohomish County, near Maltby): September 1 through June 30 season. (Closed July 1 through August 31.)

Egg Lake (San Juan County): Year around season.

Fazon Lake: February 1 through October 31 season. Channel catfish – possession limit – two.

Fenwick Lake (King County): Year around season.

Findley Lake: Closed waters.

Finney Creek (Skagit River), from its mouth to falls: Trout – catch limit – two, minimum length fourteen inches.

Fisher Slough: From mouth to Highway 530 Bridge: Year around season. Trout – catch limit – two, minimum length fourteen inches entire season. Upstream from Highway 530 Bridge: June 1 through October 31 season. Trout – catch limit – two, minimum length fourteen inches.

Fishtrap Creek (Whatcom County): From Kok Road to Bender Road: June 15 through October 31 season. Juveniles only (under fifteen years old).

Flowing Lake: Year around season.

Fortson Mill Pond #2: Juveniles only (under fifteen years old).

Gissberg Ponds: Year around season.

Goodwin Lake: Year around season. Feeding (chumming) permitted.

Green Lake (King County): Year around season.

Green Lake (Whatcom County): Year around season.

Green (Duwamish) River, from its mouth to the First Avenue Bridge: Year around season. Trout – catch limit – two, minimum length fourteen inches. It is unlawful to fish with more than one single hook on sinking artificial lures; or with leads, weights, or sinkers less than twelve inches above or below the lure or bait.

From the First Avenue Bridge to Tacoma Headworks Dam: June 15 through last day of February season. Trout – catch limit – two, minimum length fourteen inches. Fishing from any floating device prohibited November 1 through last day of February season. Note: Area from the Auburn–Black Diamond Bridge downstream to the 8th St. N.E. Bridge in Auburn is closed September 1 through October 15 and area from the Auburn–Black Diamond Bridge downstream to the Highway 18 Bridge is closed September 1 through October 31.

From the First Avenue Bridge to the Tacoma Headworks Dam: Additional March 1 through March 31 season. Trout – catch limit – two, minimum length fourteen inches. Wild steelhead release. Fishing from any floating device prohibited.

Greenwater River, from mouth to Greenwater Lakes: Trout – catch limit – two, minimum length twelve inches. Bait prohibited.

Haller Lake: Year around season.

Hancock Lake: June 1 through October 31 season. All tributary streams and the upper third of the outlet are closed waters.

Harrison Pond: Closed waters.

Hart Lake (Pierce County): Year around season.

Heart Lake (Skagit County, near Anacortes): April 26, 1992, through July 31, 1992, and April 25, 1993, through July 31, 1993, seasons.

Hozomeen Lake (Whatcom County): June 1 through October 31 season.

Hummel Lake: Year around season.

Issaquah Creek: Closed waters.

Jennings Park Pond: Juveniles only (under fifteen years old).

Johnson Creek (Whatcom County), from Northern Pacific Railroad tracks to the Lawson Street footbridge in Sumas: Juveniles only (under fifteen years old).

K–Mart Lake: Year around season.

Kapowsin Lake: Year around season.

Keevies Lake: Year around season.

Kelsey Creek (tributary of Lake Washington): Closed waters.

Killarney Lake: Year around season.

Kimball Creek (near Snoqualmie): April 26, 1992, through October 31, 1992, and April 25, 1993, through October 31, 1993, seasons. Trout – no minimum length. Juveniles only (under fifteen years old).

Kings Lake (King County): Closed waters.

Klaus Lake (the inlet and outlet to first Weyerhaeuser spur are closed waters): Trout – catch limit – two, minimum length fourteen inches. Selective fishery regulations.

Lake Washington Ship Canal: See Washington, Lake; Union, Lake; Portage Bay and Salmon Bay.

Little Bear Creek (tributary of Sammamish River): Closed waters.

Little Cranberry Lake: Year around season.

Lone Lake: Year around season.

Lost Lake (Snohomish County): September 1 through June 30 season. (Closed July 1 through August 31.)

Lucas Slough: Closed waters.

Marcel Lake: Year around season.

Marine areas: (See page __).

Martha Lake (Warm Beach): Year around season.

May Creek (tributary of Lake Washington): Closed waters.

Mercer Slough (tributary of Lake Washington): Closed waters.

Mill Pond (Auburn): Juveniles only (under fifteen years old).

Minkler Lake (Skagit County): Year around season.

Morton Lake: September 1 through June 30 season. (Closed July 1 through August 31.)

Muck Creek and tributaries (within Ft. Lewis Military Reservation): Trout – catch–and–release only. Selective fishery regulations. Contact Ft. Lewis for a land use permit.

Mud Lake (Skagit County): Year around season.

Mud Lake (Whatcom County, near Deming): Year around season.

Mudd Lake (Island County): Year around season.

New Mire Creek (tributary of Lake Sawyer): April 26, 1992, through October 31, 1992, and April 25, 1993, through October 31, 1993, seasons. Juveniles only (under fifteen years old).

Newhalem Ponds: Closed waters.

Nisqually River: See Region VI.

Nooksack River, all tributary streams to the Nooksack River system: June 15 through October 31 season.

Nooksack River mouth to forks, Middle Fork to Dam. North Fork to Nooksack Falls: June 15 through March 31 season. Trout – catch limit – two, minimum length fourteen inches. Wild steelhead release. Fishing from boats equipped with motors prohibited on the North and Middle Forks November 1 through March 31.

South Fork, from its mouth to source: June 15 through October 31 season. Trout – catch limit – two, minimum length fourteen inches. Wild steelhead release, and selective fishery regulations.

From its mouth to Skookum Creek: Additional November 1 through March 31 season. Trout – catch limit – two, minimum length fourteen inches. Wild steelhead release. Fishing from boats equipped with motors prohibited.

North Creek (tributary of Lake Sammamish River): Closed waters.

Northern State Hospital Pond: Juveniles only (under fifteen years old).

Ohop Lake: Year around season.

Old Fishing Hole Pond (Kent): Juveniles only (under fifteen years old).

Padden Lake: Internal combustion engines prohibited.

Pass Lake: Year around season. Trout – catch limit – one, minimum length eighteen inches. Fly fishing only, barbless hook.

Peterson Lake: Year around season.

Philippa Creek (tributary to N.F. Snoqualmie River): Closed waters.

Pilchuck Creek, mouth to Highway 9 Bridge: June 1 through November 30 season. Trout – catch limit – two, minimum length fourteen inches. Bait prohibited. Additional December 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

Pilchuck River, its entire length: Closed March 1 through November 30.

From its mouth to five hundred feet downstream from the Snohomish City diversion dam: December 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches. Fishing from any floating device prohibited.

Pipers Creek (Carkeek Creek), from its mouth to concrete culvert adjacent the Metro plant (including Venema Creek): Closed waters.

From concrete culvert adjacent the Metro plant to source: April 26, 1992, through October 31, 1992, and April 25, 1993, through October 31, 1993, seasons. Trout – no minimum length. Juveniles only (under fifteen years old).

Pondilla Pond: Year around season.

Portage Bay: Year around season. Feeding (chumming) permitted.

Pratt River (tributary to Middle Fork Snoqualmie): Catch-and-release only, and selective fishery regulations.

Puyallup River, from its mouth to the Electron power plant outlet: June 1 through January 31 season. Trout – catch limit – two, minimum length fourteen inches.

From its mouth to the Soldier's Home Bridge in Orting: Additional February 1 through March 31 season. Trout – catch limit – two, minimum length fourteen inches. Wild steelhead release.

Raging River, from its mouth to the Highway 18 Bridge (three miles upstream from Preston): June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

Rattlesnake Lake: Selective fishery regulations, except electric motors allowed.

Ravensdale Lake: Trout – catch limit – two, minimum length twelve inches. Selective fishery regulations.

Ridley Lake (Whatcom County): July 1 through October 31 season. Trout – catch and possession limit – one, minimum length eighteen inches. Selective fishery regulations.

Rock Creek (below Landsburg): Closed waters.

Roesiger Lake: Year around season.

Ross Lake (Reservoir): July 1 through October 31 season. Trout – catch limit – three, possession limit – six, minimum length thirteen inches. Bait prohibited.

Note: The following tributaries to Ross Lake are closed from the closed water markers near their mouths upstream the distance indicated. Big Beaver Creek (see special regulation for Big Beaver Creek), Ruby Creek, entire stream. All other tributaries – one mile.

Ross Lake Tributary Streams not listed as closed: July 1 through October 31 season.

Salmon Bay, all waters from the Chittenden Locks (in Ballard) upstream (east) to the Fremont Bridge: July 1 through last day of February season. Trout – no more than two over twenty inches. Wild steelhead release.

Salmon Bay, from the east end of the north wing wall of the Chittenden Locks to a line approximately one hundred seventy-five feet seaward of, and parallel to the railroad bridge, and which runs through the wooden tower structure near the south shore: December 1 through last day of February season. Trout – catch limit – two, minimum length twelve inches. Wild steelhead release. It is unlawful to fish with more than one hook on sinking artificial lures; or with leads, weights, or sinkers less than twelve inches above or below the lure or bait. Fishing from any floating device prohibited. This area is closed March 1 through November 30. See also department of fisheries' regulations.

Samish, Lake: Year around season. Feeding (chumming) permitted.

Samish River, from its mouth to the old Highway 99 Bridge and from the department of fisheries' rack to the Hickson Bridge: June 1 through March 31 season. Trout – catch limit – two, minimum length fourteen inches. December 1 through March 31 wild steelhead release. Note: Closed from Highway 99 Bridge to department of fisheries' salmon rack.

Sammamish Lake: Year around season. Trout – no more than three over fourteen inches or two over twenty inches. Kokanee may not be kept. Bass – daily catch limit – five, not more than three over fifteen inches, no minimum size limit, and possession limit – ten, not more than six over fifteen inches.

Sammamish River (Slough), from the 68th Avenue N.E. Bridge to Lake Sammamish: June 1 through August 31 and December 1 through last day of February seasons. Trout – catch limit – two, minimum length twenty inches. Wild steelhead release. All tributaries are closed.

Sauk River, from its mouth to the mouth of the White Chuck River: June 15 through last day of February season. Trout – catch limit – two, minimum length fourteen inches. June 15 through October 31 wild steelhead release.

From the mouth of the White Chuck River to headwaters, including North and South Forks: Trout – catch limit – two, minimum length fourteen inches. Bait prohibited.

From its mouth to the Darrington Bridge: Additional March 1 through April 30 season. Catch-and-release only, and selective fishery regulations.

Sawyer, Lake: Year around season. Feeding (chumming) permitted.

Sequallitchew Lake: June 1 through October 31 season. Contact Ft. Lewis for land use permit.

Serene, Lake: September 1 through June 30 season. (Closed July 1 through August 31.)

Shady Lake: June 1 through July 4 and September 1 through October 31 seasons. Trout – catch limit – four, no more than one over twelve inches.

Shannon, Lake: Trout – no more than three over sixteen inches. Feeding (chumming) permitted.

Shoecraft Lake: Year around season.

Silver Lake (Island County): Year around season.

Skagit River, from its mouth to the Memorial Highway Bridge (Highway 536 at Mt. Vernon): Year around season. Trout – catch limit – two, minimum length fourteen inches. Retaining steelhead over twenty inches in length is prohibited from April 1 through May 31. (See Fisher Slough.)

From Memorial Highway Bridge (Highway 536 at Mt. Vernon) upstream to Gorge Powerhouse at Newhalem: June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

From the Gorge Powerhouse to Gorge Dam: Closed waters.

From Memorial Highway Bridge (Highway 536 at Mt. Vernon) to pipeline crossing at Sedro Woolley: Additional March 1 through March 31 season. Trout – catch limit – two, minimum length fourteen inches.

From pipeline crossing at Sedro Woolley to mouth of Bacon Creek: Additional March 1 through March 15 season. Trout – catch limit – two, minimum length fourteen inches. Note: Closed waters from the pipeline crossing at Sedro Woolley to the Dalles Bridge at Concrete March 16 through May 31.

From the Dalles Bridge at Concrete to the mouth of Bacon Creek: Additional March 16 through April 30 season. Catch–and–release only, and selective fishery regulations, except lawful to fish from a boat with motor but not while under power.

Skykomish River, from its mouth to mouth of Sultan River: June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches. Fishing from any floating device prohibited November 1 through last day of February from the boat ramp below Lewis Street Bridge at Monroe downstream two thousand five hundred feet. Additional March 1 through April 30 season: Trout – catch–and–release only, and selective fishery regulations. Fishing from any floating device prohibited from the boat ramp below Lewis Street Bridge at Monroe downstream two thousand five hundred feet.

From the mouth of the Sultan River to the forks: June 1 through March 31 season. Trout – catch limit – two, minimum length fourteen inches. Wild steelhead release. March 1 through March 31. Fishing from any floating device prohibited in the area one thousand five hundred feet upstream and one thousand feet downstream of the outlet at Skykomish Rearing Ponds and that same area is closed to fishing June 1 to 8:00 a.m. August 1.

Skykomish River, North Fork, from its mouth to one thousand feet downstream from Bear Creek Falls: June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches. Wild steelhead release. Closed waters from one thousand feet below Bear Creek Falls to one thousand feet above Bear Creek Falls.

From one thousand feet upstream of Bear Creek Falls to headwaters: Trout – catch limit – two, minimum length fourteen inches. Bait prohibited.

Skykomish River, South Fork, from its mouth to six hundred feet downstream from the Sunset Falls Fishway: June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches. Wild steelhead release. Closed waters from Sunset Falls Fishway to a point six hundred feet downstream of the fishway.

From Sunset Falls to source: Trout – catch limit – two, minimum length fourteen inches. Bait prohibited. Additional November 1 through last day of February season for whitefish only.

Snohomish River, all channels, sloughs, and interconnected waterways (excluding all tributaries) From Puget Sound to Highway 529: Year around season. Trout – catch limit – two, minimum length fourteen inches.

From Highway 529 upstream (all channels): June 1 through March 31 season. Trout – catch limit – two, minimum length fourteen inches.

Snoqualmie River, from its mouth to the falls: June 1 through March 31 season. Trout – catch limit – two, minimum length fourteen inches. June 1 through November 30 bait prohibited. Fishing from any floating device prohibited November 1 through March 31 from the mouth of Tokul Creek downstream to boat ramp at Plumb access, about one–quarter mile. Note: Waters within the Puget Power tunnel at the falls are closed.

From Snoqualmie Falls, including the North and South Forks: Trout – catch limit – two, minimum length ten inches. Bait prohibited. Additional November 1 through last day of February season for whitefish only.

Middle Fork Snoqualmie from mouth to source including all tributaries: Catch–and–release only, and selective fishery regulations.

Soos Creek, from mouth to salmon hatchery rack: June 1 through August 31 season. Trout – catch limit – two, minimum length fourteen inches.

South Prairie Creek, closed downstream from Page Creek to its mouth.

Spada Lake (Reservoir): Trout – catch limit – five, minimum length twelve inches. Bait prohibited. Internal combustion engines prohibited. Note: All tributaries to lake are closed to fishing.

Spanaway Lake, and its outlet downstream to the dam (approximately 800 feet): Year around season.

Sportsman's Lake: Year around season.

Squalicum Creek, mouth to outlet of Bug Lake: Additional November 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

Squalicum Lake: Year around season. Trout – catch limit – two. Fly fishing only.

Steilacoom Lake: Year around season.

Stetattle Creek, from its mouth for one and one–half miles upstream, to mouth of Bucket Creek: Closed waters.

Stevens, Lake: Year around season. Feeding (chumming) permitted. Bass – possession limit – one over eighteen inches.

Stillaguamish River, and all sloughs, downstream of Warm Beach–Stanwood Highway: Year around season. Trout – catch limit – two, minimum length fourteen inches.

Stillaguamish River, upstream from the Warm Beach–Stanwood Highway to the forks (except Harvey Creek, Pioneer Ponds, and Portage Creek are closed): June 1 through March 31 season. Trout – catch limit – two, minimum length fourteen inches. Closed waters from the barrier dam (downstream of I–5) downstream two hundred feet.

Stillaguamish River, North Fork, from its mouth to Swede Heaven Bridge: Year around season. Trout – catch limit – two, minimum length fourteen inches. Fishing from any floating device prohibited upstream of the Highway 530 Bridge at mile post 28.8 (Cicero Bridge). March 1 through November 30 wild steelhead release. Fly fishing only April 16 through November 30.

Stillaguamish River, South Fork, from its mouth to four hundred feet downstream of the outlet to fishway at Granite Falls: June 1 through last of February season. Trout – catch limit – two, minimum length fourteen inches. Note: Closed from Mt. Loop Highway bridge above Granite Falls downstream to a point four hundred feet below the outlet of the end of the fishway.

Stitch Lake: Year around season.

Stuck River: See White River.

Sultan River, from its mouth to a point four hundred feet downstream from the diversion dam at river mile 16: June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches. Note: North and South Forks are closed to fishing.

Sunday Creek (tributary to N.F. Snoqualmie River): Closed waters.

Sunday Lake (Snohomish County): Year around season.

Swamp Creek (tributary to Sammamish River): Closed waters.

Tanwax Lake: Year around season.

Tapps Lake (Reservoir) and intake canal—Open area includes intake canal to within four hundred feet of the screen at Dingle Basin: Year around season.

Tate Creek (tributary to N.F. Snoqualmie River): Closed waters.

Taylor River (tributary to the Middle Fork Snoqualmie): Catch–and–release only, and selective fishery regulations.

Tennant Lake: Year around season. Fishing from any floating device prohibited from October 13 through January 15.

Terrell, Lake: Year around season. Fishing from any floating device prohibited from October 13 through January 15 except fishing from floating dock permitted.

Thornton Creek (tributary to Lake Washington): Closed waters.

Tibbetts Creek (tributary to Lake Sammamish): Closed waters.

Tokul Creek, from its mouth to the posted cable boundary marker located approximately seven hundred feet upstream of the mouth: December 1 through March 31 season. Trout – catch limit – two, minimum length fourteen inches. This area is closed daily from 5:00 p.m. to 7:00 a.m.

From the posted cable boundary marker located approximately seven hundred feet upstream of the mouth to the railroad trestle: Closed to all fishing.

Tolt River, from its mouth to the USGS trolley cable at the confluence of the North and South Forks: June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches. June 1 through November 30 bait prohibited.

From the USGS trolley cable to the mouth of Yellow Creek on the North Fork, and to the dam on the South Fork: Closed waters.

North Fork above Yellow Creek: Trout – catch–and–release only, selective fishery regulations.

South Fork above the dam: Trout – catch limit – two, minimum length ten inches. Bait prohibited.

Tye River: Trout – catch limit – two, minimum length fourteen inches. Bait prohibited. Additional November 1 through last day of February season for whitefish only.

Union, Lake: Year around season. Feeding (chumming) permitted.

Voight's Creek: Closed waters from mouth to Highway 162 Bridge.

Wallace River, from its mouth to the first Burlington–Northern Railroad bridge downstream of the Highway 2 Bridge: June 1 through September 1 season. Trout – catch limit – two, minimum length fourteen inches. Note: Closed waters from the first Burlington–Northern Railroad bridge (below Highway 2) to a point two hundred feet upstream of the water intake of the salmon hatchery.

From the mouth to mouth of Olney Creek: Additional

November 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches. Fishing from any floating device prohibited.

Wapato Lake: Year around season. Juveniles only (under fifteen years old).

Washington, Lake, including that portion of the Sammamish River from the 68th Avenue N.E. Bridge downstream: Year around season. Trout – no more than two over twenty inches. Wild steelhead release December 1 through May 31. May 1 through June 30 season: Trout – catch limit – eight, minimum length twelve inches. Closed to boat fishing one hundred yards either side of the floating bridges. Feeding (chumming) permitted year around. Kokanee/sockeye under twenty inches will be considered kokanee and under the jurisdiction of the department of wildlife while those twenty inches and over will be considered sockeye salmon and under the jurisdiction of the department of fisheries. Bass – daily catch limit – five, not more than three over fifteen inches, no minimum size limit, and possession limit – ten, not more than six over fifteen inches.

Whatcom Creek, mouth to stone bridge at Whatcom Falls Park: June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

From stone bridge at Whatcom Falls Park upstream to Lake Whatcom: April 26, 1992, through October 31, 1992, and April 25, 1993, through October 31, 1993, seasons. Trout – no minimum length. Juveniles only (under fifteen years old).

Whatcom, Lake: Trout – no more than one over fourteen inches. Feeding (chumming) permitted. (All tributaries are closed to fishing, and, in addition, that portion of Lake Whatcom between the Electric Avenue Bridge and the outlet dam.)

Whistle Lake (Skagit County): Year around season.

White (Stuck) River, from mouth to Highway 410 Bridge at Buckley: Trout – catch limit – two, minimum length twelve inches. Note: Puget Power canal, including the screen bypass channel, is closed to fishing above the screen at Dingle Basin.

From the Weyerhaeuser 6000 Road Bridge (Bridge Camp) to its source: Additional November 1 through January 31 season for whitefish and Dolly Varden (bull trout) only.

Willow Lake (Whatcom County): July 1 through October 31 season. Trout – catch and possession limit – one, minimum length eighteen inches. Selective fishery regulations.

Winter's Lake: Year around season.

Wiser Lake: Year around season.

Region V.

Description: That area of the state contained within the boundaries of Clark, Cowlitz, Klickitat, Lewis, Skamania, and Wahkiakum counties.

All state-wide and Region V regulations (given below) apply to all Region V waters unless specifically exempted or amended by special regulations (listed for separate waters and categories of waters).

Region V regulations. Open seasons:

Note: All waters are closed year around to the taking of Dolly Varden/bull trout and grass carp.

Lakes, ponds, and reservoirs: April 26, 1992, through October 31, 1992, and April 25, 1993, through October 31, 1993, unless specified otherwise under special regulations.

Rivers, streams, and beaver ponds: June 1 through October 31 (both, 1992 and 1993), unless specified otherwise under special regulations.

*Note: See wild steelhead release requirement under "trout daily catch limit" below.

(For Columbia River reservoirs, see page x.)

Catch, size, and possession limits: The catch limit for trout caught in either lakes or streams is an aggregate total and must not exceed eight. The following represents general catch, size, and possession limits for game fish (before fishing, check individual waters listed under special regulations for exceptions):

GAME FISH SPECIES	DAILY CATCH LIMITS	MINIMUM SIZE LIMITS	POSSESSION LIMITS
Bass.....	Five—not more than three over fifteen inches	None	Ten—not more than six over fifteen inches
Dolly Varden/ Bull Trout.....	It is unlawful to fish for or retain Dolly Varden or bull trout		
Grass Carp.....	It is unlawful to fish for or retain grass carp		
Trout*..... (Including kokanee and steelhead)	Eight, of which not more than two may be over twelve inches if taken from rivers, streams, and beaver ponds. *Wild steelhead release June 1 through November 30	None in lakes, ponds, and reservoirs. Eight inches in rivers, streams, and beaver ponds	One catch limit and (in addition) two steelhead over twenty inches
Walleye.....	Five	Eighteen inches	Ten—not more than two over twenty-four inches
Whitefish.....	Fifteen	None	One catch limit
All other game fish.....	No limit	None	No limit
Bullfrogs.....	Ten	None	One catch limit

*Note: When fishing with bait, all trout equal to or greater than the minimum size are counted as part of the daily catch limit whether kept or released. Steelhead may be caught and released while using bait until the daily catch limit is retained. Where use of bait is prohibited by special regulations, or where artificial lures or flies are used voluntarily, fish may be released until the daily catch limit is retained. If any fish has swallowed the hook or is hooked in the gill, eye or tongue, it should be kept if legal to do so.

Special regulations. Region V. Basic state-wide and regional regulations apply to all waters except where modified in special regulations below.

Abernathy Creek, from Abernathy Falls to posted markers five hundred feet downstream from salmon hatchery: Closed waters.

From mouth to a point five hundred feet downstream from salmon hatchery: June 1 through March 31 season. Trout – catch limit – two, minimum length twelve inches. Wild steelhead release and wild cutthroat release.

Alder Creek: Closed waters.

Alder Lake (Reservoir): Year around season.

Battle Ground Lake: Internal combustion engines prohibited.

Beaver Creek (tributary to Elochoman River): Closed waters.

Berry Creek (tributary to Nisqually River): Trout – catch limit – two, minimum length eight inches. Bait prohibited.

Big White Salmon River, from mouth to within four hundred feet of Northwestern Dam: Year around season. Trout – catch limit – two, minimum length fourteen inches. Wild steelhead release May 16 through October 31.

From gas pipeline crossing above Northwestern Lake to Gilmer Creek: Trout – catch limit – two, minimum length twelve inches. Bait prohibited.

Blue Creek, from mouth to Spencer Road: Closed waters.

Blue Lake (Cowlitz County): Catch–and–release only.

Butter Creek: Trout – catch limit – two, minimum length ten inches. Bait prohibited.

Carlisle Lake: April 26, 1992, through last day of February 1993 and April 25, 1993, through last day of February 1994 seasons. Internal combustion engines prohibited. Bass – minimum length fourteen inches.

Carp Lake: Year around season.

Castle Lake: Trout – catch limit – two, minimum length fourteen inches. Selective fishery regulations.

Cedar Creek (tributary of N.F. Lewis) from mouth to junction of Chelatchie Creek: June 1 through March 31 season. Trout – catch limit – two, minimum length twelve inches.

Chamberlain Lake: Year around season.

Chehalis River: See Region VI, page __.

Chehalis River, South Fork from mouth to highway bridge at Boistfort: June 1 through March 31 season. Trout – catch limit – two, minimum length fourteen inches.

Cispus River, North Fork: Trout – catch limit – eight, no more than one over twelve inches.

Clear Creek (tributary to Muddy River, Skamania County): Trout – catch limit – two, minimum length twelve inches. Bait prohibited.

Clearwater Creek (tributary to Muddy River, Skamania County): Trout – catch limit – two, minimum length twelve inches. Bait prohibited.

Coal Creek (Cowlitz County), from mouth to four hundred feet below falls: June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

Coldwater Lake: Closed waters.

Columbia River and impoundments and all connecting sloughs – see regulations page __.

Connelly Creek and tributaries, from four hundred feet below the city of Morton Dam to its source: Closed waters.

Cougar Creek (tributary to Yale Reservoir): June 1 through August 31 season.

Coweeman River, from mouth to Mulholland Creek: June 1 through March 31 season. Trout – catch limit – two, minimum length twelve inches. Wild steelhead release and wild cutthroat release.

Cowlitz River, from mouth to Mayfield Dam: Year around season. Trout – catch limit – eight, minimum length twelve inches, no more than two over twenty inches. Wild cutthroat release. Lawful to fish up to four hundred feet or the posted deadline at barrier dam. From Mill Creek to the barrier dam, it is unlawful to (1) fish from any floating device; (2) fish during night closure, April 1 through September 30; and (3) fish with nonbuoyant artificial lures having more than one single–pointed hook.

From Mayfield Dam to mouth of Muddy Fork: Year around season.

Cowlitz River, Clear Fork and Muddy Fork: Trout – catch limit – eight, no more than one over twelve inches.

Davis Lake: April 26, 1992, through last day of February 1993 and April 25, 1993, through last day of February 1994 seasons.

Deep River: Year around season. Trout – catch limit – two, minimum length fourteen inches.

Drano Lake: See Columbia River regulations, page —.

Elochoman River, from mouth to West Fork: June 1 through March 31 season. Trout – catch limit – eight, minimum length twelve inches, no more than two over twenty inches. Wild steelhead release and wild cutthroat release.

From Beaver Creek Road Bridge to two hundred feet below weir at Beaver Creek hatchery: Closed waters.

From West Fork to source: Closed waters.

Fort Borst Park Lake: April 26, 1992, through last day of February 1993 and April 25, 1993, through last day of February 1994 seasons. Trout – catch limit – five. Juveniles only (under fifteen years old).

Franz Lake: Year around season.

Germany Creek, from mouth to end of Germany Creek Road (approximately five miles): June 1 through

March 31 season. Trout – catch limit – two, minimum length twelve inches. Wild steelhead release and wild cutthroat release.

Gobar Creek (tributary to Kalama River): June 1 through March 31 season. Trout – catch limit – two, minimum length twelve inches. Wild steelhead release and wild cutthroat release.

Grant Lake: Year around season.

Grays River, from mouth to mouth of South Fork: June 1 through March 31 season. Trout – catch limit – two, minimum length fourteen inches. Wild steelhead release.

Grays River, East Fork: Trout – catch limit – two, minimum length fourteen inches. Bait prohibited.

Green River, from mouth to 2800 Bridge: June 15 through November 30 season. Open only to steelhead fishing, catch limit – two, minimum length twenty inches.

Note: All tributaries closed.

From 2800 Bridge to source, including all tributaries: Closed waters.

Grizzly Lake: Closed waters.

Hamilton Creek: June 1 through March 31 season. Trout – catch limit – two, minimum length twelve inches. Wild steelhead release and wild cutthroat release.

Hemlock Lake (Trout Creek Reservoir): June 1 through October 31 season.

Hewitt Lake: Year around season.

Horseshoe Lake: April 26, 1992, through last day of February 1993 and April 25, 1993, through last day of February 1994 seasons.

Jewitt Creek: Trout – no minimum length. Juveniles only (under fifteen years old).

Johnson Creek (tributary to Cowlitz River): Trout – catch limit – two, minimum length ten inches. Bait prohibited.

Kalama River, for all sections from mouth to Kalama Falls that are open to fishing the following regulations apply: (1) Trout – catch limit – two, minimum length twelve inches; and (2) wild cutthroat release; and (3) wild steelhead release.

From mouth upstream to one thousand feet below fishway at upper salmon hatchery: (1) Year around season; (2) night closure, April 1 through October 31; (3) fly fishing only, from September 1 through October 31 from the pipeline crossing to the posted deadline at the intake to the lower salmon hatchery; (4) from two hundred feet above to one thousand five hundred feet below the temporary rack is closed during the period the fish rack is installed; and (5) motors prohibited upstream of Modrow Bridge.

One thousand feet below fishway to one thousand feet above the fishway at upper salmon hatchery: Closed waters.

From one thousand feet above the fishway at the upper salmon hatchery to Summers Creek: Year around season.

From Summers Creek upstream to the 6420 Road at about one mile above the gate at the end of the county road: June 1 through March 31 season. Fly fishing only.

From 6420 Road (about one mile above the gate at the end of the county road) to Kalama Falls: Closed waters.

Klickitat River, from mouth to Fisher Hill Bridge: June 1 through November 30 season. Trout – catch limit – two, minimum length twelve inches.

From Fisher Hill Bridge to four hundred feet above #5 fishway: Closed waters.

From four hundred feet above #5 fishway to the Yakima Indian Reservation boundary: June 1 through November 30 season. Trout – catch limit – two, minimum length twelve inches. Additional December 1 through March 31 season for whitefish only.

From the Yakima Indian Reservation boundary upstream to source, including all tributaries: Closed waters.

Kress Lake: April 26, 1992, through last day of February 1993 and April 25, 1993, through last day of February 1994 seasons. Bass – only bass less than twelve inches or over seventeen inches may be kept. Internal combustion engines prohibited.

Lacamas Creek (Clark County): Lawful to fish upstream to the base of Lacamas Lake Dam.

Lacamas Creek, tributary of Cowlitz River (Lewis County): June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

Lacamas Lake: April 26, 1992, through March 31, 1993, and April 25, 1993, through March 31, 1994, seasons.

Lewis River, from mouth to forks: Year around season. Trout – catch limit – two, minimum length twelve inches. Wild steelhead release and wild cutthroat release.

Lewis River, North Fork, from mouth to overhead powerlines below Merwin Dam: Year around season. Trout – catch limit – two, minimum length twelve inches. Wild steelhead release and wild cutthroat release. Closed waters: Shoreward of the cable buoy and corkline at the mouth of the Lewis River Salmon Hatchery fish ladder.

From lower Cedar Creek concrete boat ramp to Colvin Creek: Night closure April 1 through October 31.

From mouth of Colvin Creek to overhead powerlines at Merwin Dam: Trout – catch limit – two, minimum length twelve inches. Closed October 1 through December 15 to fishing.

From overhead powerlines to Merwin Dam: Closed waters.

From Yale Dam downstream one thousand three

hundred feet to the cable crossing: Closed waters.

Lewis River Power Canal and old Lewis River streambed between Swift No. 1 powerhouse and Swift No. 2 powerhouse: April 26, 1992, through October 31, 1992, and April 25, 1993, through October 31, 1993, seasons. Fishing from any floating device prohibited.

From Eagle Cliff Bridge to lower falls: Trout – catch limit – two, minimum length twelve inches. Bait prohibited.

Lewis River, East Fork (south), the following are closed waters: (1) From the posted markers below to one hundred feet above Lucia Falls; (2) from four hundred feet below to four hundred feet above Molton Falls; and (3) from four hundred feet below Horseshoe Falls to one hundred feet above Sunset Falls.

From mouth to four hundred feet below Horseshoe Falls: Year around season. Trout – catch limit – two, minimum length fourteen inches. Wild steelhead release. Night closure April 1 through October 31.

From one hundred feet above Sunset Falls to source: June 1 through December 31 season. Trout – catch limit – two, minimum length fourteen inches. Wild steelhead release.

Little Klickitat River, within Goldendale city limits: April 26, 1992, through October 31, 1992, and April 25, 1993, through October 31, 1993, seasons. Trout – no minimum length. Juveniles only (under fifteen years old).

Little Nisqually River: Trout – catch limit – two, minimum length ten inches. Bait prohibited.

Little White Salmon River, from fishway downstream to markers at federal fish hatchery a distance of one thousand five hundred feet: Closed waters.

Locke Lake: Year around season.

Long–Bell Pond (Cowlitz County): Year around season.

Love Lake: Closed waters.

Mayfield Lake (Reservoir): Year around season. Tiger musky – catch limit – one, minimum length thirty inches.

Merrill Lake: Trout – catch limit – two, maximum length twelve inches. Fly fishing only, except motors allowed.

Merwin (Lake) Reservoir: Year around season. Trout – minimum length six inches.

Mill Creek (Cowlitz County), from mouth to forks (approximately one mile): June 1 through March 31 season. Trout – catch limit – two, minimum length twelve inches. Wild steelhead release and wild cutthroat release.

Mineral Creek (tributary to Nisqually River): Trout – catch limit – two, minimum length twelve inches. Bait prohibited.

Mineral Creek, North Fork: Trout – catch limit – two, minimum length twelve inches. Bait prohibited.

Mineral Lake: April 26, 1992, through September 10, 1992, and April 25, 1993, through September 10, 1993, seasons.

Muddy River (tributary to N.F. Lewis River): Trout – catch limit – two, minimum length twelve inches. Bait prohibited.

Newaukum River, main river, Middle Fork and South Fork: June 1 through March 31 season. Trout – catch limit – two, minimum length fourteen inches. Wild steelhead release.

Newaukum River, North Fork, from mouth to four hundred feet below Chehalis city water intake: June 1 through March 31 season. Trout – catch limit – two, minimum length fourteen inches. Wild steelhead release.

From Chehalis city water intake upstream: Closed waters.

Ohanapecosh Creek (tributary to Cowlitz River): Trout – catch limit – two, minimum length twelve inches. Bait prohibited.

Olequa Creek: June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

Packwood Lake: All inlet streams and outlet from log boom to dam: Closed waters. Trout – catch limit – five, minimum length ten inches. Bait prohibited.

Panther Creek (tributary to Wind River): Trout – catch limit – two, minimum length twelve inches. Bait prohibited.

Pine Creek (tributary to N.F. Lewis River): Trout – catch limit – two, minimum length twelve inches. Bait prohibited.

Plummer Lake: April 26, 1992, through last day of February, 1993, and April 25, 1993, through last day of February 1994 seasons.

Railroad Island Pond: Year around season.

Riffe (Lake) Reservoir: Year around season. Lawful to fish up to the base of Swofford Pond Dam.

Rock Creek (Skamania County): June 1 through March 31 season. Trout – catch limit – two, minimum length twelve inches. Wild steelhead release and wild cutthroat release.

Round Lake: April 26, 1992, through March 31, 1993, and April 25, 1993, through March 31, 1994, seasons.

Rowland Lakes: April 26, 1992, through last day of February 1993 and April 25, 1993, through last day of February 1994 seasons.

Sacajawea Lake: Year around season.

Salmon Creek (Clark County), from mouth to 72nd Avenue N.E.: June 1 through March 31 season. Trout – catch limit – two, minimum length twelve inches. Wild steelhead release and wild cutthroat release.

Silver Creek (tributary to Cowlitz River), mouth to USFS Road 4778: Trout – catch limit – two, minimum length twelve inches. Bait prohibited.

Silver Lake: Year around season. Bass – minimum length fourteen inches. Use of water dogs or salamanders for fishing prohibited.

Skamokawa Creek, mouth to forks just below Oatfield and Middle Valley Road: June 1 through March 31 season. Trout – catch limit – two, minimum length fourteen inches. Wild steelhead release.

Skate Creek (tributary to Cowlitz River): Trout – catch limit – eight, no more than one over twelve inches.

Skookumchuck River: See Region VI.

Skookumchuck Slough (Hayse Lake): Year around season.

Sundale Pond: Year around season.

Swofford Pond: Year around season. Bass – possession limit – two. Only bass less than twelve inches or over seventeen inches may be kept. Channel catfish – minimum length twenty inches. Internal combustion engines prohibited.

Tilton River, from mouth to West Fork: June 1 through March 31 season. Trout – catch limit – eight, no more than one over twelve inches.

Tilton River, South Fork and East Fork: Trout – catch limit – two, minimum length ten inches. Bait prohibited.

Tilton River, North Fork and West Fork: Trout – catch limit – two, minimum length twelve inches. Bait prohibited.

Toutle River, mouth to forks: June 15 through November 30 season. Open only to the taking of steelhead over twenty inches.

Toutle River, North Fork, from mouth to the posted deadline below the fish collection facility: June 15 through November 30 season. Wild steelhead release. Open only to the taking of steelhead over twenty inches.

From the mouth of the Green River to the posted deadline below the fish collection facility: June 15 through November 30 season. It is unlawful to (1) fish during night closure; and (2) fish with nonbuoyant artificial lures having more than one single-pointed hook.

From the posted deadline below the fish collection facility upstream to the headwaters, including all tributaries: Closed waters. (Note: Castle Lake, open water.)

Toutle River, South Fork, mouth to 4100 Road Bridge (note: All tributaries closed): June 15 through January 31 season. Open only to the taking of steelhead over twenty inches. Wild steelhead release. Catch and possession limit – two, minimum length twenty inches. Additional February 1 through March 31 season, open on Fridays and Saturdays only. Steelhead – catch and possession limit – one, minimum length twenty inches. Open only to steelhead fishing.

From 4100 Road Bridge to source, including all tributaries: Closed waters.

Trout Creek (tributary to Wind River): Trout – catch limit – two, minimum length fourteen inches. Bait prohibited.

Trout Lake, tributary to Big White Salmon River: June 1 through October 31 season.

Vancouver Lake and all other waters west of Burlington–Northern Railroad from Columbia River drawbridge near Vancouver downstream to Lewis River: Year around season. Trout – catch limit – two, minimum length twelve inches.

Walupt Lake: All inlet streams closed. Trout – catch limit – five, minimum length ten inches. Bait prohibited.

Washougal River, from mouth to bridge at Salmon Falls: Year around season. Trout – catch limit – two, minimum length twelve inches. Wild steelhead release and wild cutthroat release. Night closure April 1 through October 31.

From bridge at Salmon Falls to its source: Closed waters.

Washougal River, West (North Fork), from mouth to the water intake at the department of wildlife hatchery: Closed waters.

From intake at department of wildlife hatchery to source: Year around season. Trout – catch limit – two, minimum length twelve inches. Wild steelhead release and wild cutthroat release.

Willame Lake: Trout – catch limit – two, minimum length fifteen inches. Bait prohibited.

Wind River, Burlington–Northern Railroad bridge to four hundred feet below Shipherd Falls (note: Waters south of the Burlington–Northern Railroad bridge are considered part of the Columbia River): June 1 through March 31 season. Trout – catch limit – two, minimum length fourteen inches. Wild steelhead release.

From four hundred feet below to one hundred feet above Shipherd Falls fish ladder: Closed waters.

Tyee Springs: Closed waters.

From one hundred feet above Shipherd Falls fish ladder to source, including all tributaries: June 1 through November 30 season. Trout – catch limit – two, minimum length fourteen inches.

Winston Creek (tributary to Cowlitz River): Trout – catch limit – two, minimum length ten inches. Bait prohibited.

Wishram Pond: Year around season.

Yellowjacket Creek (tributary to Cispus River): Trout – catch limit – two, minimum length twelve inches. Bait prohibited.

Yellowjacket Ponds: Trout – catch limit – eight, no more than one over twelve inches.

Region VI.

Description: That area of the state contained within the boundaries of Clallam, Grays Harbor, Jefferson,

Kitsap, Mason, Pacific, and Thurston counties and that portion of Pierce County on the Kitsap Peninsula and Fox Island.

All state-wide and Region VI regulations (given below) apply to all Region VI waters unless specifically exempted or amended by special regulations (listed for separate waters and categories of waters).

Region VI regulations. Open seasons:

Lakes, ponds, and reservoirs: April 26, 1992, through October 31, 1992, and April 25, 1993, through October 31, 1993, unless specified otherwise under special regulations.

Rivers, streams, and beaver ponds: June 1 through October 31 (both, 1992 and 1993), unless specified otherwise under special regulations.

*Note: See wild steelhead release requirement under "trout daily catch limit" below.

Catch, size, and possession limits: The catch limit for trout caught in either lakes or streams is an aggregate total and must not exceed eight. The following represents general catch, size, and possession limits for game fish (before fishing, check individual waters listed under special regulations for exceptions):

GAME FISH SPECIES	DAILY CATCH LIMITS	MINIMUM SIZE LIMITS	POSSESSION LIMITS
Bass.....	Five—not more than three over fifteen inches	None	Ten—not more than six over fifteen inches
Dolly Varden/ Bull Trout.....	Counts as part of trout catch limit	Twenty inches	Counts as part of trout possession limit
Grass Carp.....	It is unlawful to fish for or retain grass carp		
Trout*..... (Including kokanee and locked Atlantic salmon and steelhead)	Eight, of which not more than two may be over twelve inches if taken from rivers, streams, and beaver ponds. *Wild steelhead release June 1 through November 30	None in lakes, ponds, and reservoirs. Eight inches in rivers, streams, and beaver ponds	One catch limit and (in addition) two steelhead over twenty inches
Walleye.....	Five	Eighteen inches	Ten—not more than two over twenty-four inches
Whitefish.....	Fifteen	None	One catch limit
All other game fish.....	No limit	None	No limit
Bullfrogs.....	Ten	None	One catch limit

*Note: When fishing with bait, all trout equal to or greater than the minimum size are counted as part of the daily catch limit whether kept or released. Steelhead may be caught and released while using bait until the daily catch limit is retained. Where use of bait is prohibited by special regulations, or where artificial lures or flies are used voluntarily, fish may be released until the daily catch limit is retained. If any fish has swallowed the hook or is hooked in the gill, eye or tongue, it should be kept if legal to do so.

Special regulations. Region VI. Basic state-wide and regional regulations apply to all waters except where modified in special regulations below. For regulations within Olympic National Park, call (206) 452-4501.

Alder Reservoir: Year around season.

Aldwell Lake: Trout – catch limit – two, minimum length twelve inches. Selective fishery regulations, except lawful to fish from any floating device equipped with a motor.

Alexander Lake (Kitsap County): Closed waters.

Anderson Lake (Jefferson County): Internal combustion engines prohibited. April 26, 1992, through August 31, 1992, and April 25, 1993, through August 31, 1993, seasons.

Additional season September 1 through October 31. Catch-and-release only, single barbless hooks. Bait prohibited.

Bay Lake: April 26, 1992, through July 5, 1992, and April 25, 1993, through July 5, 1993, and September 1 through September 30 seasons.

Bear River: June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

Beaver Creek (Thurston County): See Black River.

Beaver Ponds, all ponds in Kitsap County, and those ponds in Mason County on Tahuya Peninsula west of Belfair-Bremerton Highway (S.R. 3): April 26, 1992, through October 31, 1992, and April 25, 1993, through October 31, 1993, seasons. Trout – no minimum length.

Big Beef Creek: June 1 through October 31 season. Closed to the taking of cutthroat trout.

Big River: June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

Black Lake (Thurston County): Year around season.

Black River, from mouth to Black Lake and all tributaries west of Interstate Highway 5 including Waddell Creek, Mima Creek, Beaver Creek, Salmon Creek, Dempsey Creek, and Blooms Ditch: Trout – catch limit – two, minimum length twelve inches. Bait prohibited. Wild cutthroat release.

Blooms Ditch: See Black River.

Bogachiel River, from mouth to National Park boundary: June 1 through April 30 season. Trout – catch limit – two, minimum length fourteen inches.

Burley Creek: June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

Cady Lake: Trout – catch limit – two. Fly fishing only. Internal combustion engines prohibited.

Calawah River, from mouth to forks: June 1 through April 30 season. Trout – catch limit – two, minimum length fourteen inches.

South Fork from mouth to National Park boundary: June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

Campbell Creek (Mason County): Closed waters.

Canyon Creek (Mason County): Closed waters.

Capitol Lake, from its outlet to a point four hundred feet below the lowest Tumwater Falls (Deschutes River) fish ladder: June 1 through March 31 season. Trout – (including steelhead) catch limit – two over fourteen inches. Possession limit of steelhead is four fish. Closed waters: Percival Cove, west of a set of markers on the western shoreline of the south basin of Capitol Lake. WAC 236-16-020 Motorboats—Prohibitions. The operation of all motorboats is prohibited in the area of Capitol Lake north of the railroad trestle crossing said lake unless prior written authorization is first obtained from the director of general administration.

Carney Lake: April 26, 1992, through June 30, 1992, and April 25, 1993, through June 30, 1993, and September 1 through October 31 seasons. Internal combustion engines prohibited.

Cases Pond: Juveniles only (under fifteen years old).

Cattail Lake (on the Bangor Military Base): Year around season.

Cedar Creek (Jefferson County): June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

Chambers Lake: Year around season.

Chehalis River, from Union Pacific Railroad Bridge in Aberdeen to high bridge on Weyerhaeuser logging road #17 (approximately seven miles south of Pe Ell): June 1 through April 15 season. Trout – catch limit – two, minimum length twelve inches. Wild cutthroat release.

Chehalis River Potholes (adjacent to the Chehalis River south of Highway 12 in Grays Harbor County, this does not include sloughs or beaver ponds): Basic lake regulations apply.

Chimacum Creek, from mouth to Ness's Corner Road: June 1 through August 31 season. Trout – catch limit – two, minimum length fourteen inches.

From Ness's Corner Road to headwaters: Trout – catch limit – two, minimum length fourteen inches.

Chinook River: June 1 through August 31 and November 1 through last day of February seasons. Trout – catch limit – two, minimum length fourteen inches.

Clallam River: June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

Clearwater River, from mouth to Snahapish River: June 1 through April 15 season. Trout – catch limit – two, minimum length fourteen inches.

From Snahapish River upstream: Trout – catch limit – two, minimum length fourteen inches.

Cloquallam Creek, from mouth to second bridge on Cloquallum Road: June 1 through last day of February season. Trout – catch limit – two, minimum length twelve inches. Wild cutthroat release.

From mouth to Highway 8 Bridge: Additional March 1 through March 31 season. Trout – catch limit – two, minimum length twelve inches. Wild cutthroat release.

Columbia River and impoundments and all connecting sloughs—See regulations page __.

Copalis River: June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

Coulter Creek: June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

Cranberry Creek, mouth to Lake Limerick: Closed waters.

Crocker Lake: Year around season.

Curley Creek: June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

Cushman Reservoir: Closed to the taking of Dolly Varden (bull trout).

Deep Creek: June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

Deer Creek (Mason County): Closed waters.

Dempsey Creek: See Black River.

Deschutes River, from old U.S. Highway 99 Bridge near Tumwater to Vail Road Bridge one mile southwest of Lawrence Lake: June 1 through March 31 season. Trout – catch limit – two, minimum length fourteen inches.

From Old Highway 99 Bridge to four hundred feet below lowest Tumwater Falls fish ladder: Closed waters.

Dewatto River: Trout – catch limit – two, minimum length twelve inches. Wild cutthroat release.

From mouth to bridge on Bear Creek–Dewatto Road: Additional November 1 through January 31 season. Trout – catch limit – two, minimum length twelve inches. Wild cutthroat release.

From mouth to bridge on Dewatto Bay Road: Additional February 1 through last day of February season. Trout – catch limit – two, minimum length twelve inches. Wild cutthroat release and wild steelhead release.

Dickey River (includes all forks): June 1 through April 30 season. Trout – catch limit – two, minimum length fourteen inches.

Dosewallips River, from mouth to Olympic National Park boundary about three-quarters mile downstream of falls: June 1 through last day of February season. Trout – catch limit – two, minimum length twelve inches. Wild cutthroat release.

From mouth to U.S. Forest Service Six Mile Bridge: Additional March 1 through March 31 season. Trout – catch limit – two, minimum length twelve inches. Wild cutthroat release.

Duck Lake: Year around season.

Duckabush River, from mouth to the Forest Service Bridge just beyond the Six-Mile Marker: June 1 through last day of February season. Trout – catch limit – two, minimum length twelve inches. Wild cutthroat release.

From mouth to falls at the Ranger Hole (access at Interorrem Guard Station): Additional March 1 through March 31 season. Trout – catch limit – two, minimum length twelve inches. Wild cutthroat release.

Dungeness River, from mouth to junction of Gray Wolf and Dungeness River: June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches. Wild cutthroat release.

From junction of Gray Wolf River upstream to headwaters: Trout – catch limit – two, minimum length fourteen inches.

East Twin River: June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

Elbow Lake: Year around season.

Elk River, from the Highway 105 Bridge upstream: June 1 through last day of February season. Trout – catch limit – two, minimum length twelve inches. Wild cutthroat release.

Elwha River, from mouth to two hundred feet below the south spillway on the Aldwell Lake Dam: June 1 through April 15 season. Trout – catch limit – two, minimum length fourteen inches. Fishing from any floating device prohibited. Closed waters: From south spillway on Aldwell Lake Dam downstream two hundred feet and from approximately fifty yards upstream to fifty yards downstream of Elwha Tribal Hatchery outfall as posted.

From Lake Aldwell upstream to four hundred feet below spillway at Lake Mills Dam, including all tributaries except Indian Creek (see below): Trout – catch limit – two, minimum length twelve inches; selective fishery regulations.

Fort Columbia Pond: Year around season.

Goldsborough Creek: June 1 through March 31 season. Trout – catch limit – two, minimum length twelve inches. Wild cutthroat release.

Goodman Creek (Jefferson County) outside Olympic National Park: June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

Gorst Creek (Kitsap County), from lower bridge on the old Belfair Highway upstream to source (including tributaries): Closed waters.

From mouth upstream to lower bridge: Trout – catch limit – two, minimum length fourteen inches.

Gosnell Creek and all its tributaries (tributary to Lake Isabella, Mason County): Trout – catch limit – two, minimum length fourteen inches.

Grays River: See Region V.

Gray Wolf River: Trout – catch limit – two, minimum length fourteen inches. Bait prohibited.

Hamma Hamma River, from mouth to four hundred feet below falls: June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

From falls to mouth of Boulder Creek: Trout – no minimum length.

Hammersley Inlet Freshwater Tributaries (except Mill Creek): Closed waters.

Heins Lake (Kitsap County): Closed waters.

Hewitt Lake: Year around season.

Hoh River, from mouth to National Park boundary and in South Fork outside National Park boundary: June 1 through April 15 season. Trout – catch limit – two, minimum length fourteen inches.

Hoko River: Trout – catch limit – two, minimum length fourteen inches.

From mouth to cement bridge on Lake Ozette Highway (upper Hoko Bridge): Additional November 1 through March 15 season. Trout – catch limit – two, minimum length fourteen inches.

From upper Hoko Bridge to Ellis Creek Bridge (river mile 18.5): Additional November 1 through March 31 season. Catch-and-release only, and fly fishing only.

Holiday Lake: Year around season.

Hoquiam River (includes all forks): June 1 through March 31 season. Trout – catch limit – two, minimum length twelve inches. Wild cutthroat release.

Humptulips River (mainstem), from mouth to forks: June 1 through April 30 season. Trout – catch limit – two, minimum length fourteen inches.

East Fork, from mouth to concrete bridge on Forest Service Road between Humptulips Guard Station and Grisdale: June 1 through April 30 season. Trout – catch limit – two, minimum length fourteen inches.

West Fork, from mouth to bridge on Forest Service Road #2302 (about one-half mile above the mouth of Chester Creek): June 1 through April 30 season. Trout – catch limit – two, minimum length fourteen inches.

Indian Creek (tributary to Elwha River), from mouth upstream to first Highway 101 crossing: Trout – catch limit – two, minimum length twelve inches. Selective fishery regulations.

Isabella Lake: Year around season.

Island Lake (Mason County): Year around season.

Jackson Lake: Year around season.

John's Creek (Mason County): Closed waters.

Johns River (includes North, South forks): June 1 through last day of February season. Trout – catch limit – two, minimum length twelve inches. Wild cutthroat

release.

Kalaloch Creek, outside Olympic National Park: June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

Kennedy Creek, from mouth to four hundred feet below falls: June 1 through March 31 season. Trout – catch limit – two, minimum length fourteen inches.

Kitsap Lake: Year around season.

Koeneman Lake (formerly Fern Lake) (Kitsap County): Trout – catch limit – two, maximum length twelve inches. Selective fishery regulations.

Lincoln Pond (Clallam County): Juveniles only (under fifteen years old).

Little Quilcene River, from mouth to the Little Quilcene River Bridge on Penny Creek Road: June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

Long Beach Peninsula, all lakes, ponds, and sloughs (Pacific County): Year around season. Does not include Loomis Lake.

Long Lake (Kitsap County): Year around season.

Lower Lena Lake, inlet stream from mouth upstream to footbridge (about one hundred feet): Closed waters.

Lyre River, from mouth to falls near river mile 3: June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

Remainder of river: Trout – catch limit – two, minimum length twelve inches.

Mason Lake: Year around season.

Marine Areas: See page __.

McAllister Creek: Trout – catch limit – two, minimum length fourteen inches.

McDonald Creek (Clallam County): Trout – catch limit – two, minimum length fourteen inches.

From mouth to Highway 101 Bridge: Additional November 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

McIntosh Lake: Trout – catch limit – four, no more than two over fourteen inches.

McLane Creek, from the south bridge on Highway 101 upstream: Trout – catch limit – two, minimum length fourteen inches.

Melaney Creek: Closed waters.

Middle Nemah Pond (Pacific County): June 1 through October 31 season.

Mill Creek (Clallam County): April 26, 1992, through October 31, 1992, and April 25, 1993, through October 31, 1993, seasons. Juveniles only (under fifteen years old). Trout – no minimum length.

Mill Creek (Mason County): June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

Mills Lake: Check Olympic National Park regulations, call (206) 452-4501.

Mima Creek: See Black River.

Minter Creek: Trout – catch limit – two, minimum length fourteen inches. Area from department of fisheries intake dam downstream to mouth: Closed waters.

Moclips River, from mouth to outside the Quinault Indian Reservation: June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

Mooses Pond (Pacific County): June 1 through October 31 season.

Morse Creek, from mouth to Port Angeles Dam: June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

Mosquito Creek (Jefferson County) outside Olympic National Park: June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

Naselle River, from Highway 101 Bridge upstream (includes all forks): Trout – catch limit – two, minimum length fourteen inches.

Note: Waters within four hundred feet both upstream and downstream of the entrance to the Naselle Salmon Hatchery are closed during the period September 1 through January 31.

That area from falls in Sec. 6, T10N, R8W, (Wahkiakum County) downstream four hundred feet: Closed waters.

From Highway 101 Bridge to mouth of North Fork: Additional November 1 through March 31 season. Trout – catch limit – two, minimum length fourteen inches.

South Fork, from mouth to Bean Creek: Additional November 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

Nemah River (North, Middle, South): June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

Nisqually River, from mouth to four hundred feet below LaGrande Powerhouse: June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

From mouth to highway bridge at McKenna: Additional March 1 through April 30 season. Trout – catch limit – two, minimum length fourteen inches.

From the McKenna Highway Bridge to four hundred feet below the LaGrande Powerhouse: Additional March 1 through April 15 season. Catch-and-release only. Selective fishery regulations.

North River, from Highway 105 Bridge upstream: Trout – catch limit – two, minimum length fourteen inches.

From Highway 105 Bridge to Falls River: Additional November 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

Oakland Bay freshwater tributaries (except Goldsborough Creek) (including Shelton Creek, Canyon Creek, Uncle John Creek, Campbell Creek, Melaney Creek, Deer Creek, John's Creek, and Cranberry Creek to Lake Limerick): Closed waters.

Owens Pond (Pacific County): June 1 through October 31 season.

Ozette Lake: Check Olympic National Park regulations.

Ozette River, outside Olympic National Park: June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

Palix River (includes all forks): June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

Peabody Creek (Clallam County): April 26, 1992, through October 31, 1992, and April 25, 1993, through October 31, 1993, seasons. Juveniles only (under fifteen years old). Trout – minimum length eight inches.

Percival Creek: Trout – catch limit – two, minimum length fourteen inches.

Pleasant Lake: Year around season. Kokanee – minimum length eight inches, maximum length twenty inches.

Prices Lake: Selective fishery regulations, catch–and–release only.

Puget Sound: See marine area regulations, page __.

Purdy Creek (Mason County): June 1 through August 15 season. Trout – catch limit – two, minimum length fourteen inches.

Pysht River: June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

Queets River: Check Olympic National Park regulations, (206) 452–4501.

Quilcene River, from mouth to Highway 101 Bridge: June 1 through March 31 season. Trout – catch limit – two, minimum length fourteen inches.

From Highway 101 Bridge upstream to the electric weir at the Quilcene National Fish Hatchery: Closed waters.

From electric weir at the Quilcene National Fish Hatchery to the water diversion at the mouth of Tunnel Creek: June 1 through March 31 season. Trout – no minimum length.

Quillayute River: June 1 through April 30 season. Trout – catch limit – two, minimum length fourteen inches.

Quinault Lake and Lower Quinault River: When fishing within the boundaries of the Quinault Indian Reservation, contact the Quinault Indian Tribe to find out what tribal permits and regulations apply (206) 276–8211.

Quinault River, Upper, from mouth at upper end of Quinault Lake to the National Park boundary: June 1 through March 31 season. Trout – catch limit – two, minimum length fourteen inches.

Raft River: June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

Salmon Creek (Jefferson County, includes all forks): Closed waters.

Salmon Creek (Pacific County): June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

Salmon Creek (Thurston County): See Black River.

Salmon River (Jefferson County): June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

Salt Creek: Trout – catch limit – two, minimum length fourteen inches.

From mouth to bridge on Highway 112: Additional November 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

Satsop River (includes all forks): Trout – catch limit – two, minimum length twelve inches. Wild cutthroat release. Bait prohibited on East Fork upstream from mouth of Bingham Creek.

From mouth to bridge at Schafer Park: Additional November 1 through March 31 season. Trout – catch limit – two, minimum length twelve inches. Wild cutthroat release.

Turnow Branch, from mouth to posted deadline at bridge on Matlock Grisdale Road: Additional November 1 through January 31 season. Trout – catch limit – two, minimum length twelve inches. Wild cutthroat release.

West Fork, from mouth to bridge on Matlock Grisdale Road: Additional November 1 through January 31 season. Trout – catch limit – two, minimum length twelve inches. Wild cutthroat release.

Scott Lake: Year around season.

Sekiu River: Trout – catch limit – two, minimum length fourteen inches.

From mouth to forks: Additional November 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

Shelton Creek: Closed waters.

Sherwood Creek: June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

Sherwood Creek Mill Pond (Mason County): June 1 through October 31 season.

Siebert Creek: Trout – catch limit – two, minimum length fourteen inches.

From mouth to Highway 101 Bridge: Additional November 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

Skokomish River, mouth to forks: June 1 through March 31 season. Trout – catch limit – two, minimum length twelve inches. Wild cutthroat release. February 1 through March 31 wild steelhead release.

Skokomish River, South Fork, mouth to mouth of Church Creek: Trout – catch limit – two, minimum length twelve inches. Wild cutthroat release.

Mouth of Church Creek to headwaters: Trout – catch limit – two, minimum length twelve inches. Bait prohibited. Wild cutthroat release.

Mouth to cement bridge at Browns Creek: Additional November 1 through last day of February season. Trout – catch limit – two, minimum length twelve inches. Wild cutthroat release. February 1 through last day of February wild steelhead release.

Mouth to Vance Creek: Additional March 1 through March 31 season. Trout – catch limit – two, minimum length twelve inches. Wild cutthroat release and wild steelhead release.

Skokomish River, North Fork, mouth to Lake Cushman: Trout – catch limit – two, minimum length twelve inches. Wild cutthroat release.

North Fork above Lake Cushman mouth to Olympic National Park boundary: June 1 through August 31 season. Trout – catch limit – two, minimum length twelve inches. Bait prohibited. Closed to the taking of Dolly Varden (bull trout).

Mouth to lower dam: Additional November 1 through last day of February season. Trout – catch limit – two, minimum length twelve inches. Wild cutthroat release. February 1 through last day of February wild steelhead release.

Skookum Creek (Mason County): June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

Skookumchuck Reservoir: June 1 through October 31 season. Trout – catch limit – two, minimum length twelve inches.

Skookumchuck River, from Skookumchuck Reservoir upstream and all tributaries: Trout – catch limit – two, minimum length twelve inches. Bait prohibited.

From mouth to four hundred feet below the outlet of the PP&L/WDW steelhead rearing pond located at the base of the Skookumchuck Dam: June 1 through April 30 season. Trout – catch limit – two, minimum length twelve inches. Wild cutthroat release.

Smith Creek (Pacific County near North River): June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

Snow Creek (includes all tributaries except Crocker Lake): Closed waters.

Soleduck River, from mouth to National Park boundary: Trout – catch limit – two, minimum length fourteen inches.

From mouth to Highway 101 Bridge downstream from Snider Creek: Additional November 1 through April 30 season. Trout – catch limit – two, minimum length fourteen inches.

South Bend Mill Pond (Pacific County): Juveniles only (under fifteen years old).

Square Lake: Year around season.

St. Clair Lake: Year around season.

Stevens Creek, mouth to Highway 101 Bridge: June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

Suez River (Sooes River): June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

Sutherland Lake: Year around season. Trout – catch limit – eight. Feeding (chumming) permitted.

Tahuya River: Trout – catch limit – two, minimum length twelve inches. Wild cutthroat release.

From mouth to the Bear Creek–Dewatto Road crossing: Additional November 1 through January 31 season. Trout – catch limit – two, minimum length twelve inches. Wild cutthroat release.

From mouth to bridge on the Haven Lake Road: Additional February 1 through last day of February season. Trout – catch limit – two, minimum length twelve inches. Wild cutthroat release and wild steelhead release.

Uncle John Creek: Closed waters.

Union River (main river and tributaries upstream from watershed boundary to source): Closed waters.

From mouth to watershed boundary: Trout – catch limit – two, minimum length fourteen inches.

From mouth to lower bridge on the Old Belfair Highway: Additional November 1 through March 31 season. Trout – catch limit – two, minimum length fourteen inches.

Valley Creek (Clallam County): April 26, 1992, through October 31, 1992, and April 25, 1993, through October 31, 1993, seasons. Juveniles only (under fifteen years old). Trout – minimum length eight inches.

Vance Creek (Mason County): Trout – catch limit – two, minimum length fourteen inches. Bait prohibited.

Additional November 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

Waddell Creek: See Black River.

West Twin River: June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

Willapa River (includes all forks) upstream from department of wildlife boat launch in South Bend: Trout – catch limit – two, minimum length fourteen inches.

From department of wildlife boat launch in South Bend to Forks Creek: Additional November 1 through March 31 season. Trout – catch limit – two, minimum

length fourteen inches. Fishing from any floating device prohibited from the bridge on Willapa Road (Camp One Bridge) to Forks Creek.

South Fork: Additional November 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

Falls on South Fork downstream four hundred feet: Closed waters.

Williams Creek (Pacific County): June 1 through last day of February season. Trout – catch limit – two, minimum length fourteen inches.

Wishkah River (includes all forks): Trout – catch limit – two, minimum length twelve inches.

Mainstem from dam at Wishkah Rearing Ponds (formerly Mayr Bros.) downstream to four hundred feet below the outlet: Closed waters.

From the mouth to Cedar Creek: Additional November 1 through March 31 season. Trout – catch limit – two, minimum length twelve inches. Wild cutthroat release. East and West forks: Closed waters.

Woodland Creek: Trout – catch limit – two, minimum length fourteen inches.

Wynoochee River, areas four hundred feet downstream from the bases of Wynoochee Dam and the barrier dam near Grisdale: Closed waters.

Remainder of river: Trout – catch limit – two, minimum length fourteen inches.

From mouth to road access approximately one-quarter mile above mouth of Schafer Creek: Additional November 1 through March 31 season. Trout – catch limit – two, minimum length fourteen inches.

Wynoochee Reservoir: June 1 through October 31 season. Trout – catch limit – two, minimum length twelve inches.

Marine waters regulations.

These regulations apply to all marine waters contained within the boundaries of Washington state, within Puget Sound, Hood Canal, the Strait of Juan de Fuca, the San Juan Islands, the Strait of Georgia, and the Pacific Ocean, including estuaries (river mouths) from salt water upstream to a line between the outermost headlands measured at the highest high tide (usually the debris line furthest inshore on surrounding beaches), unless otherwise described under area regulations (see individual areas, below).

Note: The above described waters lying within the boundaries of Clallam, Jefferson, Grays Harbor, Kitsap, Mason, Pacific, and Thurston counties and that portion of Pierce County on the Kitsap Peninsula and Fox Island are administered from the Region VI office in Aberdeen, telephone (206) 533-9335. The above described waters lying within the boundaries of Island, King, Pierce, San Juan, Skagit, Snohomish, and Whatcom counties are administered from the Region IV office in Mill Creek, telephone (206) 775-1311.

Fishing hours: Twenty-four hours per day year around.

License requirements: A valid current Washington state department of wildlife fishing license is required to fish for game fish in marine waters.

Note: The Washington state department of fisheries (WDF) requires persons taking Pacific salmon, food fish, shrimp, and razor clams to possess separate licenses for these species. See WDF regulations pamphlet or call (206) 753-6600.

Permit requirements: A valid current steelhead fishing permit is required of persons fishing for steelhead in marine waters. All steelhead taken from the above described marine areas shall be entered on the steelhead permit using the words Marine Area and followed by the appropriate marine area code number, see page __.

Underwater spearfishing: Game fish may be taken by means of legal angling gear only. Spearing, gaffing, clubbing, netting, or trapping game fish is unlawful.

MARINE WATERS REGULATIONS

CATCH AND POSSESSIONS LIMITS:

GAME FISH SPECIES	DAILY CATCH LIMITS	MINIMUM SIZE LIMITS	POSSESSION LIMITS
Trout*..... (Including steelhead)	Two, wild cutthroat release in Marine Areas 12- (Hood Canal) and 13- (South Puget Sound)	Fourteen inches	One catch limit and (in addition) two steelhead over twenty inches
Dolly Varden.....	Counts as part of trout catch limit	Twenty inches	Counts as part of trout possession limit.

*Note: When fishing with bait, all trout equal to or greater than the minimum size are counted as part of the daily catch limit whether kept or released. Steelhead may be caught and released while using bait until the daily catch limit is retained. Where artificial lures or flies are used voluntarily, fish may be released until the daily catch limit is retained. If any fish has swallowed the hook or is hooked in the gill, eye or tongue, it should be kept if legal to do so.

Marine area codes and boundaries.

(1) Ilwaco—West of the Megler-Astoria Bridge—North to Leadbetter Point.

(2) Westport-Ocean Shores—From Leadbetter Point north to the Queets River.

(3) LaPush—From the Queets River north to Cape Alava.

(4) Neah Bay—From Cape Alava north and inside Juan de Fuca Strait to the Sekiu River.

(5) Sekiu and Pillar Point—From mouth of the Sekiu River east to Low Point, mouth of the Lyre River.

(6) East Juan de Fuca Strait—From Low Point east to the Partridge Point-Point Wilson Line north to the line from Trial Island (near Victoria, B.C.)—Navigation Buoy BW "R"—Smith Island—The most northeasterly of the Lawson Reef lighted buoys (RB1 QK Fl Bell)—Northwest Island—The Initiative 77 marker on Fidalgo Island.

(7) San Juan Islands—All marine waters north of the Trial Island Line described under Area 6 to the United States-Canadian boundary.

(8) Deception Pass, Hope, and Camano Islands—A line projected from West Point on Whidbey Island to

Reservation Head on Fidalgo Island east through Deception Pass, including all waters east of Whidbey Island to the Possession Point - Shipwreck Line.

(9) Admiralty Inlet—All waters inside and south of the Partridge Point–Point Wilson Line and a line projected from the southerly tip of Possession Point one hundred ten degrees true to a shipwreck on the opposite shore and northerly of the Hood Canal Bridge and the Apple Cove Point–Edwards Point Line.

(10) Seattle–Bremerton area—From the Apple Cove Point–Edwards Point Line to the north tip of Vashon Island (east–west).

(11) Tacoma–Vashon Island—From the north tip of Vashon Island to the Tacoma Narrows Bridge.

(12) Hood Canal—All waters south of the Hood Canal Bridge.

(13) South Puget Sound—All waters south of the Tacoma Narrows Bridge.

COLUMBIA RIVER REGULATIONS

Catch, size, and possession limits: Unless specified otherwise by special regulations, for waters or categories of waters listed individually, the daily catch limits, minimum size limits, and possession limits, for game fish are as follows:

GAME FISH SPECIES	DAILY CATCH LIMITS	MINIMUM SIZE LIMITS	POSSESSION LIMITS
Bass.....	Five—not more than three over fifteen inches	None	Ten—not more than six over fifteen inches
Dolly Varden/ Bull Trout.....	It is unlawful to fish for or retain Dolly Varden or bull trout		
Grass Carp.....	It is unlawful to fish for or retain grass carp		
Trout*..... (Including kokanee and steelhead)	Two	Twelve inches	One catch limit and (in addition) two steelhead over twenty inches
Walleye.....	Five	Eighteen inches	Ten—not more than two over twenty-four inches
Whitefish.....	Fifteen	None	One catch limit
All other game fish.....	No limit	None	No limit
Bullfrogs.....	Ten	None	One catch limit

In the Columbia River between Washington and Oregon, the license of either state is valid. Anglers must comply with the fishing regulations of the state in which they are fishing. This provision does not allow an angler licensed in Oregon to fish on the Washington shore, or in the sloughs or tributaries in Washington.

Anglers fishing the Columbia River are restricted to one daily catch limit, as defined by the laws of the state in which they are fishing, even if they are licensed by both states.

*Note: When fishing with bait, all trout equal to or greater than the minimum size are counted as part of the daily catch limit whether kept or released. Steelhead may be caught and released while using bait until the daily catch limit is retained. Where use of bait is prohibited by special regulations, or where artificial lures or flies are used voluntarily, fish may be released until the daily catch limit is retained. If any fish has swallowed the hook or is hooked in the gill, eye or tongue, it should be kept if legal to do so.

Including the Columbia River and impoundments and all connecting sloughs, except Wells Ponds in Region II.

Columbia River, from the Megler–Astoria Bridge to the I–5 Bridge: Year around season. Wild cutthroat release see page __. Closed to the taking of steelhead April 1 through May 15. Wild steelhead release May 16 through October 31. (Open to the taking of both hatchery and wild steelhead November 1 through March 31.)

From the I–5 Bridge to the Highway 395 Bridge at Pasco; including Drano Lake, 100: Year around season. Closed to the taking of steelhead April 1 through June 15. Wild steelhead release June 16 through December 31, from the I–5 Bridge to boundary markers located six hundred feet below the fish ladder at Bonneville Dam and June 16 through March 31 from Bonneville Dam to the Highway 395 Bridge at Pasco. (Open to the taking of both hatchery and wild steelhead January 1 through March 31 from the I–5 Bridge to the boundary markers located six hundred feet below the fish ladder at Bonneville Dam.)

Closed waters: (1) From the upstream line of Bonneville Dam to boundary markers located six hundred feet below the fish ladder. (2) Waters from the upstream side of the Interstate Bridge at The Dalles to upper line of The Dalles Dam except that bank fishing is permitted up to four hundred feet below the fishway entrance on the Washington shore. (3) From John Day Dam downstream about three thousand feet except that bank fishing is permitted up to four hundred feet below the fishway entrance on the Washington shore. (4) From McNary Dam downstream to a line across the river from the red and white marker on the Oregon shore on a line that intersects the downstream end of the wingwall of the boat lock near the Washington shore.

From the Highway 395 Bridge at Pasco to the old Hanford townsite (wooden towers) powerline crossing, in Sec. 30, T13N, R28E: Year around season. Wild steelhead release.

Closed waters: Ringold Springs Creek (Hatchery Creek).

From the old Hanford townsite (wooden towers) powerline crossing in Sec. 30, T13N, R28E, to Vernita Bridge, (Highway 24), 46: June 16 through October 22 season. Wild steelhead release.

From Vernita Bridge (Highway 24) to Priest Rapids Dam: June 1 through March 31 season. Wild steelhead release.

Closed waters: (1) Priest Rapids Dam - waters between the upstream line of Priest Rapids Dam downstream to the boundary markers six hundred fifty feet below the fish ladders. (2) Jackson (Moran Creek or Priest Rapids Hatchery outlet) Creek - all waters of the Priest Rapids Hatchery system to the outlet on the

Columbia River, extending to midstream Columbia between boundary markers located one hundred feet upstream and four hundred feet downstream of the mouth.

From Priest Rapids Dam to Chief Joseph Dam: Year around season. Lawful to fish to base of Washburn Pond outlet structure. Wild steelhead release.

Closed waters: (1) Wanapum Dam – waters between the upstream line of Wanapum Dam to the boundary markers seven hundred fifty feet downstream of the east fish ladder and five hundred feet downstream of the west fish ladder. (2) Rock Island Dam to boundary markers four hundred feet downstream of the fish ladders. (3) Rocky Reach Dam – waters between the upstream line of Rocky Reach Dam to boundary markers four hundred feet downstream of the fish ladders. (4) Wells Dam – waters between the upstream line of Wells Dam to boundary markers four hundred feet downstream of the spawning channel discharge (Chelan County) and fish ladder (Douglas County). (5) Chief Joseph Dam – waters between the west end of the tailrace deck downstream four hundred feet to boundary marker in Okanogan County.

Above Chief Joseph Dam: See Region I, Lake Roosevelt and Region II, Rufus Woods Lake.

WSR 92-01-085
PROPOSED RULES
PIERCE COLLEGE
[Filed December 16, 1991, 4:47 p.m.]

Continuance of WSR 91-22-109.

Title of Rule: Chapter 132K-12 WAC, Personnel rules.

Purpose: To repeal chapter 132K-12 WAC, Personnel rules, in order to be in compliance with the Higher Education Personnel Board rules.

Statutory Authority for Adoption: RCW 28B.50.140.

Summary: Existing chapter 132K-12 WAC, Personnel rules, are out-of-date.

Reasons Supporting Proposal: Higher Education Personnel Board rules govern the personnel rules for Pierce College.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: John Boesenberg, Director of Personnel, (206) 964-6519.

Name of Proponent: Pierce College, public.

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 Changes the Following Existing Rules: It would eliminate chapter 132K-12 WAC, Personnel rules, from Title 132K WAC, Community colleges—Pierce College.

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

Date of Intended Adoption: January 8, 1992.

December 16, 1991
Alan Spence
Executive Dean
of Administrative Services

REPEALER

The following chapter of the Washington Administrative Code is repealed.

Chapter 132K-12 WAC PERSONNEL RULES

WSR 92-01-086
NOTICE OF PUBLIC MEETINGS
WASHINGTON STATE UNIVERSITY
[Memorandum—December 10, 1991]

Washington State University hereby gives notice of change in location for the regular meeting of the board of regents set for February 28, 1992. The February meeting of the regents will be held at WSU-Spokane, Room B103 and 104, Farm Credit Building, West 601 First Avenue, Spokane, WA.

WSR 92-01-087
RULES COORDINATOR
DEPARTMENT OF PERSONNEL
[Filed December 17, 1991, 1:45 p.m.]

In accordance with RCW 34.05.310, this is to notify you that the following individual is the Department of Personnel's rules coordinator for 1992: Lori Parker, Administrative Assistant, Department of Personnel, Compensation and Classification Division, 521 Capitol Way South, Mailstop FE-11, Olympia, WA 98504.

Dee W. Henderson
Director

WSR 92-01-088
NOTICE OF PUBLIC MEETINGS
CENTRALIA COLLEGE
[Memorandum—December 13, 1991]

The board of trustees for Washington Community College District Twelve, at their meeting on December 12, 1991, adopted the regular meeting schedule shown below for the 1992 calendar year.

Date	Time	Location
Thursday, January 9, 1992	4:30 p.m.	College Boardroom
Thursday, February 13, 1992	4:30 p.m.	College Boardroom
Thursday, March 12, 1992	4:30 p.m.	College Boardroom
Thursday, April 9, 1992	4:30 p.m.	East County Center Morton, Washington
Thursday, May 14, 1992	4:30 p.m.	College Boardroom
Thursday, June 11, 1992	4:30 p.m.	College Boardroom
Thursday, July 9, 1992	4:30 p.m.	College Boardroom
Thursday, August 13, 1992	4:30 p.m.	College Boardroom
Thursday, September 10, 1992	5:00 p.m.	Rochester, Washington
Thursday, October 8, 1992	4:30 p.m.	College Boardroom
Thursday, November 12, 1992	4:30 p.m.	College Boardroom
Thursday, December 10, 1992	4:30 p.m.	College Boardroom

WSR 92-01-089
PERMANENT RULES
PUGET SOUND AIR POLLUTION CONTROL AGENCY
[Filed December 17, 1991, 1:51 p.m.]

Date of Adoption: December 12, 1991.

Purpose: To increase registration fees as part of a three-year effort to make the registration program fully fee-supported.

Citation of Existing Rules Affected by this Order: Amending PSAPCA Regulation I, Section 5.07.

Statutory Authority for Adoption: Chapter 70.94 RCW.

Pursuant to notice filed as WSR 91-22-072 on November 4, 1991.

Changes Other than Editing from Proposed to Adopted Version: The registration fees were decreased slightly from the original proposal. Filing fee was changed from $80.00 to $65.00; fee for air contaminant generating equipment was changed from $60.00 to $35.00; fee for air contaminant control apparatus was changed from $60.00 to $35.00; for sources not subject to #(4) on table, emission fee was changed from $25.00 to $18.00; for sources subject to #(4) on table, emission fee was changed from $25/ton for PM10, sulfur oxides, nitrogen oxides, carbon monoxide, toxic air contaminants, or volatile organic compounds, including any negligibly reactive compounds to $18/ton for PM10, sulfur oxides, nitrogen oxides, or volatile organic compounds, including any negligibly reactive compounds and $6/ton for carbon monoxide or toxic air contaminants.

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

December 16, 1991
Harry A. Watters
Senior Air Pollution Engineer

AMENDATORY SECTION

SECTION 5.07 FEES - REGISTRATION PROGRAM

(a) The Agency shall levy annual registration fees as set forth in Table 5-B for services provided in administering the registration program. Fees received under the registration program shall not exceed the cost of administering the registration program.

(b) Upon assessment by the Agency, registration fees are due and payable and shall be deemed delinquent if not fully paid within 60 days.

TABLE 5-B REGISTRATION FEE SCHEDULE

(1) For all facilities, a fee of ((~~$60.00~~)) $65.00 per facility; and

(2) For all facilities:

(i) ((~~$25.00~~)) $35.00 for each item of air contaminant generating equipment; and

(ii) ((~~$25.00~~)) $35.00 for each item of air contaminant control apparatus, including continuous emission monitors; and

(iii) $5.00 for each Stage 2 gasoline dispensing nozzle; and

(3) For all facilities except those subject to (4) below, an $18.00 emission fee; and

(4) For only those facilities for which the Agency has recorded total annual emissions of ((~~250 tons or more of carbon monoxide or~~)) 25 tons or more of any of the following: PM^{10}, sulfur oxides, nitrogen oxides, or carbon monoxide; or annual emissions of 10 tons or more of ((~~volatile organic compounds, or~~)) toxic air contaminants or volatile organic compounds, including any negligibly reactive compound:

((~~(i) $55.00 for each type of fuel burned resulting in an annual emission of more than one ton; and~~

~~(ii) $55.00 for each separate manufacturing process; and~~

~~(iii) $55.00 for each incineration process; and~~

~~(iv) $55.00 for the following materials handling operations: grain, mineral ores, slag dumping, rock and sand, coal exporting, petroleum products at refineries, terminals, or bulk plants; and~~

~~(v) $55.00 for each material containing volatile organic compounds used for cleaning, dilution, bonding, printing, surface preparation, or coating whose annual loss into the atmosphere exceeds one ton; and~~

~~(vi) $30.00 for each stack or other emission point.~~))

(i) $18.00 per ton for PM^{10}, sulfur oxides, nitrogen oxides, or volatile organic compounds, including any negligibly reactive compound; and

(ii) $6.00 per ton for carbon monoxide or toxic air contaminants; and

(iii) $100.00 for each emission segment; and

(iv) $100.00 for each emission point.

(4) The fees required by this section shall be based on Agency files showing equipment in place or permitted as of January 1 of the current reporting year; and materials, processes, and emission points and segments in use between January 1 and December 31 of the previous year. Items registered under Section 5.07 (b)(2) shall be reported as equipment. Items registered under Section 5.07 (b)((~~(3)~~)) (4) shall be reported as materials, processes, and emission points and segments.

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

WSR 92-01-090
NOTICE OF PUBLIC MEETINGS
STATE INVESTMENT BOARD
[Memorandum—December 18, 1991]

The regular meetings of the State Investment Board for 1992 will take place on the following dates and at the following locations:

February 18	9:00 a.m.	Transportation Building DOT Board Room (1D2) Olympia, Washington
May 11-12	9:00 a.m.	Silverdale on the Bay Silverdale, Washington
August 11	9:00 a.m.	Two Union Square 55th Floor Conference Center Seattle, Washington

November 17 9:00 a.m. Two Union Square
55th Floor Conference Center
Seattle, Washington

WSR 92-01-091
PERMANENT RULES
DEPARTMENT OF AGRICULTURE
[Filed December 17, 1991, 2:30 p.m.]

Date of Adoption: December 17, 1991.

Purpose: Adds sections to existing rules within chapter 16-104 WAC, outlining minimum standards for facilities, equipment, sanitation, refrigeration and personnel requirements for shell egg grading and packing facilities.

Citation of Existing Rules Affected by this Order: Amending chapter 16-104 WAC.

Statutory Authority for Adoption: RCW 69.25.030.

Other Authority: Chapters 42.30 and 35.05 [34.05] RCW.

Pursuant to notice filed as WSR 91-21-125 on October 23, 1991.

Changes Other than Editing from Proposed to Adopted Version: WAC 16-104-310(8) clarifies and simplifies cleanliness requirements of plant personnel coming into contact with shell eggs and move to a more appropriate section of the rule (previously WAC 16-104-370(2)); WAC 16-104-330(1) establishes implementation date of June 1, 1992, in order to allow for a reasonable transition and reprinting time for suppliers of industry cartons/packaging; WAC 16-104-330(3) provides that hygrometer, psychrometer and humidifying requirements not apply to refrigerated vehicles used to transport shell eggs; WAC 16-104-330(8) changes time limit from one to two hours; WAC 16-104-360 terminology changed to more clearly reflect current industry terminology and prohibits reuse of cartons or flats once distributed to consumer outlets, provides that flats may be reused for holding nest run and/or restricted eggs (nonconsumer uses); and WAC 16-104-370 (2nd paragraph) adds term "sanitizing."

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

December 17, 1991
Michael V. Schwisow
Deputy Director
for C. Alan Pettibone
Director

NEW SECTION

WAC 16-104-310 MINIMUM FACILITY AND OPERATING REQUIREMENTS FOR SHELL EGG GRADING AND PACKING PLANTS. General requirements for buildings and plant facilities.

(1) Buildings shall be of sound construction so as to prevent, insofar as practicable, the entrance or harboring of vermin, including all domestic pets, insects, rodents, birds, etc. This applies to:

(a) All grading room areas.

(b) Any storage areas for eggs or cases and cartons. Egg case and carton storage shall be clean and dry, free from dust or any odorous material that could be absorbed by cases or cartons.

(2) Grading and packing rooms shall be of sufficient size to permit installation of necessary equipment and the conduct of grading and packing in a sanitary manner. These rooms shall be kept reasonably clean during grading and packing operations and shall be thoroughly cleaned at the end of each operating day.

(a) Floor shall be constructed of washable materials, tight, reasonably smooth, and in good repair.

(b) Floor drains shall be provided where floors are subjected to flood type cleaning or where normal operations release or discharge water or liquid wastes onto the floor.

(c) All floor areas shall be kept clean.

(3) Adequate lavatory/toilet (rest room) accommodations shall be provided. Lavatory/toilet and locker rooms shall be maintained in a clean and sanitary condition. Hot and cold running water shall be provided. Rooms shall be ventilated to the outside of the building. Signs shall be posted in the rest rooms instructing employees to wash their hands before returning to work. Lavatory/toilet rooms shall be equipped with handwashing facilities including soap and sanitary towels.

(4) A separate refuse room or a separate designated area for the accumulation of trash must be provided in plants which do not have a system for the daily removal or destruction of such trash.

(5) Areas subjected to moisture:

(a) Wood benches, platforms, etc., in areas which are subjected to moisture shall be maintained in good repair or made from other construction materials impervious to moisture and odors.

(b) Wood walls or partitions shall be maintained in good repair or be replaced with materials impervious to moisture and odor build up.

(c) Newly constructed plants should be equipped with nonporous material benches, platforms, etc., in areas which are subjected to moisture. Wood benches, platforms, etc., are allowed when maintained in a sanitary, odor free condition.

(6) Walls and ceilings:

(a) Walls and ceilings shall be kept clean, in good repair and free of cobwebs and dust.

(b) Ceiling shall be dust tight if space overhead is used for storage or other purposes.

(7) Doors and windows: Effective means shall be provided to prevent entrance insofar as practicable of insects, rodents, birds or other vermin and dust.

(8) Hygiene of personnel. Plant personnel coming into contact with shell eggs shall wear clean clothing, free from animal waste, dust, loose dirt or prohibited chemical contamination.

NEW SECTION

WAC 16-104-320 GRADING ROOM REQUIREMENTS. (1) The grading room candling area shall be adequately darkened to make possible accurate quality determination of the candled appearances of eggs.

(2) There shall be no crossbeams of light, and light reflection from candling lights shall be kept at a minimum.

(3) Candling area/equipment shall be constructed so as to permit cleaning and provide ample shelf space for convenient placement of the different grades to be packed.

(4) The candling lights shall be capable of delivering reasonably uniform intensity of light at the candling aperture to facilitate accurate quality determinations. In operations utilizing mechanical grading equipment, adequate light shall be provided to facilitate necessary quality determinations, including the detection and removal of stained and dirty shells and the condition of the packing material.

(5) Individual egg scales shall be provided to check accuracy of weight classing.

(6) Weighing equipment, whether manual or automatic, shall be kept clean and maintained in a manner to assure accurate operation.

(7) Ventilation and lighting:

(a) Adequate lighting shall be provided to assure accurate and safe grading room operations.

(b) Adequate ventilation shall be maintained to keep the area free from undesirable odors, dust, and condensation.

NEW SECTION

WAC 16-104-330 COOLER ROOM REQUIREMENTS. (1) After processing and grading, shell eggs packed in consumer containers shall be refrigerated at maximum of forty-five degrees Fahrenheit, ambient air temperature. All containers shall be clearly labeled with the words "keep refrigerated," in lettering as follows:

Cartons:	1/8 inch minimum
Cases:	1 inch minimum
Baskets and racks:	1 inch minimum

This provision shall apply to baskets, racks, cases and cartons acquired after June 1, 1992.

(2) Accurate thermometers shall be provided in egg coolers and egg storage facilities to monitor required ambient air temperatures.

(3) All shell egg coolers shall be equipped with a hygrometer or portable equipment such as a psychrometer to determine that relative humidity is at least seventy percent. When necessary, humidifying equipment capable of maintaining seventy percent relative humidity, to minimize shrinkage, shall be provided: PROVIDED, That this requirement shall not apply to refrigerated vehicles used to transport shell eggs.

(4) Egg coolers and egg storage facilities shall be free from objectionable odors and mold, and shall be maintained in a sanitary condition.

(5) All facilities where eggs are offered for sale to consumers, shall be maintained in a clean and sanitary condition. Display and storage temperatures shall be maintained at a maximum of forty-five degrees Fahrenheit ambient air temperature.

(6) Shell eggs stored prior to grading shall be refrigerated at a maximum of fifty-five degrees Fahrenheit ambient air temperature, when time prior to processing/grading exceeds twenty-four hours. When time during transport of ungraded eggs will exceed three hours, refrigeration at fifty-five degrees Fahrenheit maximum is required. Transport time of shell eggs prior to processing/grading of three hours or less in unrefrigerated vehicles is allowed, however, that time shall be included as part of the twenty-four hours.

(7) Inedibles shall be held under refrigeration in covered containers, clearly labeled and stored to prevent possible odor contamination of graded or ungraded eggs.

(8) Refrigeration is required during all transit of graded product when transit time will require an excess of two hours. Temperatures during all transit of graded product shall be maintained at a maximum of forty-five degrees Fahrenheit ambient air temperature.

NEW SECTION

WAC 16-104-340 SHELL EGG PROTECTING OPERATIONS. Shell egg protecting (oil processing) operations shall be conducted in a manner to avoid contamination of the product and maximize conservation of its quality.

(1) Eggs with moisture on the shell shall not be shell protected.

(2) Oil having any off odor, or that is obviously rancid or contaminated, shall not be used in shell egg protection.

(3) Processing oil that has been previously used and which has become contaminated shall be filtered and heat treated at one hundred eighty degrees Fahrenheit for three minutes prior to re-use.

(4) Shell egg protecting equipment shall be washed, rinsed, and treated with a bactericidal agent each time the oil is removed. It is preferable to filer and heat treat processing oil and clean processing equipment daily when in use.

(5) Adequate coverage and protection against dust and dirt shall be provided when the equipment is not in use.

NEW SECTION

WAC 16-104-350 SHELL EGG CLEANING OPERATIONS. (1) Shell egg cleaning equipment shall be kept in good repair and shall be cleaned after each day's use or more frequently, if necessary.

(2) The temperature of the wash water shall be maintained at ninety degrees Fahrenheit or higher, and shall be at least twenty degrees Fahrenheit warmer than the temperature of the eggs to be washed. Rinse water temperature shall be at least ten degrees Fahrenheit warmer than the final wash water temperature. These temperatures shall be maintained throughout the cleaning cycle.

(3) An approved cleaning compound shall be used in the wash water. It must be approved by the United States Department of Agriculture or the Washington state department of agriculture. The use of metered equipment for dispensing the compound into solution is recommended.

(4) Wash water shall be changed approximately every four hours, or more often if needed, to maintain cleanliness and sanitary conditions, and at the end of each shift. Measures shall be taken to prevent excess foaming during the egg washing operation.

(5) Replacement water shall be added continuously to the wash water of washers to maintain a continuous overflow. Rinse water, chlorine, or quaternary sanitizing rinse may be used as part or all of the replacement water: PROVIDED, That they are compatible with the washing compound. Iodine sanitizing rinse may not be used as part of the replacement water.

(6) Water supply shall be of a safe sanitary quality. Only potable water under two parts per million iron content shall be used, without equipment to correct the excess. Water under pressure shall be available to grading and candling area or room for cleaning purposes. Frequency of testing for potability of the water supply shall be determined by the director, however, must also comply with state and local health department requirements. When the water source is changed, new tests are required.

(7) Waste water from the egg washing operation shall be continuously removed through appropriate drains to prevent standing water from accumulating.

(8) The washing and drying operation shall be continuous and shall be completed as rapidly as possible. Eggs shall not be allowed to stand or soak in water. Immersion-type washers shall not be used.

(9) Pre-wetting shell eggs prior to washing may be accomplished by spraying a continuous flow of water over the eggs in a manner which permits the water to drain away, or other methods which may be approved by the director. The temperature of the water shall be the same as prescribed in subsection (2) of this section.

(10) Washed eggs shall be spray rinsed with warm water containing an approved sanitizer of not less than 50 p/m nor more than 200 p/m of available chlorine or its equivalent.

(11) Test kits shall be available and used to determine the strength of the sanitizing solution.

(12) During any rest period or other line shutdown, preventative measures shall be taken to prevent overheating and/or partial cooking of eggs in the washing, rinsing, and scanning areas.

(13) Washed eggs shall be dry before cartoning or casing.

(14) When steam or vapors originate from the washing operation, they shall be continuously and directly removed to the outside of the building.

(15) Every reasonable precaution should be exercised to prevent "sweating" of eggs.

(16) Eggs may be dry cleaned or washed. If eggs are dry cleaned, the equipment shall be of a sanitary type, and kept clean and in good repair.

(17) Cloth or wash rags shall not be used for cleaning eggs unless they are of a sanitary single service type. Single service paper toweling may be used.

NEW SECTION

WAC 16-104-360 SHIPPING CONTAINERS, EGG CARTONS, AND PACKING MATERIALS. Eggs which are to be distributed with consumer grademarks shall be packaged only in new or good used cases, baskets or racks. They shall be clean, and have sufficient strength and durability to protect the eggs during normal distribution. Re-use of egg cartons or flats after distribution to a consumer outlet shall not be allowed. Used flats may be used for transporting and/or holding nest-run or restricted eggs prior to grading or breaking.

NEW SECTION

WAC 16-104-370 CHEMICALS AND COMPOUNDS. The following list of compounds shall be handled in accordance with the manufacturers' instructions. They shall be stored away from the grading area and not be allowed to come in contact with the shell eggs being processed, or with egg cases or cartons: Pesticides including herbicides, insecticides, fungicides and rodenticides; inks, oils, cleaning compounds, foam control agents, sanitizers, and any common cleaners used in the plant.

This paragraph is not intended to prohibit eggs being contacted by certain materials when those materials are used in the normal shell egg cleaning and sanitizing process and the materials have been authorized for such usage in the "List of Proprietary Substance and Non-Food Compounds Authorized for Use Under USDA Inspection And Grading Program."

WSR 92-01-092
PROPOSED RULES
DEPARTMENT OF GENERAL ADMINISTRATION
(Division of Banking)

[Filed December 17, 1991, 3:07 p.m.]

Original Notice.

Title of Rule: Investment securities—Investment in investment companies.

Purpose: To revise WAC 50-12-116(2) to allow banks to invest in qualifying investment companies organized under the Investment Company Act of 1940 other than Massachusetts Business Trusts.

Statutory Authority for Adoption: RCW 30.08.140(7).

Statute Being Implemented: RCW 30.08.140.

Summary: Revision replaces the term "an equitable", which infers an equity interest, with "a fair" . . . interest, and adds "calculated pursuant to the Investment Company Act of 1940."

Reasons Supporting Proposal: This allows banks to invest in a wider range of qualifying mutual funds, a power already granted to national banks by the Office of the Comptroller of Currency. The conditions in the rules which specify limitation on the types of underlying assets these qualifying mutual funds may hold, and limitations on bank investment in them, remain unchanged and in force. Therefore, the risks state-chartered institutions are allowed to take remain unchanged.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: John Bley, 1400 South Evergreen Park Drive S.W., Olympia, WA 98504, 753-6520.

Name of Proponent: Division of Banking, Department of General Administration, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This revision of WAC 50-12-116 will allow state-chartered banks to invest in qualifying mutual funds (investment companies) organized under the Investment Company Act of 1940 in addition to Massachusetts Business Trusts. This is a power which national banks currently possess. A qualifying fund is one which holds only those assets banks would be allowed to invest in directly. All lending limits and restrictions which apply to direct investments also apply to investments in mutual funds.

Proposal Changes the Following Existing Rules: Under existing rules, state-chartered banks can only invest in investment companies which provide an "equitable . . . interest." This has been interpreted to mean a Massachusetts Business Trust since it is the only form of organization which provides an "equitable" interest.

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

The supervisor has considered whether this rule is subject to the Regulatory Fairness Act and has determined that it is not for the following reasons: The rule requires no action by business; there are no direct or indirect costs for business to comply with the rule; and the rule does not have the effect of decreasing the value of the business.

Hearing Location: Division of Banking, 1400 South Evergreen Park Drive S.W., #120, Olympia, WA 98504, on January 22, 1992, at 10:00 a.m.

Submit Written Comments to: John Bley, Supervisor of Banking, by January 22, 1992.

Date of Intended Adoption: January 22, 1992.

December 17, 1991
John L. Bley
Supervisor of Banking

AMENDATORY SECTION (Amending Order 70, filed 9/30/87)

WAC 50-12-116 INVESTMENT SECURITIES—INVESTMENT IN INVESTMENT COMPANIES. A bank or trust company may invest in shares of an investment company provided that all of the following conditions are met:

(1) The investment company must be registered with Securities and Exchange Commission under the Investment Company Act of 1940 and the Securities Act of 1933 or be a privately offered fund sponsored by an affiliated commercial bank.

(2) The shareholder has ((~~an equitable~~)) a fair and equal proportionate undivided interest in the underlying assets of the investment company calculated pursuant to the Investment Company Act of 1940.

(3) When an investment company's assets consist solely of and are expressly limited to obligations that are eligible for unlimited investment (Type I) as described in WAC 50-12-100, there is no limit on the bank's investment. However, where the investment companies portfolio contains, or is permitted to contain, securities subject to the bank's investment or lending limitations, investment by the bank shall be subject to a twenty percent of capital and surplus limitation.

(4) The shareholders are protected against personal liability for acts or obligations of the investment company.

(5) The bank's investment policy, as formally approved by its board of directors, specifically provides for such investments; prior approval of the board of directors is obtained for initial investments in specific investment companies and recorded in the official board minutes; and procedures, standards, and controls for managing such investments are implemented prior to acquirement of these investments.

(6) If the investment company makes use of futures, forwards, options, repurchase agreements and securities lending arrangements, their use must be consistent with standards adopted for use of such instruments in the bank's portfolio.

(7) Regulatory reporting of holdings in investment companies is consistent with established standards for "marketable equity securities."

WSR 92-01-093
PROPOSED RULES
DEPARTMENT OF GENERAL ADMINISTRATION
(Division of Banking)

[Filed December 17, 1991, 3:10 p.m.]

Original Notice.

Title of Rule: The establishment and operation of mutual holding companies.

Purpose: To provide guidelines for formation of mutual holding companies and define the powers of mutual holding companies.

Statutory Authority for Adoption: RCW 32.34.040 and [32.34.]050.

Statute Being Implemented: RCW 32.34.040 and [32.34.]050.

Summary: New regulations designed to facilitate the formation of mutual holding companies and the reorganization of mutual savings banks.

Reasons Supporting Proposal: Will afford mutual savings banks the opportunity to have access to capital sources not traditionally available to mutual savings banks and also preserve the mutual form of ownership in the mutual holding company.

Name of Agency Personnel Responsible for Drafting: R. D. Jones, 1400 South Evergreen Park Drive S.W., #120, Olympia, 753-6520; Implementation and Enforcement: John L. Bley, 1400 South Evergreen Park Drive S.W., #120, Olympia, 753-6520.

Name of Proponent: Division of Banking, Department of General Administration, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Provides a means to facilitate the intent of the statute which provides for mutual savings banks to reorganize to form mutual holding companies. Mutual savings banks (being nonstock institutions) do not have the capability of going to outside sources for capital like stock companies, this being the case, a weakened mutual savings bank probably would not survive a prolonged downturn in the economy or a series of negative impacts on its retained earnings. This rule will help improve the survival possibilities of mutual savings banks in a very competitive marketplace.

Proposal does not change existing rules.

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

The supervisor has considered whether this rule is subject to the Regulatory Fairness Act and has determined that it is not for the following reasons: The rule requires no action by business; there are no direct or indirect costs for business to comply with the rule; and the

rule does not have the effect of decreasing the value of the business.

Hearing Location: 1400 South Evergreen Park Drive S.W., #120, Olympia, WA 98504, on January 22, 1992, at 9:00 a.m.

Submit Written Comments to: John L. Bley, Supervisor of Banking or R. D. Jones, Assistant Supervisor of Banking, by January 22, 1992.

Date of Intended Adoption: January 22, 1992.

December 17, 1991
John L. Bley
Supervisor of Banking

NEW SECTION

WAC 50-14-020 INTRODUCTION. This chapter implements the supervisor of banking's (the "supervisor") authority under chapter 34.05 RCW to enact emergency regulations to regulate the establishment and operations of mutual holding companies. It addresses only those features of the organization and operation of mutual holding companies that are not governed by existing provisions of Title 32 RCW. Among the provisions that must be considered are the following: Chapters 32.08 and 32.32 RCW for the chartering of a mutual savings bank and its conversion to a stock-form savings bank subsidiary of a mutual holding company; Title 32 RCW generally for the operations of any such savings bank; chapter 32.34 RCW for any merger or acquisition of assets involving a mutual holding company or banking subsidiary of a mutual holding company.

NEW SECTION

WAC 50-14-030 AUTHORIZATION OF THE FORMATION OF MUTUAL HOLDING COMPANIES. (1) Notwithstanding any other provision of law, and in accordance with the general requirements of the supervisor set forth in WAC 50-14-040 through 50-14-150, a mutual savings bank may reorganize so as to cause its deposit-taking and one or more other activities to be conducted by a stock savings bank subsidiary of a mutual holding company formed for such purpose.

(2) Except to the extent that such provisions are inconsistent with these rules, the stock savings bank subsidiary of the mutual holding company shall be subject to the same provisions of Title 32 RCW as apply to savings banks which have converted to stock form pursuant to chapter 32.32 RCW.

NEW SECTION

WAC 50-14-040 REQUIRED APPROVALS. (1) A reorganization of a mutual savings bank pursuant to these rules shall be approved by not less than two-thirds of the board of trustees of the mutual savings bank.

(2)(a) A mutual savings bank proposing a reorganization pursuant to these rules shall provide the supervisor with written notice of such proposed reorganization. Such notice shall include a copy of the plan of reorganization approved by the board of trustees pursuant to subsection (1) of this section, the proposed incorporation and authorization certificates for the mutual holding company and the stock savings bank subsidiary, and shall also contain such other information as the supervisor shall require. The supervisor shall approve or disapprove the plan of reorganization within sixty days of the submission of such plan, together with such other information as the supervisor shall require.

(b) In determining whether to approve the plan of reorganization, the supervisor shall consider:

(i) Whether the formation of the mutual holding company would not be detrimental to the interests of the depositors of the mutual savings bank proposing to reorganize as provided in WAC 50-14-030;

(ii) Whether disapproval is necessary to prevent unsafe or unsound banking practices;

(iii) Whether the interest of the public will be served by the proposed reorganization;

(iv) Whether the financial or management resources of the mutual savings bank proposing to reorganize as provided in WAC 50-14-030 warrant disapproval of the proposed plan of reorganization; and

(v) Whether the mutual savings bank proposing to reorganize as provided in WAC 50-14-030 fails to furnish any information required under (a) of this subsection or furnishes information containing any statement which, at the time and in the circumstances under which it was made, was false or misleading with respect to any material fact or omits to state any material fact necessary to make the statements therein not false or misleading.

(c) When the supervisor shall have determined to approve or disapprove the plan of reorganization, the supervisor shall so advise the mutual savings bank in writing and shall endorse approval on the incorporation and authorization certificates and cause the same to be filed in such manner and in the respective offices provided in chapter 32.08 RCW. Upon the filing of the authorization certificate as provided in RCW 32.08.070, the existence of the mutual holding company shall commence. As used in this chapter, the term "authorization certificate" shall include an amended authorization certificate.

NEW SECTION

WAC 50-14-050 FORMATION OF A MUTUAL HOLDING COMPANY. (1) The plan of reorganization may authorize the formation of a mutual holding company by:

(a)(i) The organization by the mutual holding company of a stock savings bank subsidiary and the transfer to such stock savings bank of the substantial part of its assets and liabilities, including all of its deposit liabilities, in accordance with the general provisions of these rules;

(ii) The organization by the mutual savings bank of a mutual holding company and the organization by such mutual holding company of a stock savings bank subsidiary which merges with the mutual savings bank; or

(iii) The reorganization of the mutual savings bank under any other method approved by the supervisor.

(b) For the purposes of (a) of the subsection, WAC 50-14-090 permits the stock savings bank to issue to persons other than the mutual holding company of which it is a subsidiary, an amount of common stock and securities convertible into common stock which in the aggregate does not exceed forty-nine percent of the issued and outstanding common stock of such stock savings bank. Issued and outstanding securities that are convertible into common stock shall be considered issued and outstanding common stock for the purposes of computing the forty-nine percent limitations. This subdivision shall not limit the authority of such stock savings bank to issue equity or debt securities other than common stock and securities convertible into common stock.

(2) In connection with the reorganization of a mutual savings bank as provided in WAC 50-14-030, the mutual holding company may retain or acquire assets of the mutual savings bank to the extent that such assets are not then required to be transferred to or retained by the stock savings bank in order to satisfy capital or reserve requirements of any applicable state or federal law or regulation.

(3) A stock savings bank at least fifty percent but less than one hundred percent of the outstanding common stock of which is owned by a mutual holding company shall have at least one director, but no more than two-fifths of its directors, who are "unaffiliated directors" who shall represent the interests of the majority shareholders. An "unaffiliated director" is a director who is not:

(a) An officer or employee of the stock savings bank (or any affiliate thereof); or

(b) An officer, trustee, or employee of the mutual holding company.

If the incorporation certificate or bylaws of the stock savings bank provide that the board of directors shall be divided into two or more classes, then to the extent possible, each class shall contain the same number of unaffiliated directors as each other class.

NEW SECTION

WAC 50-14-060 MUTUAL HOLDING COMPANY POWERS. (1) Upon the formation of a mutual holding company by a mutual savings bank:

(a) The mutual holding company shall possess all the rights, powers, and privileges, except deposit-taking powers, and shall be subject to all the limitations, not inconsistent with these rules, of a mutual savings bank under Title 32 RCW; and

(b) The mutual holding company shall be subject to the limitations imposed by the Bank Holding Company Act of 1956 (12 U.S.C. Section 1841, et seq.) or, in the case of a mutual holding company resulting from the reorganization of a savings bank which has elected either prior or subsequent to such reorganization to be treated as in insured institution as that term is defined in Title 12 U.S.C. Section 1730a,

such mutual holding company shall be subject to the limitations imposed by the savings and loan holding company provisions of the National Housing Act (12 U.S.C. Section 1730a).

(2) Notwithstanding any inconsistent provisions of Title 32 RCW, subject to the express approval of, or additional rules promulgated by, the supervisor, a mutual holding company may:

(a) Merge with, acquire, or purchase the assets of a mutual holding company established pursuant to these rules or the savings and loan holding company provisions of the National Housing Act (12 U.S.C. Section 1730a);

(b) Acquire or purchase the assets or stock of a stock savings bank, commercial bank, credit union, stock savings and loan association, stock federal savings bank, or stock federal savings and loan association;

(c) Acquire a mutual savings bank, a mutual savings and loan association, a federal mutual savings bank, or a federal mutual savings and loan association through the merger of such institution with a stock subsidiary of such mutual holding company;

(d) Engage in any other acquisition or combination specifically permitted by the supervisor; provided, however, that the supervisor shall have no power to expand by interpretation the express provisions of federal law set forth in the Bank Holding Company Act of 1956, as amended (12 U.S.C. Section 1841, et seq.).

NEW SECTION

WAC 50-14-070 CONVERSION OF MUTUAL HOLDING COMPANY INTO STOCK HOLDING COMPANY. (1) If approved by the supervisor, a mutual holding company may convert to a stock holding company in accordance with the provisions contained in these rules.

(2) If approved by the supervisor, the mutual holding company shall adopt a plan of conversation subject to and in accordance with the provisions of chapter 32.32 RCW.

NEW SECTION

WAC 50-14-080 DEFINITIONS—REGULATIONS NOT EXCLUSIVE. The definitions contained in RCW 32.32.025 shall apply to any transaction under these rules unless the context requires otherwise and except as provided herein. The reorganization of a mutual savings bank into mutual holding company form (hereafter sometimes referred to as the "reorganization") and the conversion of a mutual holding company into a stock holding company (hereafter sometimes referred to as the "conversion") shall be governed by the rules prescribed in chapter 32.32 RCW, except to the extent such rules are inconsistent with the transaction and except as provided in these rules. Any savings bank or mutual holding company may apply to the supervisor, in connection with a transaction authorized by these rules, for such variations from the rules prescribed by chapter 32.32 RCW as are necessary and proper to effectuate the transaction.

NEW SECTION

WAC 50-14-090 SUBSEQUENT OFFERING. Any public offering of shares by a mutual holding company or by a subsidiary of a mutual holding company, subsequent to the reorganization but after which the mutual holding company would retain at least fifty-one percent of the issued and outstanding shares of the stock savings bank (a "subsequent offering") shall be governed by the rules prescribed in chapter 32.32 RCW, except to the extent such rules are inconsistent with the transaction and except as provided in these rules.

NEW SECTION

WAC 50-14-100 SUBSCRIPTION RIGHTS. (1) Except for shares issued to a mutual holding company, and except for the shares referred to in WAC 50-14-110, all shares of stock issued in connection with a reorganization shall be subject to subscription rights granted to eligible account holders. As used in these rules, "shares of stock issued in connection with the reorganization of a mutual savings bank" include shares issued upon the reorganization, shares sold in any subsequent offering (whether shares held by the mutual holding company or shares newly issued by the stock savings bank), or shares sold in connection with the conversion. Also included are any securities convertible into shares of the stock-form savings bank.

(2) An "eligible account holder" for the purposes of this section is any depositor of a savings bank who owned in such bank one or more accounts valued in the aggregate of fifty dollars or more on the pertinent record date. In the case of the reorganization, the record date shall be the date established by the board of trustees, which date shall be no less than ninety days prior to the date on which the plan of reorganization is adopted by the trustees; in the case of any subsequent offering, the record date shall be the date established by the board of directors of the stock-form savings bank issuing new shares or the board of trustees of the mutual holding company selling shares, as the case may be, which date shall be no less than ninety days prior to the date on which the shares are offered; in the case of the conversion, the record date shall be the date established by the mutual holding company's board of trustees, which date shall be no less than ninety days prior to the date on which the plan of conversion is adopted by the trustees.

NEW SECTION

WAC 50-14-110 STOCK OPTIONS AND STOCK GRANTS. Shares of stock issued in connection with the reorganization of a mutual savings bank may be reserved to satisfy a stock option plan and issued pursuant to a restricted stock plan approved by the savings bank's stockholders. The aggregate number of shares so reserved and issued shall be reasonably proportionate to the number of shares held by persons other than the mutual holding company.

NEW SECTION

WAC 50-14-120 LIQUIDATION ACCOUNT. (1) The entire net worth of a mutual holding company shall constitute a liquidation account for the benefit of the depositors of its subsidiary savings bank(s). The liquidation account shall not be a fixed amount but may increase or decrease over time. The function of the liquidation account is to establish that upon the complete liquidation of the mutual holding company, the entire net worth of the mutual holding company will be distributed among those persons who are the depositors of its subsidiary savings bank(s) as of the date of the liquidation. The designation of the mutual holding company's net worth as a liquidation account shall not operate to restrict the use or application of the mutual holding company's net worth accounts.

(2) In the event of a complete liquidation of a mutual holding company, the entire net worth of the mutual holding company shall be distributed ratably among all the depositors of its subsidiary savings bank(s) as of the date of the liquidation.

(3) Upon the conversion of a mutual holding company, the net worth of the holding company shall no longer be designated a liquidation account. Instead, each subsidiary savings bank shall at that time establish a liquidation account, which liquidation accounts shall in the aggregate equal the mutual holding company's liquidation account as of its last periodic report of condition immediately preceding its conversion into a stock-form holding company. The liquidation account established by each subsidiary savings bank shall be in the same proportion to the mutual holding company's liquidation account that the total deposits of that subsidiary savings bank bears to the total deposits of all subsidiary savings banks of the mutual holding company. The liquidation account established by a subsidiary savings bank shall comply with the rules contained in RCW 32.32.185 through 32.32.205.

NEW SECTION

WAC 50-14-130 REORGANIZATION INTO MUTUAL HOLDING COMPANY FORM. (1) The mutual holding company may retain or acquire assets of the mutual savings bank only to the extent permitted by the supervisor.

(2) A stock savings bank established in connection with a reorganization shall reserve no authorized but unissued shares, except as necessary to satisfy a stock option plan or issued securities convertible into stock.

(3) A plan of reorganization shall contain the provisions referenced in RCW 32.32.035, except that it need not provide for the sale of any stock and the aggregate price of any stock sold shall bear the same proportion to total estimated pro forma market value of the savings bank determined by an independent appraisal that the shares sold bear to the total issued and outstanding shares of the savings bank. The limitation contained in RCW 32.32.075 shall continue until three years after conversion into a stock holding company.

NEW SECTION

WAC 50-14-140 SUBSEQUENT OFFERINGS. (1) Any subsequent offering shall be made pursuant to an offering circular which complies with the terms and conditions prescribed in chapter 32.32 RCW and has been approved by the supervisor, whether the offering consists of newly issued shares being offered by the stock savings bank or previously issued shares being sold by the mutual holding company.

(2) The procedures to be followed in conducting a subsequent offering may, with the approval of the supervisor, differ from those set out in chapter 32.32 RCW so long as eligible account holders' subscription rights are not abrogated. Such differences may include, but need not be limited to, the distribution of offering circulars only to those eligible account holders who have requested them and combining a subscription offering with a public offering.

NEW SECTION

WAC 50-14-150 CONVERSION INTO A STOCK HOLDING COMPANY. (1) A mutual holding company may convert into a stock holding company by any method approved by the supervisor.

(2) A plan of conversion must include a provision requiring the exchange of shares of a subsidiary savings bank for shares of the resulting stock holding company in a proportion established by independent appraisals of the mutual holding company and the subsidiary savings bank.

WSR 92-01-094
RULES COORDINATOR
DEPARTMENT OF ECOLOGY
[Filed December 17, 1991, 3:18 p.m.]

In accordance with RCW 34.05.310, the rules coordinator for the Department of Ecology is Eva Shinagel, Information and Education Office, Mailstop PV-11, Olympia, Washington 98504, (206) 438-7256 (SCAN 585).

Fred Olson
Deputy Director

WSR 92-01-095
PROPOSED RULES
DEPARTMENT OF ECOLOGY
[Order 91-13—Filed December 17, 1991, 3:20 p.m.]

Continuance of WSR 91-22-108.

Title of Rule: Chapter 173-183 WAC, Preassessment screening and oil spill compensation schedule.

Other Identifying Information: To extend written comment period for the draft regulations from December 31, 1991, to January 30, 1992.

Submit Written Comments to: Laura Geselbracht, Department of Ecology, PV-11, P.O. Box 47600, Olympia, WA 98504-7600, by January 30, 1992.

Date of Intended Adoption: April 7, 1992.

December 17, 1991
Fred Olson
Deputy Director

WSR 92-01-096
PERMANENT RULES
DEPARTMENT OF ECOLOGY
[Order 91-42—Filed December 17, 1991, 3:25 p.m.]

Date of Adoption: December 17, 1991.

Purpose: Adoption of revised shoreline master program into the state master program, chapter 173-19 WAC.

Citation of Existing Rules Affected by this Order: Amending WAC 173-19-2516 Normandy Park, city of.

Statutory Authority for Adoption: RCW 90.58.200.

Pursuant to notice filed as WSR 91-20-127 on October 1, 1991.

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

December 17, 1991
Fred Olson
Deputy Director

AMENDATORY SECTION (Amending Order DE 79-34, filed 1/30/80)

WAC 173-19-2516 NORMANDY PARK, CITY OF. City of Normandy Park master program approved April 5, 1974. Revision approved December 17, 1991.

WSR 92-01-097
PERMANENT RULES
DEPARTMENT OF ECOLOGY
[Order 91-49—Filed December 17, 1991, 3:30 p.m.]

Date of Adoption: December 17, 1991.

Purpose: Adoption of revised shoreline master program into the state master program, chapter 173-19 WAC.

Citation of Existing Rules Affected by this Order: Amending WAC 173-19-3206 City of Pateros.

Statutory Authority for Adoption: RCW 90.58.200.

Pursuant to notice filed as WSR 91-17-080 on August 21, 1991.

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

December 17, 1991
Fred Olson
Deputy Director

AMENDATORY SECTION (Amending Order DE 79-34, filed 1/30/80)

WAC 173-19-3206 PATEROS, TOWN OF. Town of Pateros master program approved December 16, 1975. Revision approved March 9, 1976. Revision approved December 17, 1991.

WSR 92-01-098
EMERGENCY RULES
DEPARTMENT OF ECOLOGY
[Order 91-67—Filed December 17, 1991, 3:40 p.m., effective January 1, 1992]

Date of Adoption: December 17, 1991.

Purpose: To increase the retail sales fee to $30 and remove exemption of masonry fireplaces from collection of the fee.

Citation of Existing Rules Affected by this Order: Amending WAC 173-433-170.

Statutory Authority for Adoption: Chapter 70.94 RCW and ESHB 1028 (1991).

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

Reasons for this Finding: ESHB 1028 increases the retail sales fee from $15 to $30 after January 1, 1992, and the rule is being adopted to meet that deadline. Collection of the funds on January 1, 1992, is necessary to fund the woodstove education and enforcement program.

Effective Date of Rule: January 1, 1992.

December 17, 1991
Fred Olson
Deputy Director

AMENDATORY SECTION (Amending Order 90-58, filed 3/20/91, effective 4/20/91)

WAC 173-433-170 RETAIL SALES FEE. (1) A person selling a solid fuel burning device at retail shall collect a fee from the buyer, pursuant to RCW 70.94.483.

(2) The fee shall be:

(a) Set at a minimum of ((~~fifteen dollars, until January 1, 1991~~)) thirty dollars on January 1, 1992. Thereafter, ecology may annually ~~increase~~ adjust the fee ((~~according to changes in the consumer price index~~)) to account for inflation as determined by the office of the state economic and revenue forecast council. Adjustments in the fee should be rounded down to the nearest dollar.

(b) Applicable to all new and used solid fuel burning devices((~~, with the exception of built-in masonry fireplaces,~~)).

(c) Procedures for masonry fireplaces. Generally, contractors will collect, pay and report the fee to the department of revenue on the Combined Excise Tax return for the tax reporting period during which the retail sales tax is billed to the customer for the construction of the masonry fireplace. (See: WAC 458-20-170 for a detailed explanation.) Collection and payment of the fee by contractors shall be in accordance with the following:

(i) A masonry contractor or other sub-contractor who builds a masonry fireplace. The retail sale occurs at the time the general or prime contractor or customer is billed for the work. The masonry contractor or other subcontractor must collect the fee and pay it to the department of revenue, unless the masonry contractor or other subcontractor has received a resale certificate from the general or prime contractor. The fee shall be reported on the Combined Excise Tax return.

(ii) A general or prime contractor building a custom building. The retail sale occurs at the time the customer is billed for the construction. The fee is charged and reported with the first progress payment after the masonry fireplace has been substantially completed. If a general or prime contractor sub-contracts the work on a custom building to a masonry or other contractor, the general or prime contractor may give the masonry or other subcontractor a resale certificate. The general or prime contactor is responsible to collect the fee and pay it to the department of revenue. The fee is reported on the Combined Excise Tax return.

(iii) A general or prime contractor building a speculation building. The fee is required to be paid at the time the fireplace is complete. The fee must be reported to the department of revenue on a Combined Excise Tax return and paid to the department of revenue. If the prime or general contactor sub-contracts the building of the masonry fireplace to a masonry contractor or other sub-contractor, the general or prime contractor may not give a resale certificate to the masonry or other sub-contractor. The masonry or other sub-contractor must collect and pay the fee to the department of revenue as provided in subsection (i) above.

((~~c~~)) (d) Procedures for all other solid fuel burning devices. Collected by the retailer at the time of sale and remitted to the department of revenue in conjunction with the retail sales tax under chapter 82.08 RCW.

(3) If the retailer or contractor fails to collect and remit the fee to the department of revenue as prescribed in chapter 82.08 RCW, the retailer or contractor shall be personally liable to the state for the amount of the fee, with subsequent actions taken in accordance with the collection provisions of chapter 82.32 RCW.

(4) Beginning July 1, 1990, and each calendar quarter thereafter, the funds collected under RCW 70.94.483 shall be used solely for the purposes of public education and enforcement of the solid fuel burning device program. The department shall distribute the funds from the woodstove education and enforcement account as follows:

(a) Sixty-six percent of the funds shall be distributed to those local air authorities with enforcement programs, based upon the fraction of the total state population residing in the counties within their respective jurisdictions. Population figures used to establish this fraction shall be determined by the office of financial management. Where an activated local air authority does not exist or does not implement an enforcement program, or elects not to receive the funds, ecology shall retain the funds that would otherwise be distributed under this subsection; and

(b) Thirty-four percent of the funds shall be distributed to ecology for the purposes of enforcement and educating the public about:

(i) The effects of solid fuel burning device emissions upon health and air quality; and

(ii) Methods of achieving better efficiency and emission performance from solid fuel burning devices.

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

Reviser's note: 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 92-01-099
WITHDRAWAL OF PROPOSED RULES
BOARD OF REGISTRATION
FOR PROFESSIONAL ENGINEERS
AND LAND SURVEYORS
[Filed December 17, 1991, 4:45 p.m.]

We withdraw WAC 196-24-097 filed under WSR 91-21-064 on October 16, 1991.

Alan E. Rathbun
Executive Director

WSR 92-01-100
WITHDRAWAL OF PROPOSED RULES
BOARD OF REGISTRATION
FOR PROFESSIONAL ENGINEERS
AND LAND SURVEYORS
[Filed December 17, 1991, 4:46 p.m.]

We withdraw WAC 196-24-050 filed under WSR 91-21-065 on October 16, 1991.

Alan E. Rathbun
Executive Director

WSR 92-01-101
PERMANENT RULES
BOARD OF REGISTRATION
FOR PROFESSIONAL ENGINEERS
AND LAND SURVEYORS
[Filed December 17, 1991, 4:48 p.m.]

Date of Adoption: December 6, 1991.

Purpose: Regulate the practice of engineering and land surveying.

Citation of Existing Rules Affected by this Order: Amending WAC 196-12-020 and 196-12-050.

Statutory Authority for Adoption: RCW 18.43.035.

Pursuant to notice filed as WSR 91-21-065 on October 16, 1991.

Changes Other than Editing from Proposed to Adopted Version: The amendment to WAC 196-24-050 Examinations, is withdrawn.

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

December 16, 1991
Alan E. Rathbun PE
Executive Director

AMENDATORY SECTION (Amending Order PM 606, filed 6/4/87)

WAC 196-12-020 EXPERIENCE RECORDS. (1) Evaluation of records: The basic requirement for registration as a professional engineer is a specific record of eight years or more of approved experience in engineering work of a professional grade. The provisions of the law are that any experience by college study, as defined below, must be substantiated by an official transcript, the supplying of which is the responsibility of the applicant.

(a) Graduation in an approved engineering college curriculum of four years is equivalent to four years of the required experience.

(b) Satisfactory completion of each year of such an approved engineering curriculum is equivalent to one year of experience.

(c) Graduation in a program in engineering technology approved by the accreditation board for engineering and technology (ABET) is equivalent to three years of required experience. Satisfactory completion of each year of such an approved program is equivalent to three-fourths of one year of experience.

(d) Graduation in a program in engineering technology from a non-ABET approved curricula, however approved by the board, is equivalent to two years of required experience. Satisfactory completion of each year of such a program is equivalent to one-half of one year of experience.

(e) Satisfactory completion of each year of a nonapproved curriculum in engineering may be granted up to a maximum of one-half of one year of experience. Coursework in such a program must be equivalent to that of an approved curriculum to grant maximum experience credit.

(f) Graduation in a curriculum other than engineering will be evaluated by the board.

(g) Postgraduate study in engineering may be given credit up to one year. A postgraduate degree must be obtained to be granted maximum experience credit.

(h) Applicants having engineering degrees from ((~~outside~~)) countries other than the United States or Canada ((~~shall~~)) may be required to have their transcripts evaluated by a transcript evaluation service approved by the board. This evaluation will be performed at the applicant's expense, and the applicant will be responsible for submitting all the necessary information to the evaluation service. The board shall not take any action on an application until the report from the evaluation service and all other documents are received.

(i) The board may approve engineering degree programs from countries other than the United States and Canada. A listing of said approved programs will be maintained in the board office. Graduation from such an approved program will exempt the applicant from utilizing the transcript evaluation service.

(2) Colleges recognized by the board: All student's credits from curricula approved by the accreditation board for engineering and technology are accepted. In the state of Washington student's credits from other curricula than those approved by the accreditation board for engineering and technology may be accepted at the discretion of the board.

(3) In evaluating the work experience required to qualify for registration, the following criteria will be used:

(a) In the normal educational sequence, experience gained between semesters or quarters will not be considered as professional experience.

(b) In situations where the experience/educational track is intermixed with a degree attained late in the sequence, educational achievement will not be counted in

addition to work experience in determining total experience. However, professional work experience will not necessarily be considered as starting subsequent to graduation but will be evaluated in total with consideration given to progression in level of technical complexity and responsibility.

(c) Where a degree is not attained, but at least three years of education in an approved curriculum has been completed prior to a work experience track, the education will be considered in conjunction with the work experience in determining the total years of experience.

(d) Engineering teaching of a character satisfactory to the board may be recognized as professional level experience up to a maximum of two years.

(e) Any work experience gained in a situation which violates the provisions of chapter 18.43 RCW or Title 196 WAC will not be credited towards the statutory experience requirement.

(f) The statutory experience requirement to qualify for examination must be completed sixty days prior to the date of examination. Furthermore, the applicant is to provide the necessary verification of said experience up to the sixty-day limit.

(4) An applicant must have passed the first stage of the examination and be enrolled as an E.I.T. in accordance with WAC 196-12-050 before applying for the second stage or branch examination.

AMENDATORY SECTION (Amending Order PL 454, filed 1/25/84)

WAC 196-12-050 EVALUATION OF CANDIDATES FOR ENGINEERING LICENSES. (1) A candidate who is enrolled as an E.I.T. is required to write only the examination in the branch approved by the board.

(2) Candidates ((~~holding a baccalaureate degree in an accredited engineering curriculum~~)) who have had at least ((~~seventeen additional~~)) twelve years of experience satisfactory to the board ((((~~after the statutory eight years of experience~~))) and hold a baccalaureate degree in an approved engineering curriculum may request that the fundamental examination be waived and ((~~may~~)) that they be permitted to write the branch examination only.

(3) A professional land surveyor seeking registration as a professional engineer should refer to WAC 196-12-020.

WSR 92-01-102
NOTICE OF PUBLIC MEETINGS
SKAGIT VALLEY COLLEGE
[Memorandum—December 12, 1991]

The board of trustees of Skagit Valley College, Community College District No. 4, will hold its regular meetings at 7:15 p.m. on the second Tuesday of each month in 1992, except for the month of August when there is no meeting. All of these meetings will be held in the Campus Center Annex Board Room on the Mount Vernon Campus, except the April meeting which will be held at the Whidbey Campus in the Administration Building, 1201 East Pioneer Way, Oak Harbor, WA.

The dates of the regular meetings are:

January 14
February 11
March 10
April 14
May 12
June 9
July 14
September 8
October 13
November 10
December 8

WSR 92-01-103
NOTICE OF PUBLIC MEETINGS
TRANSPORTATION COMMISSION
[Memorandum—November 12, 1991]

Listed below is the Washington Transportation Commission's 1992 public meeting schedule.

1992 MEETING SCHEDULE

DATE	LOCATION
January 22, 23	Olympia
February 19, 20	Olympia
March 18, 19	Olympia
April 15, 16	Renton
May 20, 21	Olympia
June 17, 18	Olympia
July 15, 16	Aberdeen
August 19, 20	Olympia
September 16, 17	Spokane
October 21, 22	Olympia
November 18, 19	Olympia
December 16, 17	Olympia

Specific times and locations for out-of-town meetings will be confirmed at a later date. Meetings in Olympia will be held in the Commission Conference Room, 1D-2, Transportation Building.

WSR 92-01-104
PERMANENT RULES
DEPARTMENT OF LABOR AND INDUSTRIES
[Filed December 18, 1991, 10:40 a.m., effective January 31, 1992, and August 31, 1992]

Date of Adoption: December 18, 1991.

Purpose: To define terms and explain procedures used by the department in implementing chapter 39.12 RCW, requiring payment of prevailing wages on public works projects.

Citation of Existing Rules Affected by this Order: Repealing WAC 296-127-016; and amending WAC 296-127-010, 296-127-011, 296-127-013, 296-12-014,

296-127-015, 296-127-017, 296-127-019, 296-127-020, 296-127-025, and 296-127-320.

Statutory Authority for Adoption: RCW 43.22.270.

Other Authority: Chapters 39.12 and 39.04 RCW.

Pursuant to notice filed as WSR 91-14-104 on July 3, 1991; and WSR 91-20-068 on September 26, 1991.

Changes Other than Editing from Proposed to Adopted Version: The general subject matter of each section of the rule as adopted remains the same as the proposed rule. The following changes that are not purely editorial in nature were made by the department after receipt and review of comments concerning the proposed rule: WAC 296-127-010(6), the adopted rule has incorporated the statutory definition of "municipality" into the rule, rather than merely incorporating the definition by reference. In addition, the adopted definition includes "political subdivisions." Both of these changes were made in response to comments received, and were requested for purposes of clarity and ease of understanding for those who may not have easy access to the statutory language; WAC 296-127-010 (7)(a)(ii), the language of the statutory definition of public work (i.e., "construction, alteration, enlargement, improvement, repair, and/or demolition") was added to the adopted rule, for purposes of clarity and consistency. In addition, the example of a lien or charge was deleted. Based on review of comments provided to the department, the department concluded that the statutory language was broader than that implied by the example, and determined that the example should be deleted to avoid confusion; WAC 296-127-010 (7)(a)(iv), the extent regulatory language was reinstated by the adopted rule, by the substitution of "existing" for "currently utilized," based on comments received. The department determined that the term "existing" was consistent with statutory intent, while the phrase "currently utilized" artificially distinguished between buildings in a manner that would be administratively burdensome to contract awarding agencies; WAC 296-127-010 [(7)](b)(iii), the adopted rule has simplified ambiguous distinctions between maintenance and ordinary maintenance by establishing a new distinction that defines ordinary maintenance as that subset of maintenance that is performed without a contract. This clarification was suggested by commentors as a means of resolving long-standing ambiguities presented by this provision in the statute. In addition, the proposed language concerning disaggregation of maintenance work was deemed to be unnecessary and confusing, as there is no minimum dollar amount that defines ordinary versus other maintenance. Therefore, the adopted rule deletes the reference to disaggregation of projects; WAC 296-127-013(8), in the adopted rule the department has provided for a public notice and comment process concerning new or changed scope of work descriptions. Further, the department has outlined the process for an aggrieved party's challenge of a scope of work description through the prevailing wage arbitration process. Notice, comment, and review procedures were requested by commentors as a complement to the provisions of this section of the proposed rule; WAC 296-127-014, in response to comments, this section was thoroughly revised. Commentors stated that they believed the section as proposed conflicted with federal statutory provisions. The department, therefore, revised the section to make clear that employers voluntarily decide whether to provide usual benefits to their employees, and that usual benefits provided must be provided consistent with applicable federal and state statutes and regulations. Posting requirements were deleted. Commentors also requested other clarifications. The language as adopted, therefore, clarifies that the full prevailing wage rate must be paid if usual benefits are not provided by an employer, and that employee payments or contributions toward usual benefits do not reduce the rate that must be paid to employees. Additionally, the language has been clarified concerning employer payments for the purpose of providing for employees' retirement income; WAC 296-127-01410, a new section has been adopted. As discussed in the paragraph above, posting requirements concerning usual benefits were deleted in response to comments received by the department. This section was added in order to clarify that, although the posting requirements of WAC 296-127-014 have been deleted, each employer must conform to all employee-notification provisions of applicable federal and state laws, and that, if an employer chooses to provide usual benefits to its employees and, therefore, pay wages less than the prevailing wage rate, the department has the authority to examine the documents concerning such usual benefits in order to enforce the department's statutes and regulations; WAC 296-127-015 (2)(b), the language was changed from "more than fifty percent" of hours worked by a supervisor to "fifty percent or more," in order to conform the language to that of WAC 296-127-015 (2)(a), which refers to hours that are "less than fifty percent" of those worked by a supervisor; WAC 296-127-019 (1)(b), the adopted language allows wage and benefit adjustments to trades or occupations where "the most recently established prevailing wage rates were derived from a collective bargaining agreement" rather than only those trades or occupations where the wage rates were established by survey, as had been provided by the proposed rule. This change was made to achieve greater uniformity of application of the rules; WAC 296-127-019 (3) and (4), the language has been changed from "union locals" to "labor unions" in response to comments that it is not exclusively local unions that are signatory to collective bargaining agreements or that represent workers in trades or occupations surveyed by the department. The change clarifies the department's original intent; WAC 296-127-019 (3)(b), the adopted rule adds provisions for notification to trade associations and to unions of proposed wage surveys and of the actual mailing of wage surveys. Commentors had requested more notification concerning the survey process; WAC 296-127-019 (4)(d), the adopted rule adds a new subsection that provides for interested parties to submit wage and hour data to the department if such data are obtained from certified payroll records and/or affidavits of wages paid. This change was made in order to clarify the limitations on who may submit what sorts of data: Only those parties identified in subsections (a) through (c) may submit general survey data; interested parties (defined in RCW 39.12.010(4)) may submit only the

data provided by this subsection. Commentors stated that interested parties should not have the ability to submit other data than those provided by this subsection, as the department could not rely upon the completeness or accuracy of other data, and would be unable to verify such information; WAC 296-127-019(5), the adopted rule adds a new subsection that sets out provisions for the department's affidavit forms to include the information that may be submitted to the department pursuant to WAC 296-127-019 (4)(d). This was necessary in order to assure integrity of the data that may be submitted by interested parties; WAC 296-127-019(6), the adopted rule clarifies that what had been stated in the proposed rule as "the minimum number (of hours necessary) for validation of survey data" is a "statistically significant number of hours." Commentors had requested clarification. In addition, the adopted rule deletes the factor of similarity of counties' "socio-economic type" for purposes of aggregation. In response to comments, this deletion was made recognizing that public works jobs draw on a labor pool based on geographical considerations, and, therefore, the concept of adjacency should be the primary factor considered in determining which counties are to be aggregated; WAC 296-127-019(7), the adopted rule deletes the ability of the industrial statistician to use federal cost of living indicators in setting prevailing wage rates. The department determined that there was not a substantiated nexus between increases in the cost of living and wages actually paid. This deletion was requested by commentors. In addition, the adopted rule articulates and limits the circumstances in which the industrial statistician may use alternative methods for establishing a prevailing wage rate. Commentors were concerned that the rule as proposed granted unlimited discretion to the industrial statistician, and, as that was not the department's intent, the adopted rule clarifies when the industrial statistician will have the authority to use alternative methods. The adopted rule deletes the use of alternative methods "to establish wages for trades utilizing new technologies with new scope of work descriptions." This change was made in response to comments that a trade still remains the same even though the trade may use new technology to accomplish its traditional tasks. Therefore, if a trade remains the same, the need for an alternative method to establish a prevailing wage rate should not be determined simply by the technology used by that trade; WAC 296-127-022, the adopted rule clarifies that work performed on Saturdays, Sundays, and holidays may be subject to an overtime rate even if performed as part of an employee-authorized 4-day, 10-hours-per-day work week, and that the "4/10 authorization" process provided by RCW 49.28.065 does not supersede the terms of prevailing wage rates established pursuant to chapter 39.12 RCW. Language in the proposed rule concerning "make-up time performed on weekends" was deleted. The reference in the proposed rule to a regulatory definition of "work week" also was deleted. These changes were requested by commentors who stated that the proposed rule was not sufficiently clear, was misleading in its failure to put employers on notice concerning possible overtime rates on weekends, and did not conform to the holding of the Thurston County Superior Court's *Hazen and Clark v. Department of Labor and Industries* decision concerning RCW 49.28.065; WAC 296-127-025, the adopted rule deletes the last sentence of the proposed rule which referred to projects funded by the Department of Housing and Urban Development (HUD), and states, instead, that the state prevailing wage rate shall be paid on projects funded jointly by the federal and state governments "unless specifically preempted by federal law." This change was made in response to commentors who stated that the language of the proposed rule could expose contract awarding agencies and contractors to potential liability, as the federal preemption on HUD projects is not settled law in the state of Washington; WAC 296-127-050, the adopted rule provides that the department shall be notified within 30 days of a contract awarding agency's debarment of a contractor pursuant to this section. This requirement was added to insure that the department would be able to continue to provide to interested parties fully current lists of contractors that have been debarred. This assists in enforcement, as well as assisting other government agencies whose bid laws require them to accept only the lowest "responsible" bid by putting those agencies on inquiry notice concerning the debarred contractor; and WAC 296-127-320, the adopted rule clarifies that employee overtime authorizations entered into pursuant to WAC 296-127-022 are payroll records and clarifies that payroll records must be retained for three years from the date of acceptance of the public works project by the contract awarding agency. The three-year period conforms to employers' other, general record-keeping requirements concerning wages (WAC 296-126-214). The three-year period begins on the date of "acceptance of the public works project" by the contract awarding agency. This provision is consistent with the requirement of the prevailing wage law that documentation concerning wages paid on a public works project be filed with the contract awarding agency by each contractor and subcontractor upon the "acceptance of (the) public works project" (RCW 39.12.040).

Effective Date of Rule: WAC 296-127-018 is effective on August 31, 1992; and all other sections are effective on January 31, 1992.

December 18, 1991
Joseph A. Dear
Director

READOPTED/AMENDATORY SECTION (Readopting and Amending Order 88-22, filed 10/31/88)

WAC 296-127-010 DEFINITIONS FOR CHAPTER 296-127 WAC. (1) "Department" means the department of labor and industries.

(2) "Director" means the director of the department or his or her duly authorized deputy or representative.

(3) "Industrial statistician" means the industrial statistician of the department's employment standards, apprenticeship, and crime victims (ESAC) division.

(4) "Assistant director" means the assistant director of the employment standards, apprenticeship, and crime

victims (ESAC) division or his or her duly authorized deputy or representative.

(5) "Contractor" ((~~includes subcontractor~~)) means:

(a) The prime contractor, and each and every subcontractor, required to be registered under chapter 18.27 RCW and/or licensed under chapter 19.28 RCW, that performs any work on a public works project site, and/or is required to pay industrial insurance premiums as a construction company.

(b) Employers engaged in shipbuilding and ship repair, building service maintenance, and any fabricator or manufacturer that produces nonstandard items specifically for a public works project.

(c) Employers that contract with contractors or subcontractors for the purpose of the production and/or delivery of materials pursuant to the terms of WAC 296-127-018.

(6) The term municipality shall include every city, county, town, district, political subdivision, or other public agency thereof which is authorized by law to require the execution of public work, except drainage districts, diking districts, diking and drainage improvement districts, drainage improvement districts, diking improvement districts, consolidated diking and drainage improvement districts, consolidated drainage improvement districts, consolidated diking improvement districts, irrigation districts, or any such other districts as shall from time to time be authorized by law for the reclamation or development of waste or undeveloped lands.

(7)(a) The term "public work" shall include:

(i) All work, construction, alteration, enlargement, improvement, repair, and/or demolition ((~~to which any agency of the state of Washington or any agency of a county, city, town, or any other political subdivision, or a public district, is a party, whether such work~~)) that is executed by contract, purchase order, or any other legal agreement((~~, provided the contracting agency owns the asset which is constructed, altered, enlarged, improved, repaired, or demolished. The public entity which is the source of the funding shall have no bearing on the term public work.~~

~~Public work shall also include facilities of new construction which~~)) and that is executed at the cost of the state of Washington or of any municipality. The source of the funding shall not determine the applicability of the statute, and may include, but is not limited to, such sources as those payments made through contracts with insurance companies on behalf of the insured state or municipality;

(ii) All work, construction, alteration, enlargement, improvement, repair, and/or demolition which, by law, constitutes a lien or charge on any property of the state or of a municipality;

(iii) New construction of facilities that are caused by state agencies to be built by a private party through a contract to rent, lease, or purchase at least eighty percent of such facility for occupation by ((~~a~~)) state ((~~agency as required by chapter 43.19 RCW.~~)) agencies, pursuant to RCW 43.82.015;

((~~Public work shall also include~~)) (iv) Maintenance, except ordinary maintenance as defined by (b)(iii) of this subsection, when performed by contract. ((~~For the purpose of this section,~~)) Maintenance is defined as keeping existing facilities in good usable, operational condition((~~, without repairing damages or breaks. The term contract shall mean a contract in writing for the execution of public work for a fixed or determinable amount duly awarded after advertisement and competitive bid. However, a contract which is awarded from a small works roster need not be advertised.~~));

((~~(7)~~)) (v) Janitorial and building service maintenance as defined by WAC 296-127-023, when performed by contract, on public buildings and/or assets; and

(vi) The fabrication and/or manufacture of nonstandard items produced by contract specifically for a public works project as defined by (a)(i) through (v) of this subsection.

(b) The term "public work" shall not include:

(i) Work, construction, alteration, enlargement, improvement, repair, demolition, and/or maintenance for which no wage or salary compensation is paid, consistent with the requirements of RCW 35.21.278;

(ii) The construction, alteration, repair, or improvement of any municipal street railway system;

(iii) Ordinary maintenance which is defined as work not performed by contract and that is performed on a regularly scheduled basis (e.g., daily, weekly, monthly, seasonally, semiannually, but not less frequently than once per year), to service, check, or replace items that are not broken; or work not performed by contract that is not regularly scheduled but is required to maintain the asset so that repair does not become necessary.

(8) "Contract" means a contract, purchase order, or any other legal agreement in writing for public work to be performed for a fixed or determinable amount, which is duly awarded after advertisement and competitive bid. A contract that is awarded from a small works roster, or under the emergency provisions of state law, need not be advertised.

(9) "Residential construction" means construction, alteration, repair, improvement, or maintenance of single family dwellings, duplexes, apartments, condominiums, and other residential structures not to exceed four stories in height, including basement, when used solely as permanent residences. It does not include the utilities construction (water and sewer lines), or work on streets, or work on other structures (e.g., for recreation and business.)

READOPTED/AMENDATORY SECTION (Readopting and Amending Order 88-22, filed 10/31/88)

WAC 296-127-011 TIME FOR DETERMINING PREVAILING WAGE. (1) Prevailing wage rates for all public work contracts will be determined by the ((~~department~~)) industrial statistician and published ((~~only~~)) on the first business day of February and the first business day of August of each year. ((~~All prevailing wage~~)) These rates shall become effective thirty days after ((~~they are published. Awarding agencies must include a schedule of the applicable published prevailing wage rates in the contract documents for each contract.~~

~~Contractors must include a schedule of the applicable published prevailing wage rates in their contracts with each one of their subcontractors.~~

~~(2)~~)) the date of publication. However, the industrial statistician may revise an established prevailing wage rate in response to an administrative or judicial finding overturning the established rate, or at any time necessary to correct an error, with such revision becoming effective thirty days after the date of publication. However, in the event of an emergency as determined by the director of the department, such revised rate shall take effect upon publication.

(2) The department shall establish deadlines for the submission of:

(a) Completed wage surveys, for inclusion of submitted data in the survey computations;

(b) Newly ratified collective bargaining agreements for inclusion in the semiannual prevailing wage publication;

(c) Notice of collectively bargained wage and benefit adjustments, and/or relevant contractual changes, for inclusion in the semiannual prevailing wage publication; and

(d) Notice of changes in apprenticeship standards and incremental wage rates for inclusion in the semiannual prevailing wage publication.

(3) The applicable prevailing wage rates for a given public works contract will be determined as follows:

(a) For all public works contracts, except janitorial or building service maintenance contracts, the applicable prevailing wage rates ((~~which~~)) shall be the rates that are in effect on the date when ((~~the~~)) bids by ((~~the~~)) prime contractors are ((~~required to be submitted~~)) due for submission to ((~~the~~)) contract awarding ((~~public agency are the prevailing wage rates which must be paid~~)) agencies. These rates shall remain in effect for the duration of the contract.

(b) If ((~~the~~)) contracts ((~~is~~)) are not awarded within six months of ((~~this~~)) the date bids are due, the applicable prevailing wage rates ((~~which~~)) shall be those that are in effect on the date ((~~when~~)) the contract is awarded ((~~are the prevailing wage~~)). These rates ((~~which must be paid~~)) shall remain in effect for the duration of the contract.

((~~(3) If an agreement~~)) (4) If a contract for public work((~~s~~)) is not awarded pursuant to bids, the applicable prevailing wage((~~s which~~)) rates shall be those that are in effect on the date when the ((~~agreement~~)) contract is executed ((~~are the prevailing wages which must be paid~~)). These rates shall remain in effect for the duration of the ((~~agreement~~)) contract.

(5) A schedule of the applicable prevailing wage rates must be included by:

(a) Contract awarding agencies, in the bid specifications and contract documents for each contract.

(b) Contractors, in the bid and/or contract documents provided to subcontractors.

READOPTED/AMENDATORY SECTION (Readopting and Amending Order 88-22, filed 10/31/88)

WAC 296-127-013 SCOPE OF WORK DEFINITIONS. (1) In order ((~~for the industrial statistician~~)) to determine applicable prevailing wage rates, the industrial statistician will issue scope of work ((~~definitions are needed~~)) descriptions for each trade and occupation recognized as being involved in public work.

((~~(1)~~)) (2) The industrial statistician may ((~~promulgate~~)) issue scope of work descriptions, using authoritative sources available to the department, such as((~~, but not limited to~~)):

(a) Washington state apprenticeship and training council approved apprenticeship standards;

(b) Collective bargaining agreements;

(c) ((~~Dictionary~~)) Dictionaries of occupational titles;

(d) Experts from organized labor, licensed contractors, and contractors' associations;

(e) Recognized labor and management industry practice.

(3) The applicable prevailing wage rates for workers employed on public works projects shall be determined by the scopes of work performed by those workers, and not by their specific job titles.

((~~(2)~~)) (4) Scope of work ((~~definitions~~)) descriptions may be established or revised ((~~only~~)):

(a) On the first business day of February and the first business day of August each year((~~. Scope of work definitions may be obtained from the department on~~)) along with the prevailing wage publication; or

(b) In response to an administrative or judicial finding, or at any time necessary to correct an error.

(5) All scope of work descriptions shall become effective thirty days after their establishment or revision.

(6) The applicable scope of work description for a public works contract is the scope of work description that is in effect on the date that the bids are due to be submitted to the contract awarding agency. If the contract is not awarded within six months of the bid due date, then the applicable scope of work description shall be that which is in effect on the date that the contract is awarded. The same scope of work description shall remain in effect for the duration of the contract.

(7) The department shall make scope of work descriptions available to all interested parties upon request.

(8) The department shall notify trade associations, labor organizations, and public agencies, reasonably known to be affected, prior to adopting new scope of work descriptions or changes or additions to existing scope of work descriptions, and shall provide sixty days from the date of issuance for comment. In the event a dispute arises regarding a scope of work description following the award of a public works contract, the aggrieved party may request an arbitration hearing pursuant to the provisions of RCW 39.12.060, WAC 296-127-060, 296-127-061, and 296-127-062.

READOPTED/AMENDATORY SECTION (Readopting and Amending Order 88-22, filed 10/31/88)

WAC 296-127-014 USUAL BENEFITS. (1) Employers are not required to establish "usual benefit" programs. If an employer chooses not to provide such benefits, however, wages paid must be at the full prevailing wage rate as defined by RCW 39.12.010.

(2) To be deemed a "usual benefit," the following requirements must be satisfied:

(a) Employer payments for the usual benefit shall be made only in conformance with all applicable federal and state laws, including the requirements of the Employment Retirement Income Security Act of 1974, as amended, and of the Internal Revenue Service; and

(b) Employee payments toward the usual benefit, through self-contribution, payroll deduction, or otherwise, shall not constitute a credit to the employer for prevailing wage purposes.

(3) "Usual benefits" are limited to the following:

((~~(1)~~))(a) Health and welfare payments. This is ((~~group~~)) medical insurance, which may include dental, vision, and life insurance. ((~~(State or federal statutorily mandated)~~)) Insurance programs providing protection against industrial accidents((~~;~~)) or occupational illnesses which are mandated by state or federal statutes, and all related mandatory forms of protection, shall not qualify as health and welfare insurance.((~~)~~))

(b) ((~~Pension contributions made into pension plans for which the Internal Revenue Service has issued a letter of acceptance or approval.~~)) Employer payments on behalf of a person employed for the purpose of providing retirement income.

(c) Vacation payments made either directly to the employees or into a vacation fund, provided these benefits are paid to the employees.

(d) Apprentice training fund. Payments made to training programs approved or recognized by the Washington state apprenticeship and training council.

(e) Paid holidays. Payments made to employees for specified holidays.

((~~(2)~~)) (4) Any fringe benefits required by other local, state, or federal laws do not qualify as "usual benefits."

NEW SECTION

WAC 296-126-01410 INFORMATION CONCERNING PREVAILING WAGE USUAL BENEFITS. (1) Contractors and employers shall conform to all posting and employee notification requirements provided by applicable federal and state laws concerning usual benefits plans.

(2) Contractors and employers must have, and make available to the department upon request, copies of all documents concerning usual benefits, as identified in WAC 296-127-014, for which employer payments are made.

Reviser's note: The above new section was filed by the agency as WAC 296-126-01410. This section is placed among sections forming in chapter 296-127 WAC, and therefore should be numbered WAC 296-127-01410. Pursuant to the requirements of RCW 34.08.040, the section is published in the same form as filed by the agency.

READOPTED/AMENDATORY SECTION (Readopting and Amending Order 88-22, filed 10/31/88)

WAC 296-127-015 APPLICABILITY OF PREVAILING WAGES FOR SUPERVISORS. Determinations as to whether individuals are workers, laborers, or mechanics are based on the ((~~duties~~)) scope of work actually performed by the individuals, rather than the title of ((~~the~~)) their occupations.

(1) Where additional supervisory duties are required of workers, laborers, or mechanics by statute or regulation, the industrial statistician shall establish a rate of pay for a work classification to be called "journey level in charge." These rates shall be published in the semi-annual prevailing wage publication.

(2) Supervisors (e.g., foremen, general foremen, superintendents, etc.,) are entitled to ((~~the~~)) receive at least the journey level prevailing rate of wage ((~~if they perform~~)) for performing manual or physical labor:

(a) For each hour spent in the performance of manual or physical labor if it is for more than twenty percent but less than fifty percent of their hours worked on a public works project during any given week. ((~~Supervisors who qualify, are entitled to the journeyman rate of pay for the type of work they performed, for all hours spent performing that manual labor.~~

~~(2)~~)) (b) For all hours worked in any given week if they perform manual or physical labor for fifty percent or more of their hours worked on a public works project during such week.

(3) If supervisors subject to the ((~~journeyman~~)) journey level prevailing wage rate are paid a salary, the compensation (salary divided by number of hours worked) must be equal to or greater than the prevailing wage rate for the type of work performed.

AMENDATORY SECTION (Amending Order 82-28, filed 8/27/82)

WAC 296-127-017 NOTICE OF WAGE DETERMINATIONS. Current prevailing wage data will be furnished by the office of the industrial statistician upon request. ((~~Please mail the request to:~~

~~Industrial Statistician~~
~~Department of Labor and Industries~~
~~Employment Standards Division~~
~~General Administration Building~~
~~Olympia, Washington 98504 MS AX31~~
~~(Telephone: (206) 753-4019)~~))

NEW SECTION

WAC 296-127-018 COVERAGE AND EXEMPTIONS OF WORKERS INVOLVED IN THE PRODUCTION AND DELIVERY OF GRAVEL, CONCRETE, ASPHALT, OR SIMILAR MATERIALS. The materials covered under this section are sand, gravel, crushed rock, concrete mix, asphalt, or other similar materials.

(1) Workers are subject to the provisions of chapter 39.12 RCW when they are employed by a contractor as defined by WAC 296-127-010 (5)(c) and:

(a) They are engaged for a public works project in the production of the above-listed materials in a sand or gravel pit, rock quarry, concrete mixing plant, or other similar facility; or

(b) They are engaged in the transportation of the above-listed materials for use on a public works project, whether or not they perform any work on the project site.

(2) All workers, regardless of by whom employed, are subject to the provisions of chapter 39.12 RCW when:

(a) They deliver any of the above-listed materials to a public works project site and perform any spreading, leveling, rolling, or otherwise participate in any incorporation of the materials into the project; or

(b) They wait at or near a public works project site to participate in the incorporation of any of the above-listed materials into the project; or

(c) They remove any materials from a public works construction site pursuant to contract requirements or specifications (e.g., excavated materials, materials from demolished structures, cleanup materials, etc.); or

(d) They work in a materials production facility (e.g., batch plant, borrow pit, rock quarry, etc.,) which is established for a public works project for the specific, but not necessarily exclusive, purpose of supplying materials for the project.

(3) Workers are not subject to the provisions of chapter 39.12 RCW when:

(a) The employees' duties do not include spreading, leveling, rolling, or otherwise participating in the incorporation of the delivered materials into a public works project, and they are employed by an established materials supplier either in the production or delivery of sand, gravel, crushed rock, concrete mix, asphalt or other similar materials;

(b) By a common or contract carrier trucking company principally or exclusively engaged in the hauling or delivery of such products, and the employees' duties do not include spreading, leveling, rolling, or otherwise participating in the incorporation of the delivered materials into a public works project; or

(c) Their employer is engaged in the production and stockpiling of such materials for unspecified future use by the state of Washington or by municipalities as defined by RCW 39.04.010.

(4) The applicable prevailing wage rate shall be determined by the locality in which the work is performed. Workers subject to the provisions of chapter 39.12 RCW, as outlined in subsection (1) of this section, who produce such materials at an off-site facility shall be paid the applicable prevailing wage rates for the county in which the off-site facility is located. Workers subject to the provisions of chapter 39.12 RCW, as outlined in subsection (1) of this section, who deliver such materials to a public works project site shall be paid the applicable prevailing wage rates for the county in which the public works project is located.

READOPTED/AMENDATORY SECTION (Readopting and Amending Order 88-22, filed 10/31/88)

WAC 296-127-019 SURVEY METHODOLOGY. (1) The industrial statistician ((~~will use two methods to~~)) shall establish ((~~or update~~)) prevailing wage rates((~~. They will be~~)) by:

(a) ((~~Data collected by~~)) Conducting wage and hour surveys((~~; and/or~~

~~(b) Wage increases stipulated~~)) for established trades and occupations;

(b) Adopting the wage and benefit adjustments established in collective bargaining agreements for those trades or occupations where ((~~a recent wage survey has established that those wage rates prevail.~~

~~When wage surveys are conducted, the method will be as follows:~~)) the most recently established prevailing wage rates were derived from a collective bargaining agreement; and/or

(c) In instances when the procedures established in (a) and (b) of this subsection are not feasible, employing other methods deemed appropriate by the industrial statistician as set out in subsection (8) of this section.

(2) The department will determine the identity of employers to be surveyed for a specific trade or occupation by ((~~mailing classification questionnaires to all active licensed or Washington state department of transportation and United States Department of Labor prequalified contractors~~)):

(a) Mailing trade and occupation questionnaires to all contractors whose registration under chapter 18.27 RCW or license under chapter 19.28 RCW is active;

(b) Mailing trade and occupation questionnaires to Washington state department of transportation prequalified contractors; and

(c) Compiling and maintaining lists of employers that are not required to be registered under chapter 18.27 RCW or licensed under chapter 19.28 RCW, but that employ workers in building service maintenance, in shipbuilding or ship repair, in the fabrication and/or manufacture of nonstandard items produced specifically for a public works project, and/or in the production and delivery of materials as defined in WAC 296-127-018. Trades and occupations utilized by the shipbuilding and ship repair industries shall not have their survey data combined with their construction counterparts, for the purpose of establishing prevailing wage rates for that industry.

(3)(a) Wage survey forms will ((~~then~~)) be mailed to:

((~~(a)~~)) (i) Those contractors ((~~who have indicated on the~~)) and employers whose businesses currently are active and were active during the established survey period, and whose response to the trade and occupation questionnaire indicates that they employ one or more of the trades or occupations being surveyed; and

((~~(b) To~~)) (ii) Labor unions ((~~locals~~)) representing workers in the trades or occupations being surveyed.

(b) The department annually shall mail to state-wide trade associations and state-wide labor organizations a proposed schedule of trades intended to be surveyed during the upcoming fiscal year. In addition, the department shall notify those state-wide trade associations and labor organizations, reasonably known to be affected, of the mailing of wage surveys.

(4) ((~~The data from the~~)) Data reported on survey forms may be verified by the department, and will ((~~only~~)) be used ((~~by the department if~~)) only when submitted on behalf of or by:

(a) Individual contractors identified by a contractor registration number that currently is valid, and was valid during the established survey period;

(b) Employers that are not required to be registered under chapter 18.27 RCW or licensed under chapter 19.28 RCW, that directly employ and supervise workers as employees in building service maintenance, in shipbuilding or ship repair, in the manufacture of nonstandard items specifically produced for a public works project, or in the production and delivery of materials, as defined in WAC 296-127-018;

(c) Labor unions submitting wage and hour data on behalf of contractors and/or employers who are signatory to those unions' collective bargaining agreements covering the trade or occupation being surveyed; or

(d) Interested parties providing wage and hour data by trade and occupation from certified payroll records and/or from hours reported by trade and occupation on affidavits of wages paid, according to guidelines established by the department.

(5) The department shall use affidavit forms that include a requirement that contractors report the actual number of hours worked by each trade and occupation utilized on the public works project for which the affidavit is filed.

(6) Valid data reported on wage surveys shall be calculated, as follows:

(a) If the majority of hours ((~~worked by any~~)) reported for a trade or occupation in the largest city in a county is paid at ((~~one specific~~)) the same wage rate, then that rate ((~~is~~)) shall be established as the prevailing wage rate.

(b) If ((~~no single~~)) the same wage rate is not reported to have been paid ((~~to~~)) for the majority of ((~~workers in the same~~)) hours reported in the largest city in a county for a trade or occupation, then the average wage rate ((~~is~~)) shall be established as the prevailing wage rate, based on a weighted average of the hours, wages, and benefits reported in the largest city.

(c) If a statistically significant number of hours fails to be reported for the largest city in a county, then the average wage rate for the county is established as the prevailing wage, based on a weighted average.

(d) If there fails to be reported for an entire county, sufficient hours to validate the survey data, that county's hours shall be combined with those reported for other counties that are adjacent, until the established hours threshold for validation has been met.

(7) Survey data will not be accepted if the data report the hours and wages of those who are exempt from the prevailing wage requirements of chapter 39.12 RCW, as defined in WAC 296-127-026.

(8)(a) The industrial statistician may utilize alternative methods to establish prevailing wage rates consistent with the terms of (b) of this subsection. These methods include, but are not limited to:

(i) The use of wage and hour data from the department of employment security;

(ii) The use of wage and hour data from the industrial insurance division of the department of labor and industries;

(iii) The use of data from surveys performed by the United States Department of Labor, wage and hour division; or

(iv) The use of wage and hour data reported to the department on affidavits of wages paid.

(b) These alternative methods will not be used for trades or occupations for which surveys had been completed as of the effective date of this section unless a subsequent survey produces insufficient data. In addition, these alternative methods may be used under circumstances that include, but are not limited to, the following:

(i) To establish prevailing wage rates for a new trade or occupation where a survey is not immediately feasible;

(ii) In response to an administrative or judicial determination of invalid wage rate or scope of work description;

(iii) In response to changes or additions in licensing, safety, or other requirements of other state agencies, departments or divisions; or

(iv) To establish rates for industries and trades and occupations generally not surveyed, in order to meet the requirement of having established wage rates for publication in contract or bid specifications as required by RCW 39.12.030.

(((~~6~~))) (9) Any ((~~of the above parties who~~)) party that submits false information under this section((~~,~~)) shall, after a determination to that effect has been issued by the director after a hearing ((~~under~~)) pursuant to chapter ((~~34.04~~)) 34.05 RCW, forfeit as a civil penalty the sum of five hundred dollars.

AMENDATORY SECTION (Amending Order 85-28, filed 1/17/86)

WAC 296-127-020 INTERPRETATION OF PHRASES USED IN CHAPTER 39.12 RCW. (1) The "acceptance date of the public works project" referred to in RCW 39.12.065 is the date that the contract awarding agency formally accepts the completed public works project pursuant to state law.

(2) RCW 39.12.050 and 39.12.065 ((~~and 39.12.050~~)) refer to "inadvertent filing or reporting error." ((~~An error is~~)) The department defines an error as "inadvertent" if it is made by a contractor, as defined by WAC 296-127-010(5), or employer that shows that the error was made notwithstanding the use of due care by the ((~~party making the error~~)) contractor or employer. The burden of proving that an error is inadvertent ((~~is on the person~~)) rests with the contractor or employer charged with the error.

(3) The definition of "locality" in RCW 39.12.010(2) contains the phrase "wherein the physical work is being performed." The department interprets this phrase to mean the actual work site. For example, if ((~~materials~~)) nonstandard items specifically produced for public works projects are prefabricated in a county other than the county wherein the public works project is to be completed, the wage for the off-site prefabrication shall be the applicable prevailing wage for the county ((~~where~~)) in which the ((~~physical work of~~)) actual prefabrication ((~~is actually performed. Standard items for sale on the~~

~~general market are not subject to the requirements of chapter 39.12 RCW~~)) takes place. Workers who deliver such nonstandard items, as well as materials pursuant to the terms of WAC 296-127-018, shall be paid the applicable prevailing wage for the county in which the public works project is located.

(4) In the implementation and enforcement of RCW 39.12.050 the terms "contractor" and "subcontractor" include an entity, however organized, with substantially identical corporate and/or operational structure to an entity that has been found to violate RCW 39.12.050. The factors used to determine substantial identity shall include an assessment of whether there is: Substantial continuity of the same business operation; use of the same machinery and/or equipment; similarity of jobs and types of working conditions; continuity of supervisors; and similarity of product or services.

AMENDATORY SECTION (Amending Order 88-21, filed 9/15/88)

WAC 296-127-022 OVERTIME ACCORDING TO ((~~CHAPTER 49.28~~)) RCW 49.28.065. (1) Work performed on public works contracts will not require the payment of overtime rates for the first two hours worked in excess of eight hours per day when the employer ((~~has obtained the employee's agreement to work a four-day, ten-hour work week.~~

~~(2)~~)) and employee voluntarily enter into an agreement wherein the employee will work up to ten hours per day in a four-day week to accomplish forty hours of work.

(2) Recognizing that there may be days when a full ten hours of work is not available, the remainder of the forty hours may be made up on another work day or days within the same work week, except work performed on Saturdays, Sundays, and holidays is subject to the established prevailing overtime provisions for a given trade or occupation, as provided in chapter 39.12 RCW.

(3) For the purpose of this section an agreement must:

(a) Have been authorized by employees who bargained collectively with their employers through representatives of their own choosing; or

(b) Be obtained in writing, signed, and dated by both parties; and

(c) Be ((~~obtained~~)) entered into individually ((~~from~~)) with each employee; and

(d) ((~~Obtained~~)) Be entered into separately for each public works project, except that an employer, at its option, may obtain an annual authorization; and

(e) ((~~Obtained~~)) State the name of the public works project with specificity; and

(f) Be entered into voluntarily by the employer and employee.

((~~(3)~~)) (4) Each employer must retain copies of the individual employee authorization agreements required pursuant to subsection (3) of this section for three years from the date of acceptance of the public works project by the contract awarding agency. Absence of an authorization record for an employee shall be deemed per se evidence of lack of that employee's authorization. Such records are payroll records, subject to the requirements of WAC 296-127-320.

(5) It is prohibited to work more than ten hours in any calendar day on a public works project except in cases of extraordinary emergency, such as danger to life or property.

((~~(4)~~)) (6) Notwithstanding the above provisions, overtime rates must be paid for all hours worked in excess of forty hours per week.

(7) This section provides a minimum public works overtime standard, and does not supersede prevailing overtime wage rates established under the authority of chapter 39.12 RCW.

READOPTED/AMENDATORY SECTION (Readopting and Amending Order 88-22, filed 10/31/88)

WAC 296-127-025 APPLICABILITY OF JOINT FEDERAL-STATE STANDARDS. (1) When a public works project is subject to the provisions of the Washington state public works law, chapter 39.12 RCW, and the Federal Davis-Bacon and related acts, the contractor and every subcontractor on that project must pay at least the Washington state prevailing wage rates, if they are higher than the federal prevailing wage rates for the project unless specifically preempted by federal law.

(2) When the federal prevailing wage rates are higher than the Washington state prevailing wage rates, the contractor shall pay the federal rate as required by federal law.

NEW SECTION

WAC 296-127-050 FILING OF STATEMENTS OF INTENT TO PAY PREVAILING WAGES AND AFFIDAVITS OF WAGES PAID FOR CONTRACTS UNDER TWO THOUSAND FIVE HUNDRED DOLLARS. A contract awarding agency may, as part of a public works contract, enter into an agreement with a contractor to approve statements of intent to pay prevailing wages and affidavits of wages paid on behalf of the department for contracts wherein the total amount does not exceed two thousand five hundred dollars as provided in RCW 39.12.040(2), pursuant to the following terms:

(1) The agreement must be incorporated into the bid specifications and contract document;

(2) Statement of intent forms and affidavit of wages paid forms, provided by the department, must be filed with the contract awarding agency by the contractor prior to the disbursement of public funds;

(3) Contract awarding agencies must retain copies of all statements of intent to pay prevailing wages received pursuant to this section for a period of not less than three years;

(4) Contract awarding agencies must send to the department copies of all affidavits of wages paid received pursuant to this section within thirty days of receipt from the contractor;

(5) The contract awarding agency shall accept full responsibility and liability for payment of any valid wage claims directly to the claimant;

(6) The contract awarding agency may proceed against any contractor found to have violated the provisions of the statute, and may debar such contractor from consideration for future contracts for up to one year and will provide the department with the names and contractor registration or other employer identification numbers of any such debarred contractors within thirty days of the debarment; and

(7) Contract awarding agencies and contractors shall not enter into contracts or agreements to perform public work that subdivide or otherwise disaggregate any public works project of more than two thousand five hundred dollars, to enable such public works project to be awarded pursuant to this section.

READOPTED/AMENDATORY SECTION (Readopting and Amending Order 85-28, filed 1/17/86)

WAC 296-127-320 PAYROLL ((~~RECORDS~~)). (1) Each contractor shall keep accurate payroll records for three years from the date of acceptance of the public works project by the contract awarding agency, showing the name, address, Social Security number, ((~~work classification~~)) trade or occupation, straight time rate, hourly rate of usual benefits as defined by WAC 296-127-014(1), and overtime hours worked each day and week, including any employee authorizations executed pursuant to WAC 296-127-022, and the actual rate of wages paid, for each laborer, worker, and mechanic employed by the contractor for work ((~~done~~)) performed on a public works project.

(2) A contractor shall, within ten days after it receives a written request, from the department or from any interested party as defined by RCW 39.12.010(4), file a certified copy of the payroll records with the agency that awarded the public works contract and with the department.

(3) A contractor's noncompliance with this section shall constitute a violation of RCW 39.12.050.

NEW SECTION

WAC 296-127-990 SEVERABILITY. If any provision of this chapter or its application to any persons or circumstances is held invalid by state or federal court, the remainder of the chapter or the application of the provision to other persons or circumstances is not affected.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 296-127-016 COVERAGE AND EXEMPTIONS OF WORKERS INVOLVED IN THE PRODUCTION AND DELIVERY OF MATERIALS PREDOMINANTLY USED IN ROAD CONSTRUCTION.

WSR 92-01-105
PERMANENT RULES
LIQUOR CONTROL BOARD
[Filed December 18, 1991, 11:11 a.m.]

Date of Adoption: September 18, 1991.

Purpose: To add language that more specifically describes the type of visual reproductions which are prohibited from display in liquor licensed premises.

Citation of Existing Rules Affected by this Order: Amending WAC 314-16-125.

Statutory Authority for Adoption: RCW 66.08.030.

Pursuant to notice filed as WSR 91-16-083 on August 6, 1991.

Changes Other than Editing from Proposed to Adopted Version: On August 6, 1991, the board filed proposed language to WAC 314-16-125 as WSR 91-16-083. On September 11, 1991, the board held a public hearing at its Distribution Center in Seattle. At that hearing, a tape was made. On September 18, 1991, the board met at its offices in Olympia and adopted the language filed on August 6 and heard of September 11. On September 18, following adoption by the board, the language was filed to become effective 30 days after the date of filing. It was brought to the board's attention that the language filed on September 18, 1991, was a different draft from that published on August 6 and heard on September 11 and adopted on September 18. A clerical error resulted in a previous draft of the language being filed, rather than that heard by the board and acted upon by the board. The tape recordings of the public hearing and adoption a week later were reviewed and it became evident that the error had taken place. This filing is to correct that error and enter the actual language which was heard and acted upon by the board.

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

December 12, 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.

WSR 92-01-106
PROPOSED RULES
PARKS AND RECREATION COMMISSION
[Filed December 18, 1991, 12:23 p.m.]

Original Notice.

Title of Rule: State park field operations dress standards.

Purpose: Eliminates requirement to wear specific types of full length trousers or walking/hiking shorts.

Statutory Authority for Adoption: RCW 43.51.040.

Statute Being Implemented: Chapter 43.51 RCW.

Summary: Allows field staff to choose own full length or short trousers as part of their state park uniform.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Rex Derr, State Parks, 7150 Cleanwater Lane, KY–11, Olympia, 753–2066.

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: Allows staff to choose their own types of trousers or shorts rather than specifying agency required pants. This will save money for staff and the agency.

Proposal Changes the Following Existing Rules: Eliminates reference to specific trousers or short pants.

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

Hearing Location: Quality Inn Valley Suites, East 8923 Mission, Spokane, WA 99206, on January 31, 1992, at 9:00 a.m.

Submit Written Comments to: Rex Derr, Washington State Parks and Recreation Commission, P.O. Box 42650, Olympia, WA 98504-2650, by January 15, 1992.

Date of Intended Adoption: January 31, 1992.

December 17, 1991
Nina Carter
Executive Assistant

AMENDATORY SECTION (Amending WSR 90-20-031, filed 9/25/90, effective 10/26/90)

WAC 352-32-011 DRESS STANDARDS. (1) In order to identify temporary field operations personnel to the public for their safety and welfare, it is necessary for selected employees to furnish and wear apparel that will comply with a generally accepted dress standard common to the outdoor recreation industry.

(2) The apparel for male and female park aides shall consist of ((~~green full length trousers of varying style,~~)) tan long or short sleeve shirt/blouse((~~;~~)) and agency supplied logos which must be applied as directed. ((~~If approved by the park manager, green walking/hiking shorts may be substituted for the full length trousers when appropriate for public contact type work.~~))

WSR 92-01-107
RULES COORDINATOR
CENTRAL WASHINGTON UNIVERSITY
[Filed December 18, 1991, 1:36 p.m.]

In accordance with RCW 34.05.310, the rules coordinator for Central Washington University is Judy B. Miller, Administrative Assistant, President's Office, Central Washington University, Ellensburg, Washington 98926, (509) 963-2111 comm, 453-2111 scan.

Donald L. Garrity
President

WSR 92-01-108
NOTICE OF PUBLIC MEETINGS
PUBLIC WORKS BOARD
[Memorandum—December 9, 1991]

PUBLIC WORKS BOARD MEETING DATES FOR 1992

DATE/TIME	EVENT	LOCATION
*January 28 8:30 a.m.	Regular Meeting	SeaTac
March 3 8:30 a.m.	Regular Meeting	SeaTac
April 7 8:30 a.m.	Regular Meeting	SeaTac
*May 5 8:30 a.m.	Regular Meeting	SeaTac
July 14 8:30 a.m.	Regular Meeting	SeaTac
August 4 9:30 a.m.	Regular Meeting and tour	Snohomish County
September 1 8:30 a.m.	Regular Meeting	SeaTac
September 15 8:30 a.m.	Regular Meeting	SeaTac
November 3 8:30 a.m.	Regular Meeting	SeaTac
December 1 8:30 a.m.	Regular Meeting	SeaTac

The above dates were adopted by the Public Works Board at the December 3, 1991, meeting.

*Meeting agenda will have emphasis on the Timber PWTF Program.

WSR 92-01-109
EXECUTIVE ORDER 91-10
OFFICE OF THE GOVERNOR
[December 16, 1991]

ESTABLISHING THE GOVERNOR'S POLICY ON ELECTRONIC MESSAGE SYSTEMS

WHEREAS, agencies of Washington state government use electronic message systems such as electronic mail systems, voice mail systems, and other electronic media that generate, transmit and display correspondence for internal and external business communication purposes; and

WHEREAS, the state, as an employer, must ultimately control employees' use of electronic message systems, as it does other state-provided computing resources, and must have access to its own business records; and

WHEREAS, the state, as well as third parties, such as law enforcement officials, may have rights or needs to access information contained in electronic files of state employees; and

WHEREAS, the state has an interest in creating a work environment that respects its employees' rights;

NOW, THEREFORE, I, Booth Gardner, Governor of the State of Washington, by virtue of the power vested in me, do hereby order the following actions to ensure that state government properly manages this electronically stored information:

I. Agencies that use electronic message systems shall develop individual policies that address their unique data, specific security requirements, and business environments. The policies shall apply to: computerized electronic mail systems that store and transmit typed communication; voice mail systems that store and transmit voice recordings; and other electronically stored data typically under the control of an individual state employee, whether it resides on a hard disk, compact disk, tape or other storage media. These policies shall conform to all applicable public disclosure statutes and regulations, and shall address, at a minimum, the following issues:

A. Permissible uses of the agency's electronic message systems;

B. Whether the agency monitors the contents or transactional records of electronic message systems and if so, for what purposes;

C. Duration of message storage and media used for storage; and

D. Under what circumstances the agency will obtain access to the contents of electronically communicated messages without the consent of the sender or recipient.

II. Agencies that use electronic message systems shall assume the affirmative obligation of notifying their employees in writing of their policies regarding its use. Additionally, employees will be advised that electronic messages sent to others cannot be protected from unauthorized access caused by:

- User failure to maintain pass word/code security; or
- Devices logged onto the system but left unattended by users.

Employees will also be advised that electronic messages they send may be:

- Forwarded to others by a recipient;
- Printed in a location where individuals other than the intended recipient may view messages; or
- Directed to the wrong recipient.

III. In the absence of specific agency electronic message system policies, the following broad principles shall apply:

A. Employees shall use state-provided electronic message systems only for state business purposes.

B. State-provided electronic message systems shall not be used for transmission of information that promotes:

- Discrimination on the basis of age, sex, marital status, race, creed, color, national origin, sensory, mental, or physical handicap, or sexual preference;
- Sexual harassment;
- Copyright infringement;
- An employee's personal political beliefs or personal business interests; or
- Any unlawful activity.

C. Agency management may access data usually under an individual employee's control when necessary to carry out normal business functions.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the State of Washington to be affixed at Olympia this 16th day of December A.D. nineteen hundred and ninety-one.

Booth Gardner

Governor of Washington

BY THE GOVERNOR:

Donald F. Whiting

Secretary of State Assistant

WSR 92-01-110
PROPOSED RULES
DEPARTMENT OF HEALTH
[Filed December 18, 1991, 2:16 p.m.]

Original Notice.

Title of Rule: Certificate of need review procedures for ethnic minority nursing home beds.

Purpose: These rules establish a concurrent review process for CON applications for ethnic minority nursing home construction, and include related procedures implementing the provisions of ESHB 2100.

Statutory Authority for Adoption: RCW 70.38.135 (3)(c).

Statute Being Implemented: RCW 70.38.220.

Summary: These rules set out a schedule for concurrent review of certificate of need applications for nursing home beds for ethnic minorities; establish provisions for a pool of beds available for award to serve the needs of ethnic minorities; and set out specific review criteria for applications for ethnic minority beds.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Frank Chestnut, EY-29, (206) 753-5854.

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: Existing rules require concurrent review of all nursing home bed addition projects. A concurrent review schedule for the ethnic minority nursing home pool beds established by ESHB 2100 is consistent with current operations.

Proposal Changes the Following Existing Rules: Provisions are added to existing certificate of need rules for ethnic minority nursing home beds.

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

Hearing Location: General Administration Auditorium, 11th and Columbia, Olympia, Washington 98504, on January 23, 1992, at 2:00 p.m.

Submit Written Comments to: Leslie Baldwin, Rules Coordinator, 1300 Quince Street, P.O. Box 47902, Olympia, WA 98504-7902, by January 22, 1992.
Date of Intended Adoption: January 30, 1992.

December 18, 1991
Kristine M. Gebbie
Secretary

AMENDATORY SECTION (Amending Order 121, filed 12/27/90, effective 1/31/91)

WAC 246-310-020 APPLICABILITY OF CHAPTER 248-19 WAC. (1) The following undertakings shall be subject to the provisions of chapter 248-19 WAC, with the exceptions provided for in this section.

(a) The construction, development, or other establishment of a new health care facility:

(i) No new health care facility may be initiated as a health service of an existing health care facility without certificate of need approval as a new health care facility;

(ii) The extension, on a regular and ongoing basis, of the services of a home health agency or a hospice in a county not previously regularly included in the service area of that home health agency or hospice during the preceding twelve months shall be considered the development of a new home health agency or hospice.

(b) The sale, purchase, or lease of part or all of any existing hospital licensed under chapter 70.41 RCW or a psychiatric hospital licensed under chapter 71.12 RCW;

(c) A change in bed capacity of a health care facility increasing the total number of licensed beds or redistributing beds among acute care, skilled nursing, intermediate care, and boarding home care, as defined under RCW 18.20.020, if the bed redistribution is effective for a period in excess of six months;

(d) Any new tertiary health services offered in or through a health care facility, and not offered on a regular basis by, in, or through such health care facility within the twelve-month period prior to the time the facility will offer such services:

(i) Tertiary services include the following:

(A) Specialty burn services. This is a service designed, staffed, and equipped to care for any burn patient regardless of the severity or extent of the burn. All staff and equipment necessary for any level of burn care are available;

(B) Intermediate care nursery and/or obstetric services level II. Intermediate care nursery is defined in chapter 248-18 WAC. A level II obstetric service is in an area designed, organized, equipped, and staffed to provide a full range of maternal and neonatal services for uncomplicated patients and for the majority of complicated obstetrical problems;

(C) Neonatal intensive care nursery and/or obstetric services level III. Neonatal intensive care nursery is defined in chapter 248-18 WAC. A level III obstetric service is in an area designed, organized, equipped, and staffed to provide services to the few women and infants requiring full intensive care services for the most serious type of maternal-fetal and neonatal illnesses and abnormalities. Such a service provides the coordination of care, communications, transfer, and transportation for a given region. Level III services provide leadership in preparatory and continuing education in prenatal and perinatal care and may be involved in clinical and basic research;

(D) Transplantation of specific solid organs, including, but not limited to, heart, liver, pancreas, lung, and kidney and including bone marrow. A transplantation service for each solid organ is considered a separate tertiary service;

(E) Open heart surgery and/or elective therapeutic cardiac catheterization including elective percutaneous translumenal coronary angioplasty (PTCA). Open heart surgery includes the care of patients who have surgery requiring the use of a heart lung bypass machine. Therapeutic cardiac catheterization means passage of a tube or other device into the coronary arteries or the heart chambers to improve blood flow. PTCA means the treatment of a narrowing of a coronary artery by means of inflating a balloon catheter at the site of the narrowing to dilate the artery;

(F) Inpatient physical rehabilitation services level III. Level III rehabilitation services are services for persons with usually nonreversible, multiple function impairments of a moderate-to-severe complexity resulting in major changes in the patient's lifestyle and requiring intervention by several rehabilitation disciplines. Services are multidisciplinary, including such specialists as a rehabilitation nurse; and physical, occupational, and speech therapists; and vocational counseling; and a physiatrist. The service is provided in a dedicated unit with a separate nurses station staffed by nurses with specialized training and/or experience in rehabilitation nursing. While the service may specialize (i.e., spinal cord injury, severe head trauma, etc.), the service is able to treat all persons within the designated diagnostic specialization regardless of the level of severity or complexity of the impairments;

(G) Specialized inpatient pediatric services. The service is designed, staffed, and equipped to treat complex pediatric cases for more than twenty-four hours. The service has a staff of pediatric specialists and subspecialists.

(ii) The department shall review, periodically revise, and update the list of tertiary services. The department shall change the tertiary services list following the procedures identified in WAC 248-19-235;

(iii) The offering of an inpatient tertiary health service by a health maintenance organization or combination of health maintenance organizations is subject to the provisions under chapter 248-19 WAC unless the offering is exempt under the provisions of RCW 70.38.111.

(e) Any increase in the number of dialysis stations in a kidney disease center;

(f) Any capital expenditure in excess of the expenditure minimum for the construction, renovation, or alteration of a nursing home. However, a capital expenditure, solely for any one or more of the following, which does not substantially affect patient charges, is not subject to certificate of need review:

(i) Communications and parking facilities;

(ii) Mechanical, electrical, ventilation, heating, and air conditioning systems;

(iii) Energy conservation systems;

(iv) Repairs to, or the correction of, deficiencies in existing physical plant facilities necessary to maintain state licensure;

(v) Acquisition of equipment, including data processing equipment, not for use in the direct provision of health services;

(vi) Construction, involving physical plant facilities, including administrative and support facilities, not for use in the provision of health services;

(vii) Acquisition of land; and

(viii) Refinancing of existing debt.

(g) Any expenditure for the construction, renovation, or alteration of a nursing home or change in nursing home services in excess of the expenditure minimum made in preparation for any undertaking subject to the provisions under chapter 248-19 WAC and any arrangement or commitment made for financing such undertaking;

(h) No person may divide a project in order to avoid review requirements under any of the thresholds specified under this section; and

(i) The department may issue certificates of need authorizing only predevelopment expenditures, without authorizing any subsequent undertaking for which the predevelopment expenditures are made.

(2) No person shall engage in any undertaking subject to certificate of need review unless:

(a) A certificate of need authorizing such undertaking is issued and remains valid; or

(b) An exemption is granted in accordance with the provisions of this chapter.

(3) If a nursing home or portion of a nursing home constructed or established under the authority of a certificate of need granted from the pool of nursing home beds for ethnic minorities according to the provisions of WAC 246-310-135 is sold or leased within ten years to a party not eligible for an award of such beds under the provisions of WAC 246-310-136(2):

(a) The purchaser or lessee may not operate those beds as nursing home beds without first obtaining a certificate of need for new beds; and

(b) The beds that were awarded from the special pool shall be returned to that pool.

NEW SECTION

WAC 246-310-135 ETHNIC MINORITY NURSING HOME BED POOL—PROCEDURES. (1) The department is establishing a pool of two hundred fifty nursing home beds to serve the special needs of ethnic minorities. This pool shall be made up of nursing home beds that have become available on or after March 15, 1991, due to:

(a) Loss of license or reduction in licensed bed capacity of existing nursing homes, if the beds are not otherwise obligated for replacement as evidenced by a certificate of need authorizing such replacement; or

(b) Expiration or surrender of a certificate of need.

(2) Applications for construction or establishment of ethnic minority nursing home beds shall be reviewed in concurrent review cycles published by the department in rules.

(3) The department may award up to one hundred nursing home beds to a qualified applicant or applicants in the first concurrent review, and before those beds are in the ethnic minority bed pool. The schedule for the first concurrent review is set out in subsection (6) of this section.

(4) A second concurrent review cycle shall not be conducted until at least two hundred beds are in the ethnic minority bed pool, including the number of beds awarded in the first concurrent review. In this review cycle the department shall award at least one hundred beds and may award as many as one hundred fifty beds to a qualified applicant or applicants. In addition, the department may award any beds not awarded in the first concurrent review, provided any decision not to award those beds is not under appeal. The schedule for the second concurrent review shall be published in rule after at least two hundred beds are in the ethnic minority bed pool.

(5) The department shall conduct additional concurrent review cycles to award beds to qualified applicants when fewer than two hundred fifty beds are awarded in the first and second concurrent reviews, or when beds are returned to the ethnic minority bed pool under the provisions of WAC 246-310-020(3). Such additional concurrent reviews shall be conducted according to schedules published in rules. The department shall schedule additional concurrent reviews when the department determines an adequate number of nursing home beds are in the pool to justify such reviews.

(6) The first ethnic minority concurrent review cycle shall be conducted according to the following schedule.

(a) Letters of intent shall be submitted to the department between the first and last working day of March 1992.

(b) Initial applications shall be submitted to the department between the first and last working day of April 1992.

(c) The department shall screen initial applications for completeness by the last working day of May 1992.

(d) Responses to screening questions shall be submitted to the department by the last working day of June 1992.

(e) The public review and comment period for applications shall begin on July 14, 1992, and shall be limited to ninety days, unless extended according to the provisions of WAC 246-310-120 (2)(d).

(f) The final review period shall be limited to sixty days, unless extended according to the provisions of WAC 246-310-120 (2)(d).

(g) Any letters of intent or certificate of need applications submitted for review in advance of this schedule, or any certificate of need applications under review as of the effective date of this section, shall be held for review according to the schedule in this subsection.

NEW SECTION

WAC 246-310-136 ETHNIC MINORITY NURSING HOME BED POOL—CONSIDERATIONS FOR REVIEW OF APPLICATIONS. (1) The department shall consider the following factors in the course of reviewing and making decisions on applications for construction or establishment of nursing home beds for ethnic minorities.

(a) Conformance with applicable review criteria in WAC 246-310-210, 246-310-220, 246-310-230, and 246-310-240;

(b) Which of any competing applications best meet identified needs, consistent with the purpose of concurrent review as stated in RCW 70.38.115(7).

(c) The relative degree to which the long-term care needs of an ethnic minority among Washington residents are not otherwise being met. This includes consideration of the legislature's finding that certain ethnic minorities have special cultural, language, dietary, and other needs not generally met by existing nursing homes which are intended to serve the general population;

(d) The percentage of low-income persons who would be served by the proposed project; and

(e) The impact of the proposal on the area's total need for nursing home beds.

(2) To be eligible to apply for and receive an award of beds from the ethnic nursing home bed pool, an application must be to construct, develop, or establish a new nursing home or add beds to an existing nursing home that:

(a) Shall be owned and operated by a nonprofit corporation. At least fifty percent of the board of directors of the corporation are members of the ethnic minority the nursing home is intended to serve;

(b) Shall be designed, managed, and administered to serve the special cultural, language, dietary, and other needs of the ethnic minority; and

(c) Shall not discriminate in admissions against persons who are not members of the ethnic minority whose special needs the nursing home is designed to serve.

(3) An applicant not awarded beds in a concurrent review shall not be given preference over other applicants in any subsequent concurrent review on the basis of the prior review and decision when that applicant submits a new application for another review.

WSR 92-01-111
PROPOSED RULES
DEPARTMENT OF AGRICULTURE
[Filed December 18, 1991, 2:48 p.m.]

Original Notice.

Title of Rule: Public livestock markets, chapter 16-604 WAC.

Purpose: To provide more clearly defined facility requirements for public livestock markets in work areas for department brand inspectors.

Statutory Authority for Adoption: RCW 16.65.445.

Statute Being Implemented: RCW 16.65.390.

Summary: Clearly defined requirements will be provided for the brand chute work areas in public livestock markets.

Reasons Supporting Proposal: Current rules do not provide clear definition of minimum standards for brand chute construction, lighting and other standards for safe working conditions.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Mike Willis, 406 General Administration Building, Olympia, 753-5065.

Name of Proponent: Washington Livestock Marketing Association, private.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: Safe working conditions for department employees will result from these rules.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Specific requirements will be adopted for the construction and maintenance of brand inspection work areas in public livestock markets, including adequate lighting, roof coverage, protection from rain and other inclement weather.

Proposal Changes the Following Existing Rules: These proposals add to the facility rules that already exist by providing more clear definition of minimum standards.

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

The rule will have a minor or negligible economic impact. Nearly all existing public livestock market facilities already provide facilities that meet or exceed the proposed rules. The proposed rules provide better definition of minimum standards. Adequate facilities are already a requirement under chapter 16.65 RCW, the Public Livestock Market Act.

Hearing Location: Washington Cattlemen's Association, 1720 Canyon Road, Ellensburg, WA 98926, on January 22, 1992, at 1:00 p.m.

Submit Written Comments to: Diane Aguilar, Administrative Assistant, Department of Agriculture, P.O. Box 42560, Olympia, 98504-2581, by January 22, 1992.

Date of Intended Adoption: February 24, 1992.

December 17, 1991
Mike Willis
Assistant Director

AMENDATORY SECTION (Amending Order 1102, filed 11/18/68, effective 12/19/68)

WAC 16-604-010 BRAND INSPECTION REGULATIONS. (1) All ((~~livestock before being offered for sale at any market~~)) cattle and horses shall be ((~~brand~~)) inspected for brands by ((~~a regulatory officer of this state~~)) the director prior to sale at any public livestock market.

(2) Whenever any livestock is offered for sale at a market and not sold, the identical animals may be offered for sale at the same market within eight days of the original inspection date without being required to pay a second brand inspection fee, upon presentation of the prior brand inspection certificate. In any such instance the unsold livestock must be presented for brand inspection without any animals having been taken from, or other animals having been added to, such lot or group of livestock and must be retained on the premises where first offered for sale within the time limit specified above.

(3) It shall be the responsibility of the licensee to identify each head of cattle and horses consigned to a market by placing a numbered tag or other method of identification as approved by the director on each animal before the ((~~livestock~~)) animals are brand inspected((~~, except~~)): Certain lots of one brand cattle or ((~~lots of~~)) no brand cattle ((~~under one year of age~~)) may be exempted by the ((~~regulatory officer~~)) director. The licensee or any consignor shall, at the request of the director, make visible any brand on any animal. The licensee shall provide the ((~~regulatory officer~~)) director with a sale ticket or sale sheet immediately after the animal is sold which shall show the name of the new buyer and the number identifying the animals.

(4) ((~~Adequate facilities and space shall be provided for inspection for brands or other identifying characteristics, such facilities to be approved by the director. The market or the consignor shall at the request of the regulatory officer make visible the brand or brands on the animal.~~)) Brand inspection facilities shall be approved by the director and shall consist of:

(a) ((~~Adequate covered chute or chutes and work space adjacent;~~

~~(b) Adequate office facilities;~~)) A chute which has a solid base on each side of sufficient strength to contain livestock at least twenty-four inches in height, but no more than thirty-six inches in height. Above the base on each side, the chute shall have wire cables extended along its entire length separated by six-inch intervals to a height of at least six feet. The cables shall be attached to a vertical post every sixteen feet, alternated with a pipe or stay every eight feet for support and to ensure that the cables are maintained in a tight condition;

(b) The brand chute shall be kept well lit with shop, spot, or flood lights on both sides of the chute at a height of five feet above the highest cable. The lighting shall extend for a distance of three-fourths of the length of the chute beginning at the head of the chute;

(c) Electrical outlets for clippers at chutes;

(d) ((~~Adequate lighting of chutes.~~)) The brand inspection area shall be kept free of any leaking or water build-up of any kind and well covered by adequate roofing;

(e) The work area for brand inspectors on each side of the chute shall be protected from livestock being unloaded or moved by fencing or any other permanent structure allowing at least thirty inches of work space along the length of the chute;

(f) An office shall be provided in the brand inspection area with dimensions of at least eight feet by ten feet. The office shall contain adequate heating and a counter approximately eighteen inches in width at a standing work level.

(5) No person shall remove any ((~~livestock~~)) cattle or horses from the premises of any market without first obtaining a ((~~signed~~)) release from the licensee((~~: PROVIDED,~~)). The licensee or any agent or employee ((~~thereof~~)) of the licensee shall not allow the removal of any ((~~livestock~~)) cattle and horses from the premises of the market without first obtaining a brand inspection clearance ((~~of~~)) issued by the director for the ((~~livestock~~)) cattle or horses to be removed((~~: PROVIDED FURTHER, That horses, swine, sheep, poultry and rabbits will be exempt from the brand inspection requirements of this regulation~~)).

NEW SECTION

WAC 16-604-015 SALES DAY. In any case where a licensed operator of a public livestock market fails to conduct a sale on a sales day which has been allocated to the licensee by the director more than six times in any twelve-month period, the allocation of that sales day shall be subject to change or revocation. Any change or revocation of an allocated sales day shall be considered in an administrative hearing conducted under the provisions of chapter 34.05 RCW.

WSR 92-01-112
NOTICE OF PUBLIC MEETINGS
UTILITIES AND TRANSPORTATION COMMISSION
[Memorandum—December 18, 1991]

Notice is hereby given that commencing January 1, 1992, and continuing for the balance of 1992, the time and place of meetings are as follows: Regular public meetings of the commission shall be held each Wednesday, commencing at 9:00 a.m., in the Commission's Hearing Room, Second Floor, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, WA.

WSR 92-01-113
RULES COORDINATOR
UTILITIES AND TRANSPORTATION COMMISSION
[Filed December 18, 1991, 2:54 p.m.]

Notice is hereby given that the following is the name and office mailing address of the rules coordinator designated by the Washington Utilities and Transportation Commission: Paul Curl, Office of the Secretary, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., P.O. Box 47250, Olympia, WA 98504-7250, (206) 753-6451.

Paul Curl

WSR 92-01-114
PERMANENT RULES
UTILITIES AND TRANSPORTATION COMMISSION
[Order R-352, Docket No. UT-910787—Filed December 18, 1991, 2:57 p.m.]

In the matter of amending WAC 480-120-057 relating to deposits or securities of interexchange telecommunications companies.

This action is taken pursuant to Notice No. WSR 91-20-043 filed with the code reviser on September 24, 1991. The rule change hereinafter adopted shall take effect pursuant to RCW 34.05.380(2).

This rule-making proceeding is brought on pursuant to RCW 80.01.040 and is intended administratively to implement these statutes.

This rule-making proceeding is in compliance with the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.05 RCW), the State Register Act (chapter 34.08 RCW), the State Environmental Policy Act of 1971 (chapter 43.21C RCW), and the Regulatory Fairness Act (chapter 19.85 RCW).

Pursuant to Notice No. WSR 91-20-043 the above matter was scheduled for consideration at 9:00 a.m., Wednesday, November 20, 1991, in the Commission's Hearing Room, Second Floor, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, WA, before Chairman Sharon L. Nelson and Commissioners Richard D. Casad and A. J. Pardini.

Under the terms of said notice, interested persons were afforded the opportunity to submit data, views, or arguments to the commission in writing prior to October 28, 1991, and orally at 9:00 a.m., Wednesday, November 20, 1991, in the commission's hearing room above noted. At the November 20, 1991, meeting the commission considered the rule change proposal. No oral comments were received, but written comments were received from Terry Vann on behalf of Washington Independent Telephone Association and Mark Roellig on behalf of US WEST Communications.

The rule change affects no economic values.

In reviewing the entire record herein, it has been determined that WAC 480-120-057 should be amended to read as set forth in Appendix A shown below and by this reference made a part hereof. WAC 480-120-057 as amended will specify the right of utility companies to base deposits or securities for interexchange telecommunications companies on past usage whenever past service has been provided.

ORDER

WHEREFORE, IT IS ORDERED That WAC 480-120-057 as set forth in Appendix A, be amended as a rule of the Washington Utilities and Transportation Commission to take effect pursuant to RCW 34.05.380(2).

IT IS FURTHER ORDERED That the order and the annexed rule, after first being recorded in the order register of the Washington Utilities and Transportation Commission, shall be forwarded to the code reviser for filing pursuant to chapter 34.05 RCW and chapter 1-21 WAC.

DATED at Olympia, Washington, this 13th day of December, 1991.

Washington Utilities and Transportation Commission
Sharon L. Nelson, Chairman
Richard D. Casad, Commissioner
A. J. Pardini, Commissioner

APPENDIX "A"

AMENDATORY SECTION (Amending Order R-250, Cause No. U-85-58, filed 5/12/86, effective 7/31/86)

WAC 480-120-057 DEPOSIT OR SECURITY—INTEREXCHANGE TELECOMMUNICATIONS COMPANIES. (1) Establishment of credit—interexchange telecommunications company. An interexchange telecommunications company may establish credit by demonstrating to the utility any one of the following subdivisions (a) or (b) of this subsection, subject to the provisions of subsection (4) of this section:

(a) Corporate debt rating. The interexchange telecommunications company or, if the interexchange telecommunications company is unable to comply with this provision, its parent or affiliated company, has undertaken to guarantee the payment of all charges incurred by the subscribing interexchange telecommunications company, has a corporate debt rating, according to Standard and Poor's of BBB or higher, or according to Moody's of Baa or higher, with respect to any outstanding general debt obligation; or

(b) When the interexchange telecommunications company has demonstrated to the utility, through the bimonthly provision of certified financial statements, the following financial criteria:

(i) A positive cash flow from total company operations over the past twelve months.

(ii) A minimum level of net worth at least equivalent to the deposit which would otherwise be required.

(iii) A current ratio (current assets-to-current liabilities) of 1.1 to 1 or a debt-to-equity ratio of 1.8 to 1.

(iv) A minimum accounts receivable turnover ratio (annual sales divided by average accounts receivable) of four over the last twelve months.

(2) Deposit or security requirements. A deposit or security shall be required from an interexchange telecommunications company under the following circumstances:

(a) When the interexchange telecommunications company has failed to establish credit as outlined above.

(b)(i) In any event, a deposit or security shall be required when within the twelve months prior to the application, the interexchange telecommunications company's service has been disconnected for failure to pay amounts owing, when due; when the interexchange telecommunications company has an unpaid balance owing for service from the utility to which application is being made or any other telecommunications company; or when two or more delinquency notices have been served upon the interexchange telecommunications company by any telecommunications company during the twelve months previous to the application for service.

(ii) No delinquency notice based upon any bill or charge which is in dispute, whether prior to or subsequent to the effective date of this rule, shall be considered grounds from requiring a deposit or security.

(c) When an interexchange telecommunications company:

(i) Is initially provided service without a deposit or security on the basis of credit information supplied to the utility which is incorrect or cannot be verified by the

utility and the interexchange telecommunications company would have otherwise been required to make a deposit or security; or

(ii) Has on two or more occasions in the previous twelve months tendered payment of due amounts with checks which have been dishonored; or

(iii) Has given the utility cause to disconnect for nonpayment, but the utility has elected not to disconnect service.

(d) Any new or additional deposit or security required under authority of these rules, except as may be provided for elsewhere in these rules, is due and payable on the sixth business day after written notice of the deposit requirement is mailed to the subscriber, or, if personal service is elected, by 5:00 p.m. of the first business day following notification.

(3) Types of deposit or security. Deposits or security may consist of cash, letters of credit or surety bonds, or any combination thereof.

(4) Amount of deposit or security.

(a) When a deposit or security shall be required by the utility, the deposit or security shall be equal to two months of estimated billings. If past service has been provided, the estimated billing shall be calculated based upon the average monthly billings over the past three months. Such a calculation is subject to revision based upon changes in the average of the past months' billings.

(b) Interexchange telecommunications companies whose billings exceed the estimated amount by ten percent shall be required, upon written or verbal notice to the interexchange telecommunications company, to make payment of either of the following at the interexchange telecommunications company's election, before the close of the next business day following receipt of the notice:

(i) Full payment of the charges specified in said notice; or all charges accrued to the time of payment providing the interexchange telecommunications company has been notified that it is liable for charges in addition to those charges specified in the notice.

(ii) Payment of a new or additional deposit or security in light of the interexchange telecommunications company's actual use based upon an estimated two months billing.

(c) If the notice herein described is mailed, receipt may be presumed on the fourth business day following date of mailing.

(5) Application of deposit or security. When an account of an interexchange telecommunications company is delinquent, the deposit or security may be applied by the utility toward satisfaction of the past due amount before disconnection is effected. Written notice of such application shall be promptly furnished to the interexchange telecommunications company. If an amount of security or deposit is applied toward satisfaction of any past due amount, the utility shall require an additional deposit or security in the amount so applied and, if applicable, payment of any past due amounts still owing after application of the deposit or security. Application of a deposit or security as provided for herein shall not prevent disconnection of service for failure by the interexchange telecommunications company to pay any past due amounts which may remain outstanding. However, the utility may not disconnect service or apply security or deposit on amounts that are in dispute.

(6) Interest on deposits. Interest on deposits shall be in conformance with the guidelines set forth in WAC 480-120-056(7).

(7) Refund of deposit or security. Deposits or security shall be refunded under the following circumstances and in the following form:

(a) Establishment of credit. Any deposit or security shall be refunded whenever the interexchange telecommunications company has established credit as outlined in subsection (1)(a) or (b) of this section.

(b) Termination of service. Upon termination of service, the utility shall return to the interexchange telecommunications company the security or the amount then on deposit plus accrued interest, less any amounts due the utility by the interexchange telecommunications company for service rendered.

(8) Should a larger or new deposit or security be required, the reasons therefor shall be specified in writing to the interexchange telecommunications company. Any requirement for a new or larger deposit or security shall be in conformity with the standards set forth in this rule.

(9) Alternative to deposit or security. An interexchange telecommunications company which does not satisfy the criteria in subsection (1) of this section may choose to pay for services in advance, in which case the requirement for deposit or security will not apply.

(a) Prepayment amount. An interexchange telecommunications company may prepay an initial amount equal to the most recent month's billings. If the interexchange telecommunications company has no billing history, the prepayment amount shall be equal to an estimate made by the utility of those charges that will be incurred by the interexchange telecommunications company in the following month. This amount shall be due on the first business day of the month to which it will apply.

(b) The utility shall hold the interexchange telecommunications company's prepaid amounts in an interest bearing account, which interest shall accrue to the benefit of the interexchange telecommunications company.

(c) Application of prepayment. The utility shall apply funds held in the prepayment account to bills incurred by the interexchange telecommunications company as they are issued during the month.

(d) Adjustments to prepayment amount. If the cumulative amount billed to the interexchange telecommunications company during any month exceeds the amount of prepayment, the interexchange telecommunications company shall, by the fifth business day of the following month, remit to the utility the amount by which the actual billed amount has exceeded the prepaid amount. If the cumulative amount billed is less than the amount of the monthly prepayment, the utility shall by the fifth business day of the following month refund the excess amount, or make appropriate adjustment to the prepayment amount for the current month. If actual billings for any month deviate from the prepaid amount by five percent or more, the prepayment for the ensuing months shall be adjusted to the level of the prior month's billing.

If during any month the interexchange telecommunications company adds additional services estimated to exceed the monthly prepaid amount by more than ten percent, the interexchange telecommunications company shall be required to remit an additional prepayment amount by the fifth business day following receipt of written or oral notice by the utility.

(e) Transition period. An interexchange telecommunications company which elects to pay for services in advance may retire any outstanding obligations prior to the first month in which prepayment is utilized by executing and fulfilling the terms of a promissory note for the retirement of such debt, interest free, in not more than three equal monthly installments. However, the interexchange telecommunications company shall not be required to make arrangements on any amounts in dispute.

(f) Disconnection. If an interexchange telecommunications company which has chosen to pay for services in advance fails to satisfy the obligations under this section, the utility may discontinue service to that interexchange telecommunications company two business days following oral notice of intent to discontinue service.

WSR 92-01-115
PERMANENT RULES
UTILITIES AND TRANSPORTATION COMMISSION

[Order R-353, Docket No. UT-910788—Filed December 18, 1991, 3:00 p.m.]

In the matter of amending WAC 480-120-061 relating to refusal of service.

This action is taken pursuant to Notice No. WSR 91-20-042 filed with the code reviser on September 24, 1991. The rule change hereinafter adopted shall take effect pursuant to RCW 34.05.380(2).

This rule-making proceeding is brought on pursuant to RCW 80.01.040 and is intended administratively to implement these statutes.

This rule-making proceeding is in compliance with the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.05 RCW), the State Register Act (chapter 34.08 RCW), the State Environmental Policy Act of 1971 (chapter 43.21C RCW), and the Regulatory Fairness Act (chapter 19.85 RCW).

Pursuant to Notice No. WSR 91-20-042 the above matter was scheduled for consideration at 9:00 a.m., Wednesday, November 20, 1991, in the Commission's Hearing Room, Second Floor, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, WA, before Chairman Sharon L. Nelson and Commissioners Richard D. Casad and A. J. Pardini.

Under the terms of said notice, interested persons were afforded the opportunity to submit data, views, or arguments to the commission in writing prior to October 28, 1991, and orally at 9:00 a.m., Wednesday, November 20, 1991, in the commission's hearing room above noted. At the November 20, 1991, meeting the commission considered the rule change. No oral comments were received, but written comments were received from Earl C. Kamsky on behalf of Electric Lightwave; Arthur A. Butler on behalf of TRACER; Scott G. Warner on behalf of Diginet Incorporated; Andrew O. Isar on behalf of Telecommunications Marketing Association; Terry Vann on behalf of Washington Independent Telephone Association; Jeffrey M. Koontz on behalf of Advanced Telecom Management; and Mark Roellig on behalf of US WEST Communications.

The rule change affects no economic values.

In reviewing the entire record herein, it has been determined that WAC 480-120-061 should be amended to read as set forth in Appendix A shown below and by this reference made a part hereof. WAC 480-120-061 as amended will limit the entitlement to arrange to pay an overdue, unpaid prior obligation over not less than six monthly billing periods to nontelecommunications company applicants or subscribers; and would prohibit local exchange companies from providing service to a nonregistered telecommunications company that intends to use that service to resell telecommunications service within the state of Washington. These amendments would reduce the risk of unpaid obligations to local exchange companies and thus benefit all Washington ratepayers. The language in subsection (7) of WAC 480-120-061 which was noticed to the public has been changed in the following manner: "local exchange company" replaces "telecommunications company" in two places; "entity" is changed to "telecommunications company"; and "for hire, sale, or resale to the general public" has been added in two places.

ORDER

WHEREFORE, IT IS ORDERED That WAC 480-120-061 as set forth in Appendix A, be amended as a rule of the Washington Utilities and Transportation Commission to take effect pursuant to RCW 34.05.380(2).

IT IS FURTHER ORDERED That the order and the annexed rule, after first being recorded in the order register of the Washington Utilities and Transportation Commission, shall be forwarded to the code reviser for filing pursuant to chapter 34.05 RCW and chapter 1-21 WAC.

DATED at Olympia, Washington, this 13th day of December, 1991.

Washington Utilities and Transportation Commission
Sharon L. Nelson, Chairman
Richard D. Casad, Commissioner
A. J. Pardini, Commissioner

APPENDIX "A"

AMENDATORY SECTION (Amending Order R-233, Cause No. U-85-35, filed 8/23/85)

WAC 480-120-061 REFUSAL OF SERVICE. (1) The utility may refuse to connect with or render service to an applicant for service when such service will adversely affect the service to other existing customers, or where the applicant has not complied with state, county,

or municipal codes and/or regulations concerning the rendition of such service.

(2) A utility may refuse to serve an applicant for service or a subscriber if, in its judgment, the installation is considered hazardous or of such nature that satisfactory service cannot be given.

(3) A utility shall not be required to connect with or render service to an applicant unless and until it can secure all necessary rights-of-way, easements, and permits.

(4) A utility may deny service to an applicant or subscriber because of an overdue, unpaid prior obligation to the same utility for the same class of service at the same or different location until the obligation is paid or satisfactory arrangements are made: PROVIDED, That an overdue or unpaid obligation to an information provider shall not be grounds for denial of service. ((~~An applicant or subscriber~~)) A nontelecommunication company applicant for service shall only on an initial occurrence be entitled as a matter of right to arrange to pay an overdue, unpaid prior obligation over not less than six monthly billing periods. If an applicant or subscriber defaults on a payment agreement such default shall constitute grounds for discontinuance of service under the provisions of WAC 480-120-081 (2)(a). A utility may offer a payment agreement at any time if deemed to be appropriate by the utility.

(5) A utility may deny service to an applicant or subscriber for service at an address where a former subscriber is known to reside and has an overdue, unpaid prior obligation to the same utility for the same class of service at that address until the obligation is paid or satisfactory arrangements are made.

(6) A utility may deny installation or continuation of service to any applicant or subscriber who is shown to have obtained or retained service from the company by fraudulent means, including but not limited to false statements of credit references or employment; false statement of premises address; use of an alias or false name with intent to deceive; rotation of service among roommates or persons living together for the purpose of avoiding the debts of one or more of said persons, or any other similar fraudulent devices.

(7) A local exchange company shall deny service to a nonregistered telecommunications company that intends to use the service requested to provide telecommunications for hire, sale, or resale to the general public within the state of Washington. Any telecommunications company requesting service from a local exchange company shall state in writing whether the service is intended to be used for intrastate telecommunications for hire, sale, or resale to the general public.

WSR 92-01-116
PERMANENT RULES
UTILITIES AND TRANSPORTATION COMMISSION

[Order R-355, Docket No. TV-900483—Filed December 18, 1991, 3:05 p.m.]

In the matter of adopting WAC 480-12-083 and amending WAC 480-12-165, 480-12-180, 480-12-190, and 480-12-195 relating to motor carriers.

This action is taken pursuant to Notice No. WSR 91-21-109 filed with the code reviser on October 22, 1991. The rule change hereinafter adopted shall take effect pursuant to RCW 34.05.380(2).

This rule-making proceeding is brought on pursuant to RCW 80.01.040 and is intended administratively to implement that statute.

This rule-making proceeding is in compliance with the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.05 RCW), the State Register Act (chapter 34.08 RCW), the State Environmental Policy Act of 1971 (chapter 43.21C RCW), and the Regulatory Fairness Act (chapter 19.85 RCW).

Pursuant to Notice No. WSR 91-21-109 the above matter was scheduled for consideration at 9:00 a.m., Wednesday, November 27, 1991, in the Commission's Hearing Room, Second Floor, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, WA, before Chairman Sharon L. Nelson and Commissioners Richard D. Casad and A. J. Pardini.

Under the terms of said notice, interested persons were afforded the opportunity to submit data, views, or arguments to the commission in writing prior to November 18, 1991, and orally at 9:00 a.m., Wednesday, November 27, 1991, in the commission's hearing room above noted.

At the November 27, 1991, meeting the commission considered the rule change proposal. No written or oral comments were received.

The rule change affects no economic values.

In reviewing the entire record herein, it has been determined that WAC 480-12-083, 480-12-165, 480-12-180, 480-12-190, and 480-12-195 should be adopted and amended to read as set forth in Appendix A shown below and by this reference made a part hereof. Various federal rules and regulations have been adopted by the commission relating to driver qualifications, hours of service, vehicle equipment, and safety. Date references to those federal rules and regulations have been removed from various sections of the chapters of WAC regulating that industry in favor of a date reference in a single section of chapter 480-12 WAC. The commission's adoption of the amendment to WAC 480-12-190 varies in content from that noticed under WSR 91-21-109 in that instead of entirely deleting subsection (4)(c), it now reads: Carriers operating exclusively in intrastate commerce operating vehicles with a manufacturer's gross vehicle weight rating (GVWR) of less than ten thousand pounds shall not be subject to the provisions of Part 395 unless the vehicle is being used to transport hazardous materials of a type or quantity that requires the vehicle

to be marked or placarded in accordance with WAC 480-12-195.

ORDER

WHEREFORE, IT IS ORDERED That WAC 480-12-083, 480-12-165, 480-12-180, 480-12-190, and 480-12-195 as set forth in Appendix A, be adopted and amended as rules of the Washington Utilities and Transportation Commission to take effect pursuant to RCW 34.05.380(2).

IT IS FURTHER ORDERED That the order be forwarded to the code reviser for filing and recorded in the order register of the Washington Utilities and Transportation Commission pursuant to chapter 34.05 RCW and chapter 1-21 WAC.

DATED at Olympia, Washington, this 13th day of December, 1991.

Washington Utilities and Transportation Commission
Sharon L. Nelson, Chairman
Richard D. Casad, Commissioner
A. J. Pardini, Commissioner

APPENDIX "A"

NEW SECTION

WAC 480-12-083 ADOPTION BY REFERENCE DEFINED. Where referred to in this chapter, the following definitions shall apply:

(1) "North American Uniform Out-of-Service Criteria" shall be that in effect on February 15, 1991.

(2) "Title 49 Code of Federal Regulations" shall be the rules and regulations as well as and including all appendices and amendments in effect on May 1, 1991.

AMENDATORY SECTION (Amending Order R-315, Docket No. TV-2285, filed 2/27/90, effective 3/30/90)

WAC 480-12-165 EQUIPMENT—INSPECTION—ORDERED FOR REPAIRS. (1) All motor vehicles operated under chapter 81.80 RCW shall be maintained in a safe and sanitary condition. They shall at all times be subject to inspection by the commission and its duly authorized representatives who shall have power to order out of service any vehicle meeting the standards set forth in this rule, or is not being operated in compliance with state laws in regard to equipment or method.

(2) Equipment standards. The purpose of this section is to identify critical vehicle inspection items and provide criteria for placing a vehicle(s) in an out-of-service or restricted service category subsequent to a safety inspection. The criteria for out-of-service condition and restricted service condition are those defined in the North American Uniform Out-Of-Service Criteria((~~, in effect on February 15, 1989~~)). Copies of this document are available from the commission upon request.

(a) Out-of-service condition. When any vehicle(s) is in out-of-service condition, no motor carrier shall require nor shall any person operate such motor vehicle declared and marked "out-of-service" until all required repairs have been satisfactorily completed.

(b) Restricted service condition. Any motor vehicle(s) discovered to be in a restricted service condition, while being operated on the highway, may be placed out-of-service at the inspection site or allowed to continue in operation to a repair facility at a distance not to exceed twenty-five miles, at the discretion of the inspector.

AMENDATORY SECTION (Amending Order R-315, Docket No. TV-2285, filed 2/27/90, effective 3/30/90)

WAC 480-12-180 EQUIPMENT—DRIVERS—SAFETY. In addition to other laws and regulations of this state, all motor vehicles operating under chapter 81.80 RCW shall comply with the following:

(1) Adoption of United States Department of Transportation motor carrier safety regulations. The rules and regulations governing motor carrier safety prescribed by the United States Department of Transportation in Title 49, Code of Federal Regulations, part 392((~~, excluding section 392.2 and paragraph (c) of section 392.1~~)); part 393((~~, excluding paragraph (b) of section 393.1~~)); part 396((~~, except that with respect to section 396.11 no driver vehicle inspection report need be filed if no defects are found, and excluding paragraph (b) of section 396.1~~)); part 397((~~, excluding section 397.21 and paragraph (c) of section 397.1~~)); as well as and including all appendices and amendments thereto ((~~in effect on October 1, 1988,~~)) are adopted and prescribed by the commission to be observed by all common, contract, and registered carriers operating under chapter 81.80 RCW. Exceptions: Carriers operating exclusively in intrastate commerce are not subject to provisions of 49 C.F.R., Parts 392.2, 396.17, 396.19, 396.21, 396.23, 396.25, and with respect to 49 C.F.R., Part 396.11, no driver vehicle inspection report need be filed if no defects are found.

(2) Whenever the designations "director, ((~~bureau~~)) office of motor carrier safety," "director, regional motor carrier safety office," "regional highway administrator," and "federal highway administration" are used in the respective parts of Title 49, Code of Federal Regulations, as described in subsection (1) of this section, such designations for the purpose of this rule shall mean the "Washington utilities and transportation commission."

(3) Safety chains or other load fastening devices. Any motor truck, truck tractor, trailer, semitrailer, or any combination thereof, transporting logs upon a public highway where binder devices are required, shall have the load thereon securely fastened and protected as follows:

(a) Placement and number of wrappers required on log trucks using stakes.

(i) In the hauling of one log loads, one wrapper chain or cable shall be required and it shall be secured to the rear bunk and the log shall be properly blocked or secured in a manner which will prevent it from rolling or shifting. An additional wrapper, secured to the front bunk, is optional.

(ii) In the hauling of two log loads, not less than two wrapper chains or cables shall be used to secure the load. The logs shall be properly blocked to prevent them from rolling or shifting.

(iii) On loads consisting of three or four logs not over forty-four feet in length, the load shall be secured by not less than two properly spaced wrapper chains or cables. Ends of short logs not secured by such wrappers shall be

secured with extra wrappers. If any log is over forty-four feet in length, the load shall be secured by not less than three properly spaced wrappers.

(iv) Loads consisting of five or more logs, when the logs are all seventeen feet or less in length, shall be secured by not less than two properly spaced wrappers. Loads consisting of five or more logs, when any log is over seventeen feet in length, shall be secured by not less than three properly spaced wrappers.

(b) Placement and number of wrappers required on log trucks using chock blocks.

(i) In the hauling of one log load, one wrapper chain or cable shall be required and secured to the rear bunk and the log shall be properly blocked in a manner to prevent it from rolling or shifting.

(ii) One additional wrapper chain or cable shall be required on log trucks using chock blocks over and above the requirements in subparagraphs (a)(iii) and (iv) of this subsection.

(c) Placement and number of wrappers required on crosswise loaded trucks, trailers, etc. In the case of short logs loaded crosswise, the following method of securing the load shall be used if the truck trailer is not provided with solid ends of a height sufficient to prevent any log in the load from rolling off: Not less than two chock blocks shall be used at each open end of the vehicle and the load shall be held with at least two wrapper chains or cables. The wrappers shall be firmly attached to the end of the truck or trailer. Rigid standards or stakes may be used in lieu of chock blocks but each such standard or stake shall be either rigidly connected to the bed of the truck or trailer or shall be placed in a tight fitting socket at least twelve inches in depth. Other means furnishing equivalent security may be acceptable.

(d) Wrapper placement. When two wrappers are required, they shall be applied within six feet of the front and rear bunks. When more than two wrappers are required, the front and back binder shall be applied within six feet of the front and rear bunks.

(e) Short logs. To properly secure short logs, binders shall be placed near the end, not less than twelve inches from the end of the log.

(f) Log on top or in outside saddle. No log loaded on top or in outside saddles of a load shall be transported unless secured by not less than two wrapper chains or cables, one of which shall be placed near each end of such log.

(g) Fasten in place. All wrappers and binders shall be fastened in place prior to tightening to prevent the displacement of logs on the top of the load.

(h) Surround load. All wrapper chains or cables, except in the case of one log loads, shall entirely surround the load. This does not apply to gut-wrappers.

(i) Gut-wrappers. Gut-wrappers, when used, shall be adjusted so as to be tightened by, but not carry the weight of the logs above them.

(j) Wrappers and binders to be placed before leaving immediate loading area. Wrappers and binders shall be placed and tightened around the completed load before the truck leaves the immediate loading area.

(k) Construction of wrappers and binders. Wrapper chains or cables, binders, fasteners, or attachments thereof, used for any purpose as required by these standards, shall have a minimum breaking strength of not less than fifteen thousand pounds and shall be rigged so that it can be safely released.

(l) Bundle straps or banding. For the purposes of this standard, applied bundle straps or banding are not acceptable as wrappers and binders.

(m) Loose ends secured. All loose ends of wrapper chains or cables shall be securely fastened so as to prevent their swinging free in a manner that will create a hazard.

(n) Trucks in sorting yards. Trucks and trailers used around sorting yards, etc., which travel at slow speeds, will not be required to use wrappers providing all logs are contained by and lie below the height of the stakes and there are no persons on the ground exposed to such traffic.

(o) Binder hook design. Binders for securing wrappers on logging trucks shall be fitted with hooks of proper size and design for the wrapper chain being used.

(p) Defective wrappers. Wrappers shall be removed from service when any of the following conditions exist:

(i) Excessively worn links on chains;

(ii) Deformed or stretched chain links;

(iii) Cracked chain links;

(iv) Frayed, stranded, knotted, or otherwise defective wire rope.

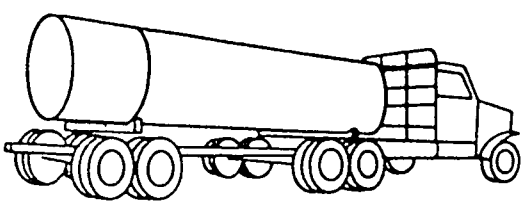
(q) Binder extensions. Pipe extension handles (swedes) for tightening or securing binders shall be limited to not longer than thirty-six inches. Care shall be taken that a sufficient amount of the pipe extends over the binder handle.

(r) Defective binders. Defective binders shall be immediately removed from service.

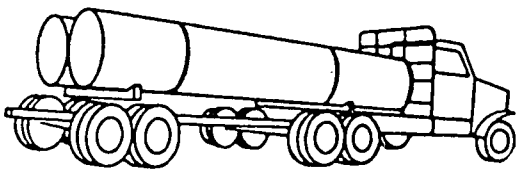
Note: See the following Diagrams I and II for illustrations of placement and number of load fastening devices.

PLACEMENT AND NUMBER OF WRAPPERS

One log load



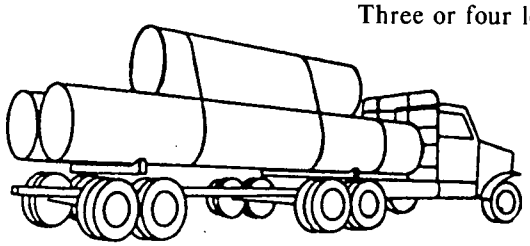
One wrapper required which shall be secured to the rear bunk. Log shall be blocked or secured in a manner to prevent it from rolling or shifting. A second wrapper secured to the front bunk is optional.



Two log load

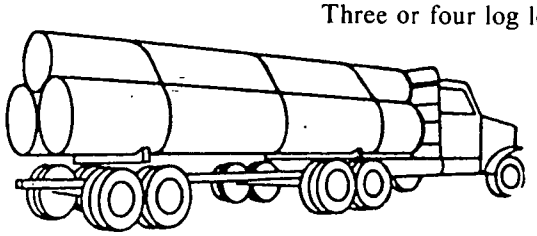
A minimum of two wrappers required. Logs shall be blocked to prevent them from rolling or shifting.

Three or four log load forty–four feet or less



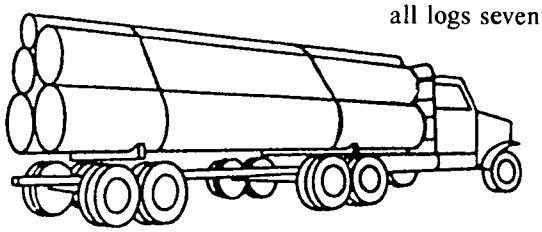
A minimum of two wrappers required.

Three or four log loads more than forty–four feet



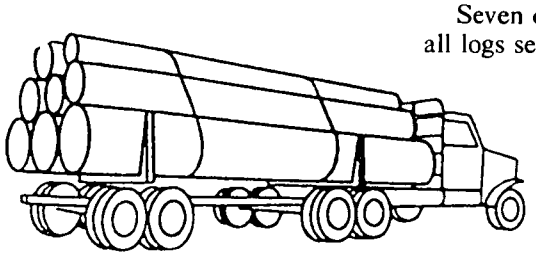
A minimum of three wrappers required.

Five or six log load
all logs seventeen feet or less



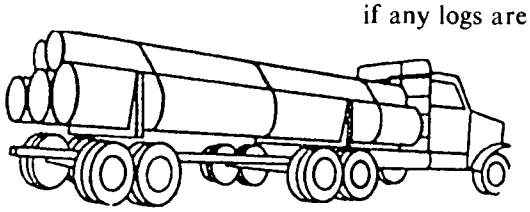
A minimum of two wrappers required.

Seven or more log load
all logs seventeen feet or less



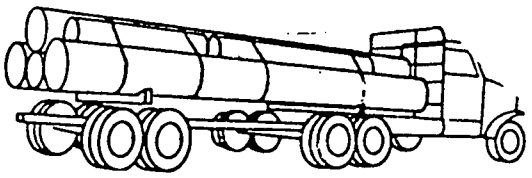
A minimum of two wrappers required.

Five or more log load
if any logs are more than seventeen feet



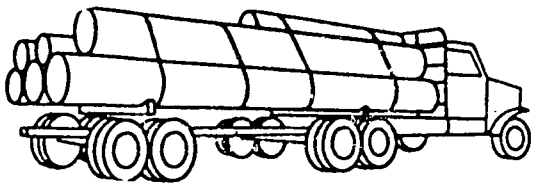
A minimum of three wrappers required.

Outside logs or top logs



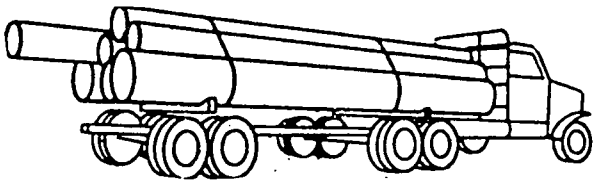
All outside or top logs shall be secured by a binder near but not within 12 inches of each end.

A wrapper shall be near each bunk



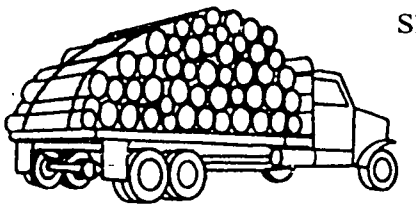
Each load shall be secured by having a wrapper within 6 feet of each bunk except on one log loads.

Proper support for logs



Not more than approximately one-third the weight of any log shall extend beyond the end of the logs or bunk supporting it.

Short logs loaded crosswise



A minimum of two wrappers are required and two chocks or stakes shall be used on the open end of the truck.

Note: All loads of logs on logging trucks equipped with chock blocks instead of stakes, shall have at least one additional wrapper over and above the requirements for trucks equipped with stakes, excepting on one and two log loads and trucks with short logs loaded crosswise.

(4) Approved load fastening devices. The following binder devices are hereby approved for purposes of transporting logs as referred to in subsection (3) of this section, provided that they meet a breaking strength of at least fifteen thousand pounds:

(a) Three-eighths inch high-test steel chain;

(b) One-half inch diameter steel cable; and

(c) Steel strapping not less than two inches by fifty one-thousandths inches in dimension.

(5) Anti-spray devices. Every vehicle shall be equipped with a device adequate to effectively reduce the wheel spray or splash of water from the roadway to the rear thereof. All such devices shall be as wide as the tires behind which they are mounted and extend downward at least to the center of the axle.

(6) Qualifications of drivers. Adoption of United States Department of Transportation motor carrier safety regulations. The rules and regulations governing qualifications of drivers prescribed by the United States Department of Transportation in Title 49, Code of Federal Regulations, part 383((;)) and part ((~~391, excluding paragraphs (a) and (b) of section 391.2, section 391.49, section 391.69, subparagraph (2) of paragraph 391.71(a), and subparagraph (4) of paragraph 391.71(b);~~)) 391.1 through 391.71, as well as and including all appendices and amendments thereto ((~~in effect on October 1, 1988~~)), are adopted and prescribed by the commission to be observed by all common, contract, and registered carriers operating under chapter 81.80 RCW except for carriers operating exclusively in intrastate commerce:

(a) The minimum age requirement for drivers prescribed in subparagraph (1) of paragraph 391.11(b) shall be eighteen years of age.

(b) With respect to the limited exemption prescribed in section 391.61, the time period identified therein shall be the period of time prior to October 20, 1979.

(c) With respect to the limited exemptions prescribed in sections 391.65 and 391.71, the time periods identified in these sections shall have as a starting date October 20, 1979.

(d) Sections 391.21, 391.23, 391.25, 391.27, 391.31, 391.33, 391.35, and 391.37 shall not apply to a single

vehicle owner driver when operating under its own permit.

(e) Section 391.49 shall not apply when a driver has obtained from the department of licensing the proper drivers license endorsement and restrictions (if any) for the operation of the motor vehicle the person is driving.

(f) The provisions of paragraphs (a) and (b) of section 391.2, section 391.69, subparagraph (2) of paragraph 391.71(a), and subparagraph (4) of paragraph 391.71(b) shall not apply.

(g) Carriers operating vehicles with a manufacturer's gross vehicle weight rating (GVWR) of less than ten thousand pounds shall not be subject to the provisions of Part 391 unless the vehicle is being used to transport hazardous materials of a type or quantity that requires the vehicle to be marked or placarded in accordance with WAC 480-12-195.

(7) Out-of-service criteria. All drivers operating motor vehicles under chapter 81.80 RCW shall do so in compliance with the safety rules and regulations defined therein. Duly authorized personnel of the commission shall have the power to order out-of-service any driver found to be operating in violation of those rules and regulations. The criteria for conditions under which a driver may be ordered out-of-service are those defined in the North American Uniform Out-Of-Service Criteria((~~, in effect on February 15, 1989~~)). Copies of this document are available from the commission upon request.

(8) Whenever the designation "director, ((~~bureau~~)) office of motor carrier safety" is used in the respective parts of Title 49, Code of Federal Regulations, as described in subsection (6) of this section, such designation for the purpose of this rule shall mean the "Washington utilities and transportation commission," located in Olympia, Washington.

((~~(9) Whenever the term "lightweight vehicle" is used in this section or is used in rules adopted herein by reference, such term shall mean a motor vehicle that:~~

~~(a) Was manufactured on or after January 1, 1972, and has a manufacturer's gross vehicle weight rating of ten thousand pounds or less, in the case of a single vehicle, or a manufacturer's gross combination weight rating of ten thousand pounds or less, in the case of an articulated vehicle; or~~

~~(b) Was manufactured before January 1, 1972, and has a gross weight, including its load and the gross weight of any vehicle being towed by the motor vehicle, of ten thousand pounds or less, except:~~

~~(c) The term "lightweight vehicle" does not include a vehicle that is being used to transport hazardous materials of a type or quantity that requires the vehicle to be marked or placarded in accordance with WAC 480-12-195.~~))

AMENDATORY SECTION (Amending Order R-295, Cause No. TV-2225, filed 2/23/89)

WAC 480-12-190 HOURS OF SERVICE—ON DUTY—ADOPTION OF FEDERAL SAFETY REGULATIONS. The rules and regulations adopted by the United States Department of Transportation in Title 49, Code of Federal Regulations, Part 395((~~, as well as and including all appendices and amendments thereto in effect on October 1, 1988,~~)) are adopted and prescribed by the commission to be observed by all common, contract, and registered carriers operating under chapter 81.80 RCW, except:

(1) A driver who is driving a motor vehicle in the hauling of logs from the point of production or in dump truck operations, exclusively in intrastate commerce, shall not drive nor be permitted to drive more than twelve hours following eight consecutive hours off duty. Such driver shall not be on duty nor be permitted to be on duty more than ninety hours in any period of seven consecutive days.

(2) A driver who is driving a motor vehicle in the hauling of agricultural products from the point of production on farms, exclusively in intrastate commerce, shall not drive nor be permitted to drive more than twelve hours following eight consecutive hours off duty. Such driver shall not be on duty nor be permitted to be on duty more than ninety hours in any period of seven consecutive days.

(3) The rules and regulations governing driver's daily logs prescribed in Title 49, Code of Federal Regulations, section 395.8 and adopted in this section, do not apply to a driver who drives exclusively in intrastate commerce and wholly within a radius of one hundred miles of the terminal or garage at which he or she reports for work, if the motor carrier who employs the driver maintains and retains for a period of one year accurate and true records showing the total number of hours of driving time and the time that the driver is on duty each day and the time at which the driver reports for, and is released from, duty each day. A tacograph showing the required driver hourly information may be substituted for the required records.

(4) ((~~Whenever the term "lightweight vehicle" is used in Title 49, Code of Federal Regulations, Part 395, adopted in this section, such term shall mean a motor vehicle that:~~

~~(a) Was manufactured on or after January 1, 1972, and has a manufacturer's gross vehicle weight rating of ten thousand pounds or less, in the case of a single vehicle, or a manufacturer's gross combination weight rating of ten thousand pounds or less, in the case of an articulated vehicle; or~~

~~(b) Was manufactured before January 1, 1972, and has a gross weight, including its load and the gross weight of any vehicle being towed by the motor vehicle, of ten thousand pounds or less, except:~~

~~(c) The term "lightweight vehicle" does not include a vehicle that~~)) Carriers operating exclusively in intrastate commerce operating vehicles with a manufacturer's gross vehicle weight rating (GVWR) of less than ten thousand pounds shall not be subject to the provisions of Part 395 unless the vehicle is being used to transport hazardous materials of a type or quantity that requires the vehicle to be marked or placarded in accordance with WAC 480-12-195.

AMENDATORY SECTION (Amending Order R-315, Docket No. TV-2285, filed 2/27/90, effective 3/30/90)

WAC 480-12-195 HAZARDOUS MATERIALS REGULATIONS. (1) The rules and regulations governing hazardous materials prescribed by the United States Department of Transportation in Title 49, Code of Federal Regulations, Parts 170-189, as well as and including all appendices and amendments thereto, ((~~in effect on October 1, 1988,~~)) are adopted and prescribed by the commission to define hazardous materials for motor vehicle transportation purposes, and to state the precautions that must be observed in storage, packaging, loading, and unloading such materials, and in maintaining, placarding, marking, and certifying motor vehicles and equipment used in transporting such materials, and in the maintenance of shipping papers prepared in conjunction with transporting such materials. The rules and regulations adopted and prescribed by this rule shall be observed by all common, contract, and registered carriers operating in this state.

(2) In addition to any accident reporting requirement now or hereafter prescribed by the commission, every common, contract, and registered carrier operating in this state who reports to the United States Department of Transportation any incidents occurring in this state involving hazardous materials, shall send a copy of any such report to the commission.

(3) Out-of-service criteria.

(a) All motor vehicles operated under chapter 81.80 RCW shall be operated in compliance with the rules and regulations governing the transportation of hazardous materials. They shall at all times be subject to inspection by the commission and its duly authorized representatives who shall have power to order out-of-service any vehicle meeting the standards set forth in this section, or is not being operated in compliance with laws in regard to equipment or method.

(b) Standards. The purpose of this section is to identify critical hazardous materials inspection items and provide criteria for placing a vehicle(s) in an out-of-service or restricted service category subsequent to an inspection. The criteria for out-of-service condition or restricted service condition are those defined in the North American Uniform Out-Of-Service Criteria((~~, in effect on February 15, 1989~~)). Copies of this document are available from the commission upon request.

(i) Out-of-service condition. No motor carrier shall require nor shall any person operate a motor vehicle(s) when an out-of-service condition is found to exist. The vehicle shall not be allowed to continue in operation until the unsafe condition is corrected and the shipment thereon complies with applicable laws, rules, and regulations: PROVIDED, That if safety may be jeopardized by an out-of-service action at the inspection site, the vehicle(s) may be escorted to a safer location.

(ii) Restricted service condition. Vehicles with restricted service conditions shall be placed out-of-service at the inspection site, or at the discretion of the inspector may be allowed to continue in operation to the nearest appropriate repair or correction facility.

WSR 92-01-117
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF NATURAL RESOURCES
(Forest Practices Board)
[Memorandum—December 18, 1991]

The Forest Practices Board will hold regular meetings on the following dates in 1992. Locations will be published before each quarterly meeting.

February 11 (changed from the date specified in WAC 222-08-040)
May 13
August 12
November 12

In addition, special meetings will be held on:

March 13
June 26

Locations of special meetings will also be published before the meetings.

Additional information may be obtained from:

Forest Practices Division
1007 South Washington Street
Mailstop EL-03
Olympia, WA 98504
(206) 753-5315

WSR 92-01-118
RULES COORDINATOR
DEPARTMENT OF NATURAL RESOURCES
(Forest Practices Board)
[Filed December 18, 1991, 3:57 p.m.]

In accordance with RCW 34.05.310(3), the rules coordinator for the Forest Practices Board is Ed Summerfield, Assistant to the Chairman, Forest Practices Board, 1007 South Washington, Mailstop EL-03, Olympia, WA 98504, phone 753-5315 or 234-3515 scan.

Brian Boyle
Commissioner of Public Lands
Chairman, Forest Practices Board
By James A. Stearns
Supervisor

WSR 92-01-119
EMERGENCY RULES
DEPARTMENT OF NATURAL RESOURCES
(Forest Practices Board)
[Filed December 18, 1991, 3:59 p.m., effective December 19, 1991]

Date of Adoption: December 17, 1991.

Purpose: To provide direction for a watershed analysis system to address watershed concerns.

Statutory Authority for Adoption: RCW 76.09.040, 76.09.050, and 34.05.350.

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

Reasons for this Finding: On October 25, 1990, the Snohomish County Superior Court issued a final judgment declaring WAC 222-16-050(1) invalid as it existed on that date. *Snohomish County v. DNR*, No. 89-2-06923-5 (Snohomish Cy. Super. Ct.). On November 14, 1990, the Forest Practices Board adopted an emergency rule to replace the one declared invalid, and adopted a second emergency rule directing the Department of Natural Resources to develop a watershed screening and analysis process (WSR 90-23-041). A revision of that rule was adopted on March 13, 1991, (WSR 91-07-034). On March 15, 1991, the Forest Practices Board filed a request for preproposal comments on permanent rule changes to WAC 222-16-050(1) (WSR 91-07-030). The board established three task forces to develop recommendations for new permanent rule language relating to pesticide use, aesthetics, and wildlife. The task forces reported the results of their work at Forest Practices Board meetings on February 13, 1991, March 13, 1991, May 8, 1991, and June 25, 1991. The task forces have completed preliminary drafts and are continuing to receive comment and input. In addition, the Cumulative Effects Committee of the board is reviewing the watershed screening and analysis process. At its June 25, 1991, meeting the Forest Practices Board incorporated recommendations of the task forces in the new emergency rules. On August 15, 1991, the Forest Practices Board replaced the existing emergency rule (WAC 222-16-045) with a new emergency rule providing direction for a watershed analysis system (WAC 222-16-046). On October 9, 1991, the Forest Practices Board adopted a work plan, subsequently amended on December 17, 1991, which would result in adoption of permanent rules for cumulative effects, including watershed analysis, no later than June 30, 1992.

Effective Date of Rule: December 19, 1991.

December 18, 1991
James A. Stearns
Supervisor
for Brian Boyle
Commissioner of Public Lands

[NEW SECTION]

WAC 222-16-046 WATERSHED ANALYSIS IMPLEMENTATION. The purpose of this rule is to provide direction for a watershed analysis system to address watershed concerns. Water resource inventory areas or sub-basins are the basis for forest practices rules to address watershed concerns. Earliest possible implementation shall be achieved by the following:

(1) the department has presented to the board an operational methodology for prioritizing watershed analysis. Such methodology shall reflect screening and other sources of information.

(2) the department shall develop and present to the board by January 1, 1992, a proposed prototype watershed analysis methodology. The department shall develop this methodology in consultation with the Timber-Fish-Wildlife's Cooperative Monitoring, Evaluation and Research Committee (CMER).

(3) the department shall complete the initial prioritization of watersheds for analysis by March 1, 1992. Such prioritization shall consider existing and potential damage to fish, water, and public capital improvements.

(4) the department shall present to the cumulative effects committee of the board by March 1, 1992 an operational watershed analysis methodology. The department shall develop this methodology in consultation with CMER.

(5) the cumulative effects committee by January 31, 1992, shall develop and recommend to the board for adoption a regulatory system using watershed analysis. Such recommendations shall include the establishment of defined resource goals. Upon adoption of watershed analysis rules by the board the interim guidelines adopted by the board on March 28, 1990 shall expire. The regulatory system should include elements for both conditioning and classification of forest practices. Such a regulatory approach shall consider the following criteria:

(a) use of the best science and management advice available;

(b) use of existing rules and conditioning authorities to the fullest extent possible. Of particular importance is the use of road maintenance and abandonment plans or hazard reduction plans to achieve protection of public resources;

(c) guidance for conditioning, approval, or denial of forest practices applications so as to provide protection of public resources;

(d) responsiveness to regional or local variation;

(e) consistency and certainty in management and regulation in forest practices;

(f) principles of adaptive management;

(g) use of the best available scientific information, expertise, professional judgment, including local expertise, during actual on-the-ground implementation; and

(h) use of information developed during watershed planning processes. Federally recognized tribal fish managers, the departments of fisheries, wildlife, and ecology, and local governments are asked to develop resource objectives and goals.

(6) the cumulative effects committee shall periodically report to the board on progress.

(7) effective September 3, 1991, the department shall condition the size of clearcut harvest applications in the significant rain-on-snow zones where the department determines local evidence of peak flows which have resulted in material damage to public resources. Such conditioning authority shall expire upon completion of watershed analysis in a water resource inventory area or sub-basin.

(8) effective September 3, 1991, the department shall concentrate and exercise its authority in implementing the use of existing road construction, maintenance and abandonment rules where there is evidence of road related damage to public resources.

Cultural resources and wildlife habitat requirements have not been specifically addressed. The board shall continue consultation with the departments of ecology, fisheries, wildlife, natural resources and federally recognized tribes on these resources issue.

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

WSR 92-01-120
PERMANENT RULES
ENERGY OFFICE
[Filed December 19, 1991, 8:35 a.m.]

Date of Adoption: December 19, 1991.

Purpose: Implements the provisions of section 12, chapter 201, Laws of 1991.

Statutory Authority for Adoption: RCW 43.21F.045(12).

Other Authority: Section 12, chapter 201, Laws of 1991.

Pursuant to notice filed as WSR 91-22-098 on November 6, 1991.

Changes Other than Editing from Proposed to Adopted Version: WAC 194-20-020 Definitions, subsection (3) "Life cycle cost analysis (LCCA)" means the method of economic analysis which accounts for the initial cost and the cost of operation of a major facility or its systems over its economic life, see RCW 39.35.030(7). Chapter 39.35 RCW that an LCCA be prepared prior to construction or alteration of a publicly owned or leased facility having twenty-five thousand square feet or more of usual floor space. Subsection (4) "Energy conservation report (ECR)" means the report in which LCCA's are performed for schools, funded in part by the Washington superintendent of public instruction and reviewed by WSEO. The contents of the report and the submission procedures are outlined in the WSEO publication, "Guidelines for Preparing Energy Conservation Reports"; and WAC 194-20-060 Net revenue from transactions for conservation, last paragraph should read "Net revenue received under the authority of this section shall be deposited in a single subaccount if those projects have been identified by the Superintendent of Public Instruction as having received state support from the common school construction fund."

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

December 19, 1991
David W. Sjoding
Assistant Director
Administration and Finance

Chapter 194-20 WAC
ENERGY EFFICIENCY SERVICES ACCOUNT

NEW SECTION

WAC 194-20-010 PURPOSE. This chapter implements the provisions of section 12 and related sections of chapter 201, Laws of 1991, establishing criteria and procedures for setting a fee schedule, establishing working capital requirements, and receiving funds for the energy efficiency services account.

NEW SECTION

WAC 194-20-020 DEFINITIONS. (1) "WSEO" means the Washington state energy office.

(2) "Energy partnerships" means the energy efficiency program that emerges from chapter 201, Laws of 1991, the mission of which is the fulfillment of the requirements of that legislation: To achieve cost-effective conservation in state and school district facilities and to pursue development of cost-effective cogeneration in existing and/or new state facilities.

(3) "Life cycle cost analysis (LCCA)" means the method of economic analysis which accounts for the initial cost and the cost of operation of a major facility or its systems over its economic life. (See RCW 39.35.030(7).) Chapter 39.35 RCW requires that an LCCA be prepared prior to construction or alteration of a publicly owned or leased facility having twenty-five thousand square feet or more of usable floor space.

(4) "Energy conservation report (ECR)" means the report in which LCCA's are performed for schools, funded in part by the Washington superintendent of public instruction and reviewed by WSEO. The contents of the report and the submission procedures are outlined in the WSEO publication, "Guidelines for Preparing Energy Conservation Reports."

(5) "School building energy characteristics report (SBEC)" means the conservation report which communicates compliance with the governing energy code, required for smaller projects not affected by WAC 180-27-075.

(6) "Energy efficiency project" means a project which reduces energy consumption or energy cost, or increases the efficient use of energy. It includes activities, measures, and/or equipment designed to achieve these results.

(7) "Cogeneration project" means a project which results in the sequential generation of two or more forms of energy from a common fuel or energy source.

NEW SECTION

WAC 194-20-030 CRITERIA AND PROCEDURES FOR SETTING FEES. The WSEO will charge fees sufficient to recover the cost of providing services to state agencies and school districts which undertake energy efficiency or cogeneration projects under the energy partnerships program. Recoverable costs include, but are not limited to all necessary costs of providing services directly to client institutions, of monitoring and implementing utility agreements when utilities elect to offer designated services, and of monitoring

agreements with private consultants who provide energy partnerships services. WSEO's fees are based on hourly rates and the billable hours of service providers, and shall include all technical and program costs, and associated administrative costs. Fees are negotiated between WSEO and the institution being served, except for fees to review LCCA's and ECR's.

NEW SECTION

WAC 194-20-040 LIFE CYCLE COST ANALYSIS/ENERGY CONSERVATION REPORT FEES. Fees for LCCA and ECR reviews will be established to recover WSEO's actual costs in conducting the reviews. Annually, these costs will be evaluated and a revised fee schedule will be published, effective July 1 of the year in which it is issued. WSEO's fee for an LCCA or ECR review will not exceed two thousand dollars or one-tenth of one percent of the project's total design and construction cost, whichever is less, unless mutually agreed by the institution and WSEO. No fee is charged for school building energy characteristics report reviews.

WSEO shall annually evaluate whether energy savings resulting from its review of LCCA's and ECR's justify the costs of performing the reviews. WSEO shall make the results of that report available to the public, on request.

NEW SECTION

WAC 194-20-050 RECEIPT OF FUNDS. WSEO requires full payment of its invoices in the form of a check made payable to WSEO or an electronic fund transfer. For LCCA's and ECR's submitted for review, institutions will be invoiced when the review takes place. For all other energy conservation or cogeneration services, institutions will be invoiced on a monthly basis unless other financing arrangements are mutually agreed upon in advance.

NEW SECTION

WAC 194-20-060 NET REVENUE FROM TRANSACTIONS FOR CONSERVATION. In accordance with RCW 39.35C.120, when an energy efficiency project at a state agency or a school district involves a financial transaction with a utility, Bonneville Power Administration, or other entity, and is funded in whole or part with state funds, fifty percent of all net revenue shall be deposited in the energy efficiency services account (RCW 39.35C.120(4)). Funds received as a result of the net revenue determination as outlined in RCW 39.35C.120(7) can be used for:

(1) Funding energy partnerships services; and

(2) Transfers by the legislature to the state general fund.

Net revenue received under the authority of this section shall be deposited in a single subaccount if those projects have been identified by the superintendent of public instruction as having received state support from the common school construction fund.

NEW SECTION

WAC 194-20-070 NET SAVINGS AND NET REVENUE FROM TRANSACTIONS FOR COGENERATION. In accordance with RCW 39.35C.120, fifty percent of net savings and eighty percent of net revenue generated at state facilities with new cogeneration projects shall be deposited in the energy efficiency services account, and for institutions of higher education, fifty percent of net savings and fifty percent of net revenue from new cogeneration projects will be deposited in the energy efficiency services account; except that no net revenue will be assessed for cogeneration projects in operation as of July 28, 1991. Funds received as a result of the net revenue determination as outlined in RCW 39.35C.120(7) and from net savings will be placed in the energy efficiency services account and can be used for:

(1) Funding energy partnerships services; and

(2) Transfers by the legislature to the state general fund.

NEW SECTION

WAC 194-20-080 WORKING CAPITAL REQUIREMENTS. The WSEO establishes an initial goal of building within the energy efficiency services account a working capital account balance equal to four to five months of operating costs.

WSR 92-01-121
PROPOSED RULES
DEPARTMENT OF AGRICULTURE
[Filed December 19, 1991, 9:50 a.m.]

Original Notice.

Title of Rule: Chapter 16-461 WAC, Movement of fruits and vegetables from area of production.

Purpose: To update and revise the existing rule to more accurately reflect conditions of industry practices.

Statutory Authority for Adoption: Chapter 15.17 RCW.

Statute Being Implemented: Chapter 15.17 RCW.

Summary: Current inspection requirements for named fruits and vegetables are based on movement of these products from the area of production. The proposed rule will require inspection on the products when sold or bartered, deleting the reference to movement from the area of production. The current rule provides a single, inflexible remedy for noncompliance with the regulations. The director of agriculture is required to revoke the packer or shipper's approval to issue certificates of compliance. Such revocation shall be for the current season. The proposed revisions will permit flexibility to include suspension or denial of the approve to issue certificates of compliance.

Reasons Supporting Proposal: Production of fruits and vegetables has expanded greatly over the past several years, both in terms of volume and geographic locations. The term "area of production," (which is the basis of the existing rule), is not defined. Furthermore, "area of production" has little relevance to the purposes for requiring inspection, which are more related to marketing

conditions, quality control, and uniformity of grading for the producers and consuming public. Relative to remedies available to the director for noncompliance, the revisions will allow latitude in dealing with varying situations. Under the existing rules, all violations must be treated in the same manner, regardless of the nature or seriousness of the violation. The penalty may vary considerably for similar infractions, dependent upon the calendar date of the violation and due to the requirement of revocation for the "current season."

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: James R. Archer, Olympia, Washington, (206) 753-5054.

Name of Proponent: Commodity Inspection Division, Washington State Department of Agriculture, governmental.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: The revisions will more adequately respond to current conditions of the fruit and vegetable industry and will clarify requirements.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The rule requires inspection of fresh market apricots, Italian prunes, peaches, cherries, apples, pears, and asparagus. Inspection is also required for processing apples and pears except when entering intrastate commerce. The purpose is to ensure compliance with quality/grade/size standards, labeling, etc. of the regulated products.

Proposal Changes the Following Existing Rules: The existing rule requires inspection on certain fruits and vegetables prior to movement from area of production. The "area of production" is not defined and has been a source of confusion as used within the existing rule. Furthermore, over the past several years, geographic areas of production have continually expanded to the extent that natural boundaries no longer separate these areas, with the possible exception of the Cascade Mountains. The proposal will change the basis for requiring inspections to that which is based on marketing of the product. A definition section has been added that will more clearly define inspection requirements. The proposal deletes the inspection requirements for certified seed potatoes which are now regulated under other rules of the department of agriculture. The proposal also eliminates inspection requirements for processing apples when entering intrastate commerce. Regarding the certificate of compliance, the revisions will permit greater flexibility and latitude to the director in administering the regulations. Since implementation of the certificate of compliance program, there is great expansion in volume of product, number of packing and shipping operations, and duration of shipping seasons. The current rule is inflexible and as a result is inequitable to the packer/shippers utilizing the program. Since the current rule requires revocation for the "current season," similar violations may result in widely varying duration of penalty. Occurring early in the shipping season will result in a much more severe penalty than one which occurs mid to late season. Conversely, a serious infraction in late season will result in a penalty of shorter duration than a minor infraction occurring in early season. The revisions are expected to result in a greater degree of equity and fairness to holder of the certificate of compliance agreement. Other changes are for purposes of compatibility, and are minor in nature.

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

Hearing Location: Best Western Ellensburg Inn, 1700 Canyon Road, Ellensburg, WA 98926, on February 12, 1992, at 10:00 a.m.

Submit Written Comments to: James R. Archer, F&V Program Manager, Washington State Department of Agriculture, P.O. Box 42560, Olympia, WA 98504-2560, by February 12, 1991 [1992].

Date of Intended Adoption: March 4, 1992.

December 19, 1991
J. Allen Stine
Assistant Director
Commodity Inspection

NEW SECTION

WAC 16-461-006 DEFINITIONS. Commercial lot shall mean any number of any type of containers or any quantity in bulk of agricultural products listed in WAC 16-461-010, which are sold or bartered: PROVIDED, That quantities of less than five hundred pounds net weight, when sold by any producer where grown by the producer and sold directly to the ultimate consumer, shall not be considered as a commercial lot.

AMENDATORY SECTION (Amending Order 1788, filed 3/1/83)

WAC 16-461-010 INSPECTION CERTIFICATE AND/OR PERMIT REQUIRED. (1) No person shall ship, transport ((or)), accept for shipment, or ((~~transportation from the area of production~~)) accept delivery of, any commercial lot of the following agricultural products without an inspection and the issuance of a certificate and/or a permit((~~, allowing such shipment or movement by the division of plant industry of the department of agriculture, any of the following agricultural products~~)) by the commodity inspection division of the department of agriculture allowing such shipment, movement or delivery:

(a) Apricots - in closed or open containers for fresh ((~~shipment~~)) market.

(b) Italian prunes - in closed or open containers for fresh ((~~shipment~~)) market.

(c) Peaches - in closed or open containers for fresh ((~~shipment~~)) market.

(d) ((~~Potatoes - in closed or open containers, or bulk, for certified seed.~~

~~(e)~~)) Cherries - in closed or open containers for fresh market: PROVIDED, That no permit shall be issued on cherries infested with live cherry fruit fly larvae.

((~~(f)~~)) (e) Apples - ((~~Pears (summer, fall and winter) -~~)) in closed or open containers((~~, or bulk for shipment~~)) for fresh market: PROVIDED, That ((~~pears for processing entering intrastate commerce will not require a permit for shipment. PROVIDED FURTHER, That~~)) apples ((~~and/or pears~~)) may be shipped or transported if accompanied by a certificate((~~s~~)) of compliance issued by the shipper or packer of apples ((~~and/or pears,~~)) having the approval of the director to issue the certificates of compliance.

(f) Pears - in closed or open containers for fresh market: PROVIDED, That pears may be shipped or transported if accompanied by a certificate of compliance issued by the shipper or packer of pears having the approval of the director to issue the certificates of compliance.

(g) Asparagus - in closed or open containers for fresh ((~~shipment~~)) market: PROVIDED, That asparagus may be shipped or transported if accompanied by certificates of compliance issued by the shipper or packer of the asparagus, having the approval of the director to issue the certificates of compliance.

(h) Apples in containers or bulk, for processing: PROVIDED, That apples for processing may be shipped or transported if accompanied by a certificate of compliance issued by the shipper of apples having the

approval of the director to issue the certificates of compliance: PROVIDED FURTHER, That apples for processing entering intrastate commerce shall not require a permit.

(i) Pears in containers or bulk, for processing: PROVIDED, That pears for processing may be shipped or transported if accompanied by a certificate of compliance issued by the shipper of pears having the approval of the director to issue the certificates of compliance: PROVIDED FURTHER, That pears for processing entering intrastate commerce shall not require a permit.

(2) Exemptions – Fruits and vegetables listed in WAC 16-461-010 shall be exempted from requirements for inspection and issuance of a certificate or permit:

(a) When the product is being transported from the premises where grown or produced to a horticultural facility other than wholesale or retail for the purpose of storing, grading, packing, packaging, labelling, or processing; prior to entering commercial channels for resale;

(b) When transportation is between horticultural facilities other than those facilities which sell at wholesale or retail level, for the purposes set forth in (a) of this subsection.

((~~(2)~~)) (3)(a) Any shipper or packer of apples, apricots, cherries, pears, peaches, prunes, or asparagus may petition the director for authority to issue certificates of compliance for each season. The director may issue certificate of compliance agreements, granting such authority, on such terms and conditions as he may deem appropriate. The authority shall be limited to the issuance of certificates of compliance for apples, apricots, cherries, pears, peaches, prunes, and asparagus under the applicant's direct control or being handled at the shipper's or packer's facilities.

(b) The certificate of compliance shall be issued at time of shipment by the shipper or packer authorized to do so: PROVIDED, That the apples and/or pears and asparagus about to be shipped or transported are in full compliance with the requirements of chapter 15.17 RCW, regulations adopted thereunder and administrative directives of the director: PROVIDED FURTHER, That apricots, cherries, peaches, ((~~or~~)) prunes, or pears about to be shipped or transported are in full compliance with the federal marketing order requiring quality and condition certification and Washington state lot identification or federal-state lot identification.

(c) The director's approval to issue certificates of compliance ((~~shall~~)) may be suspended, revoked, or denied for cause, subject to RCW 34.05.422(3) and that cause shall be the shipper's or packer's failure to comply with the requirements of ((~~paragraph (2)~~)) subsection (3)(b) of ((~~these regulations~~)) this section, or for the shipper's or packer's actions which impede the department's abilities to ascertain full compliance with requirements of chapter 15.17 RCW or rules adopted thereunder, or for violation of the terms of the certificate of compliance agreement. The period of any suspension shall be determined by the director and shall be commensurate with the seriousness of the violation. ((~~The revocation shall be for the current season.~~))

(d) Any shipper or packer whose authority to issue certificates of compliance has been suspended, revoked, or denied by the director shall be subject to those provisions of chapter 15.17 RCW and the regulations requiring the issuance of a shipping permit by the director before apples, apricots, cherries, pears, peaches, prunes, and asparagus may be shipped or transported.

(e) Certificates of compliance shall be on forms approved and issued by the director of agriculture. ((~~Each certificate of compliance shall be stamped with a number assigned to the authorized shipper or packer.~~))

(f) Any shipper or packer authorized to issue certificates of compliance shall deposit with the director of agriculture at the regular base fee equivalent to that charged by the director for a shipping permit, for each certificate of compliance issued by the authorized shipper or packer. The base fees shall be deposited with the director of agriculture in the same manner as fees for shipping permits.

WSR 92-01-122
PERMANENT RULES
DEPARTMENT OF HEALTH
(Board of Dental Examiners)

[Order 228B—Filed December 19, 1991, 10:22 a.m.]

Date of Adoption: December 6, 1991.

Purpose: To make housekeeping changes to update references to agency, WACs, etc. in the Dental Practice Act.

Citation of Existing Rules Affected by this Order: Repealing WAC 246-818-110; and amending WAC 246-818-020, 246-818-060, 246-818-070, 246-818-080, 246-818-090, 246-818-120, and 246-818-130.

Statutory Authority for Adoption: WAC 246-818-020, 246-818-060, 246-818-070, 246-818-090, 246-818-110, 246-818-120, and 246-818-130 is RCW 18-.32.035; and WAC 246-818-080 is RCW 18.32.035 and 70.24.270.

Pursuant to notice filed as WSR 91-21-117 on October 22, 1991.

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

December 6, 1991
Ernest E. Patricelli, DDS
Chairperson

AMENDATORY SECTION (Amending Order 101B, filed 12/6/90, effective 1/31/91)

WAC 246-818-020 EXAMINATION ELIGIBILITY AND APPLICATION. (1) To be eligible for the dental examination, the applicant must be a graduate from a dental school approved by the Washington state board of dental examiners. The board of dental examiners adopts those standards of the American Dental Association's Commission on Accreditation which were relevant to accreditation of dental schools and current in January 1981 and has approved all and only those dental schools which were accredited by the commission as of January 1981. Other dental schools which apply for board approval and which meet these adopted standards to the board's satisfaction will 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 board.

(2) To be eligible for the dental examination the applicant must provide certification of the successful completion of the National Dental Examination Parts I and II.

(3) Applications for the examination may be secured from the state of Washington department of ((~~licensing~~)) health. The application must be completed in every respect, and reach the state of Washington department of ((~~licensing~~)) health at least sixty days prior to the examination.

(4) The only acceptable proof of graduation from an approved dental school is an official transcript from such school, or a verified list of graduating students from the dean of the dental school. The verified list of students will only be acceptable from applicants who have graduated within forty-five days of the examination for which they are applying. An applicant may complete his/her other application requirements and be scheduled for the examination before he/she has graduated, but no applicant will be admitted to the examination unless the official transcript or the verified list from the dean has been received by the department of ((~~licensing~~)) health on or before the first day of the examination.

(5) In case of applicant having previously been in practice, the board requires a sworn statement covering

history of practice for a five-year period immediately preceding application for this examination. This statement must accompany the application when returning it to the department of ((~~licensing~~)) health.

(6) Upon establishing examination eligibility, the department of ((~~licensing~~)) health will mail to each applicant examination forms, instructions and schedule. It is imperative that the applicant bring this information to the examination as it will be used by the board throughout the practical examination.

AMENDATORY SECTION (Amending Order 101B, filed 12/6/90, effective 1/31/91)

WAC 246-818-060 PRACTICAL EXAMINATION REVIEW PROCEDURES. (1) Any candidate who takes the practical examination for licensure as a dentist and does not pass may request informal review by the examining board of his or her examination results. This request must be in writing and must be received by the department within twenty days of the postmark of notification of the examination results. The examining board will not set aside its prior determination unless the candidate shows, by a preponderance of evidence, significant error in examination procedure, or bias, prejudice, or discrimination in the examination process.

(2) The procedure for filing an informal review is as follows:

(a) Contact the department of ((~~licensing~~)) health office in Olympia to request that copies of the score sheets on the failed practical portion of the examination be provided.

(b) The candidate will be provided a form to complete in defense of examination performance. Such form must be returned to the department within fifteen days.

(c) The candidate must specifically identify the challenged portion(s) of the examination and must state the specific reason or reasons why the candidate feels the results of the examination should be changed.

(d) The candidate will be identified only by candidate number for the purpose of this review. Letters of reference, requests for special consideration, or reexamination of the patient will not be considered by the examining board.

(e) The examining board will schedule a closed session meeting to review the examination, score sheets, and form completed by the candidate for the purpose of informal review.

(f) The candidate will be notified in writing of the results.

(3) Any candidate who is not satisfied with the result of the informal examination review may submit a written request for a formal hearing to be held before the examining board, pursuant to the Administrative Procedure Act. Such written request for hearing must be received by the department of ((~~licensing~~)) health within twenty days of the postmark of the notification of the results of the board's informal review of the examination results. The written request must specifically identify the challenged portion(s) of the examination and must state the specific reason(s) why the candidate feels the results of the examination should be changed. The examining board will not set aside its prior determination unless the candidate shows, by a preponderance of evidence, significant error in examination procedure, or bias, prejudice, or discrimination in the examination process.

(4) Before the hearing is scheduled the parties shall attempt by informal means to resolve the following:

(a) The simplification of issues;

(b) Amendments to the candidate's notice identifying the challenged portion(s) of the examination and the statement of the specific reason(s) why the candidate feels the results of the examination should be changed;

(c) The possibility of obtaining stipulations, admission of facts, and documents;

(d) The limitation of the number of expert witnesses;

(e) A schedule for completion of all discovery; and

(f) Such other matters as may aid in the disposition of the proceeding.

If the parties are unable to resolve any of these issues informally, either party shall request a prehearing conference to be held before an administrative law judge or a board member, as decided by the board.

(5) In the event there is a prehearing conference, the administrative law judge or board member shall enter an order which sets forth the actions taken at the conference, the amendments allowed to the pleading, and the agreements made by the parties of their qualified representatives as to any of the matters considered, including the settlement or simplification of issues. The prehearing order limits the issues for hearing to those not disposed of by admissions or agreements. Such order shall control the subsequent course of the proceeding unless modified for good cause by subsequent prehearing order.

(6) Candidates will receive at least twenty days notice of the time and place of the formal hearing. The hearing will be restricted to the specific portion(s) of the examination the candidate has identified as the basis for his or her challenge of the examination results unless amended by a prehearing order. The board will not consider reexamination of the patient. The issues raised by the candidate at the formal hearing shall be limited to those issues raised by the candidate for consideration at the informal review unless amended by a prehearing order.

AMENDATORY SECTION (Amending Order 101B, filed 12/6/90, effective 1/31/91)

WAC 246-818-070 WRITTEN EXAMINATION REVIEW PROCEDURES. (1) Any candidate who takes the written examination phase of the dental examination and does not pass may request informal review by the examining board of his or her examination results. This request must be in writing and must be received by the department within twenty days of the postmark of notification of the examination results. The examining board will not set aside its prior determination unless the candidate shows, by a preponderance of evidence, significant error in examination content or procedure, or bias, prejudice, or discrimination in the examination process.

(2) The procedure for filing an informal review is as follows:

(a) The department of ((~~licensing~~)) health office will schedule in Olympia an appointment to appear personally to review the score sheets on the failed written portion of the examination.

(b) The candidate will be provided a form to complete in the department of ((~~licensing~~)) health office in Olympia in defense of examination performance.

(c) The candidate must specifically identify the challenged portion(s) of the examination and must state the specific reason or reasons why the candidate feels the results of the examination should be changed.

(d) The candidate will be identified only by candidate number for the purpose of this review. Letters of reference or requests for special consideration will not be read or considered by the examining board.

(e) The candidate may not bring in notes, texts, or other individuals except for an attorney, for use while completing the informal review form.

(f) The candidate will not be allowed to take any notes or materials from the office upon leaving.

(g) The examining board will schedule a closed session meeting to review the examination, score sheets and form completed by the candidate for the purpose of informal review.

(h) The candidate will be notified in writing of the results.

(3) Any candidate who is not satisfied with the result of the informal examination review may submit a written request for a formal hearing to be held before the examining board, pursuant to the administrative procedure act. Such written request for hearing must be received by the department of ((~~licensing~~)) health within twenty days of the postmark of the notification of the results of the board's informal review of the examination results. The written request must specifically identify the challenged portion(s) of the examination and must state the specific reason(s) why the candidate feels the results of the examination should be changed. The examining board will not set aside its prior determination unless the candidate shows, by a preponderance of evidence, significant error in examination content or procedure, or bias, prejudice, or discrimination in the examination process.

(4) Before the hearing is scheduled the parties shall attempt by informal means to resolve the following:

(a) The simplification of issues;

(b) Amendments to the candidate's notice identifying the challenged portion(s) of the examination and the statement of the specific reason(s) why the candidate feels the results of the examination should be changed;

(c) The possibility of obtaining stipulations, admission of facts and documents;

(d) The limitation of the number of expert witnesses;

(e) A schedule for completion of all discovery; and,

(f) Such other matters as may aid in the disposition of the proceeding.

If the parties are unable to resolve any of these issues informally, either party shall request a prehearing conference to be held before an administrative law judge or a board member, as decided by the board.

(5) In the event there is a prehearing conference, the administrative law judge or board member shall enter an order which sets forth the actions taken at the conference, the amendments allowed to the pleading and the agreements made by the parties of their qualified representatives as to any of the matters considered, including the settlement or simplification of issues. The prehearing order limits the issues for hearing to those not disposed of by admissions or agreements. Such order shall control the subsequent course of the proceeding unless modified for good cause by subsequent prehearing order.

(6) Candidates will receive at least twenty days notice of the time and place of the formal hearing. The hearing will be restricted to the specific portion(s) of the examination the candidate has identified as the basis for his or her challenge of the examination results unless amended by a prehearing order. The issues raised by the candidate at the formal hearing shall be limited to those issues raised by the candidate for consideration at the informal review unless amended by a prehearing order.

AMENDATORY SECTION (Amending Order 101B, filed 12/6/90, effective 1/31/91)

WAC 246-818-080 APPLICATION FOR LICENSURE—AIDS EDUCATION REQUIREMENTS. (1) Definitions.

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

(b) "Office on AIDS" means that section within the department of ((~~social and~~)) health ((~~services~~)) or any successor department with jurisdiction over public health matters as defined in chapter 70.24 RCW.

(2) Application for licensure. Effective May 1, 1990 persons applying for licensure shall submit, in addition to the other licensure requirements, evidence to show compliance with the education requirements of subsection (3) of this section.

The board will accept courses taken since January 1, 1986 which fulfill the requirements of the hours and topics listed in subsection (3) of this section.

(3) AIDS education and training. Acceptable education and training. The board will accept formal lecture-type education and training that is consistent with the topical outline available from the Office on AIDS. Such education and training shall be a minimum of seven clock hours. As an alternative to formal lectures, the board will also accept education and training obtained through videos and/or self-study materials: PROVIDED, That such videos and/or self-study materials must include a written examination that is graded by the provider of the materials.

All education and training shall include the subjects of prevention, transmission and treatment of AIDS.

(4) Documentation. The applicant shall:

(a) Certify, on forms provided, that the minimum education and training has been completed after January 1, 1986;

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

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

AMENDATORY SECTION (Amending Order 101B, filed 12/6/90, effective 1/31/91)

WAC 246-818-090 GRADUATES OF NONACCREDITED SCHOOLS. The following requirements apply to persons who are graduates of dental schools or colleges not accredited by the American Dental Association Commission on Accreditation.

(1) A person who has issued to him or her a degree of doctor of dental medicine or doctor of dental surgery by a nonaccredited dental school listed by the World Health Organization, or by a nonaccredited dental school approved by the board of examiners, shall be eligible to take the examination given by the board in the theory and practice of the science of dentistry upon furnishing all of the following:

(a) Certified copies of dental school diplomas.

(b) Official dental school transcripts.

(c) Proof of identification by an appropriate governmental agency; provided, however, that alternate arrangements may be made for political refugees.

(d) Effective February 1, 1985, satisfactory evidence of the successful completion of at least two additional predoctoral or postdoctoral academic years of dental school education at a dental school approved pursuant to WAC ((~~308-40-101~~)) 246-818-020(1) and a certification by the dean of that school that the candidate has achieved the same level of didactic and clinical competence as expected of a graduate of that school.

(2) Upon completion of the requirements in subsection (1) of this section, an applicant under this section will be allowed to take the examination pursuant to WAC ((~~308-40-102~~)) 246-818-030 and will be subject to the applicable provisions of WAC ((~~308-40-101~~)) 246-818-020: PROVIDED, HOWEVER, That individuals who had fulfilled the requirements for application prior to the requirement of subsection (1)(d) of this section and who have applied by January 31, 1985, may be allowed one opportunity to pass the clinical (practical) examination in 1985.

AMENDATORY SECTION (Amending Order 101B, filed 12/6/90, effective 1/31/91)

WAC 246-818-120 LICENSURE WITHOUT EXAMINATION FOR DENTISTS—ELIGIBILITY. The Washington board of dental examiners may grant licensure without an examination to dentists licensed in other states who:

(1) Have graduated from an educational program approved by the board of dental examiners; provided that graduates of non-accredited schools must meet the requirements of WAC ((~~308-40-110~~)) 246-818-090.

(2) Have successfully completed Parts I and II of the National Dental Board examination.

(3) Have been issued a license, registration or certificate to practice dentistry, without restrictions, in another state by successful completion of an examination, if the other state's current licensing standards are substantively equivalent to the licensing standards of the state of Washington. The board of dental examiners will determine if the other state's current licensing standards are substantively equivalent to licensing standards in this state, pursuant to WAC ((~~308-40-152~~)) 246-818-140.

(4) Are currently engaged in the practice of dentistry in another state pursuant to WAC ((~~308-40-151~~)) 246-818-130(11).

(5) Have completed the AIDS education requirement defined in WAC ((~~308-40-107~~)) 246-818-080.

(6) Are certified as having been licensed by the state board(s) of dentistry in all the state(s) in which the applicant has held a dental license.

(7) Have completed the jurisprudence requirement as determined by the Washington board of dental examiners.

(8) Participate in a personal interview with the board, if requested by the Washington board of dental examiners.

AMENDATORY SECTION (Amending Order 101B, filed 12/6/90, effective 1/31/91)

WAC 246-818-130 LICENSURE WITHOUT EXAMINATION FOR DENTISTS—APPLICATION PROCEDURE. The applicant is responsible for obtaining and furnishing to the Washington board of dental examiners all materials required by the board to establish eligibility for a license without examination. Any fees for verification of requirements must be paid by the applicant.

A license issued based on the succeeding criteria, may be revoked upon evidence of misinformation or substantial omission.

The following must be submitted to the board:

(1) A completed application for licensure without examination to include the payment of the required application fee. The application must be signed and notarized. All information must be completed and received within 180 days of receipt of the initial application. Only completed applications will be reviewed by the board. Completed applications will be acted on at the next scheduled board meeting; provided that the board may extend application reviews to the following meeting or meetings if required by the number of completed applications or the board's other business.

(2) A statement by the applicant as to whether he/she has been the subject of any disciplinary action in the state(s) of licensure and whether he/she has engaged in unprofessional conduct as defined in RCW 18.130.180.

(3) A statement by the applicant that he/she is not an impaired practitioner as defined in RCW 18.130.170.

(4) A certification by the state board(s) of dentistry (or equivalent authority) that, based on successful completion of an examination, the applicant was issued a license, registration, certificate or privilege to practice dentistry, without restrictions, and whether he/she has been the subject of final or pending disciplinary action.

(5) Documentation to substantiate that standards defined in WAC ((~~308-40-152~~)) 246-818-140 have been met.

(6) A certification from each state or jurisdiction where the applicant holds or has held a license to practice dentistry and whether he/she has been the subject of final or pending disciplinary action.

(7) An official dental school transcript showing the degree and date of graduation. This transcript shall be mailed from the school directly to the board.

(8) The national board scores certified by the Joint Commission on National Dental Examinations.

(9) A current photograph duly identified and attested.

(10) Proof of completion of AIDS education as required by WAC ((~~308-40-107~~)) 246-818-080.

(11) Proof that the applicant is currently engaged in the practice of dentistry in another state, and has been for at least five years, as demonstrated by the following information:

(a) Address of practice location(s);

(b) Length of time at the location(s);

(c) Certification of a minimum of twenty hours per week in dental practice, as defined by RCW 18.32.020;

(d) Malpractice insurance carrier(s) and years when insured;

(e) Federal or state tax numbers;

(f) DEA number if any; and

(g) A copy of the applicant's current dental license.

Dentists serving in the United States federal services as described in RCW 18.32.030(2), for the period of such service, need not provide (a) through (f) ((~~above~~)) of this subsection, but must provide documentation from their commanding officer regarding length of service, duties and responsibilities and a copy of their current license. Such dental service, including service within the state of Washington, shall be credited toward the dental practice requirement.

Dentists employed by a teaching institution, for the period of such dental practice, need not provide (a) through (f) ((~~above~~)) of this subsection, but must provide documentation from the dean or appropriate administrator of the institution regarding the length and terms of employment and their duties and responsibilities, and a copy of their current license. Such dental practice, including practice within the state of Washington, shall be credited toward the dental practice requirement.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 246-818-110 AIDS PREVENTION AND INFORMATION EDUCATION REQUIREMENTS.

WSR 92-01-123
PROPOSED RULES
STATE BOARD OF EDUCATION
[Filed December 19, 1991, 10:42 a.m.]

Original Notice.

Title of Rule: WAC 180-25-031 Special state study and surveys—Additional state assistance.

Purpose: To provide state reimbursement to school districts for direct expenses related to special study activities for the State Board of Education.

Statutory Authority for Adoption: RCW 28A.525.020.

Summary: Provides state reimbursement to school districts for direct expenses related to special study activities for the State Board of Education.

Reasons Supporting Proposal: In order to develop a new priority system as directed by chapter 14, Laws of 1991, and other subsequent special projects, it is necessary for school districts to develop facility and other capital construction data. This rule will provide timely compensation for this unbudgeted and necessary activity.

Name of Agency Personnel Responsible for Drafting: Richard Wilson, Superintendent of Public Instruction, Old Capitol Building, 753-2298; Implementation: David Moberly, Superintendent of Public Instruction, Old Capitol Building, 753-6742; and Enforcement: Michael Roberts, Superintendent of Public Instruction, Old Capitol Building, 753-6729.

Name of Proponent: State Board of Education, government.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See 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: Thurston Room, Educational Service District No. 113, 601 McPhee Road S.W., Olympia, WA 98502, on January 23, 1992, at 9:00 a.m.

Submit Written Comments to: Dr. Monica Schmidt, State Board of Education, P.O. Box 47200, Olympia, WA 98504-7200, by January 22, 1992.

Date of Intended Adoption: January 24, 1992.

December 18, 1991
Dr. Monica Schmidt
Executive Director/Secretary

NEW SECTION

WAC 180-25-031 SPECIAL STATE STUDY AND SURVEYS—ADDITIONAL STATE ASSISTANCE. Each school district that has participated subsequent to October 5, 1991, or hereafter participates, at the request of the state board of education or superintendent of public instruction, in a special state study and survey by developing and providing data above and beyond the data called for by WAC 180-25-025 shall be eligible for state assistance in addition to such state assistance as the school district may be eligible for under WAC 180-25-030. Such additional state assistance shall be based upon the direct costs incurred by a school district for the development of such additional data and shall not exceed ten thousand dollars per school district per special state study and survey.

WSR 92-01-124
PROPOSED RULES
STATE BOARD OF EDUCATION
[Filed December 19, 1991, 10:43 a.m.]

Original Notice.

Title of Rule: WAC 180-16-200 Total program hour offering—Basic skills and work skills requirements—Waiver; and WAC 180-16-205 Classroom teacher contact hours requirement—Waiver.

Purpose: To provide an opportunity for waiver of program hour and classroom teacher contact hour requirements for school districts with a restructuring plan.

Statutory Authority for Adoption: RCW 28A.150.220 and 28A.150.260.

Statute Being Implemented: RCW 28A.150.220 and 28A.150.260.

Summary: Provides opportunity for school districts engaged in restructuring to apply for waiver of the basic education requirements of program hours and classroom teacher contact time.

Reasons Supporting Proposal: This amendment provides a less cumbersome process to permit flexibility while maintaining accountability and requiring community involvement in school restructuring.

Name of Agency Personnel Responsible for Drafting: Richard Wilson, Superintendent of Public Instruction, Old Capitol Building, 753-2298; Implementation: Monica Schmidt, Superintendent of Public Instruction, Old Capitol Building, 753-6715; and Enforcement: Linda Byrnes, Superintendent of Public Instruction, Old Capitol Building, 753-6710.

Name of Proponent: State Board of Education, government.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This rule provides a procedure for school districts engaged in restructuring to apply for a waiver of program hour or classroom teacher contact hour requirements. This streamlined process should permit greater flexibility and encourage more districts to restructure.

Proposal Changes the Following Existing Rules: The changes remove some procedures and add requirements tying request to improved student achievement with evidence of community involvement. Adds a second board meeting where the request can be presented.

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

Hearing Location: Thurston Room, ESD 113, 601 McPhee Road S.W., Olympia, WA, on January 23, 1992, at 9:00 a.m.

Submit Written Comments to: Dr. Monica Schmidt, State Board of Education, P.O. Box 47200, Olympia, WA 98504-7200, by January 21, 1992.

Date of Intended Adoption: January 24, 1992.

December 18, 1991
Dr. Monica Schmidt
Executive Director/Secretary

AMENDATORY SECTION (Amending Order 15-86, filed 10/7/86)

WAC 180-16-200 TOTAL PROGRAM HOUR OFFERING—BASIC SKILLS AND WORK SKILLS REQUIREMENTS—WAIVER. (1) Total program hour offering—Definition.

(a) Each school district shall make available to students enrolled at least a total program hour offering as set forth in subsections (2) through (6) of this section. For the purpose of this section, "total program hour offering" shall mean those hours of sixty minutes each, inclusive of intermissions for class changes, recess and teacher/parent-guardian conferences which are planned and scheduled by the district for purposes of discussing students' educational needs or progress—exclusive of time actually spent for eating lunchtime meals—when students are provided the opportunity to engage in educational activity planned by and under the direction of school district staff, as directed by the administration and board of directors of the district.

For special education/handicapped programs operating in separate facilities in a school district, do not exclude the time actually spent for eating lunchtime meals if that time is specifically identified and utilized as instructional meal training for each student in the program.

(b) Adjustments of program hour offerings between grade level groupings. Any school district may petition the state board of education for a reduction in the total program hour offering requirements for one or more of the grade level groupings specified in subsections (2) through (6) of this section. The state board of education shall grant all such petitions that are accompanied by an assurance that the minimum total program hour offering requirements in one or more other grade level groupings will be exceeded concurrently by no less than the number of hours of the reduction.

(c) Each school district shall make available to students enrolled at least an instructional hour offering as set forth in subsections (3) through (6) of this section. For the purpose of this section, "instructional hour offering" shall mean those hours of sixty minutes each—exclusive of recess time, passing time, total lunch intermission time, and noncountable release time on early dismissal days—when students are provided the opportunity to engage in the basic skills and/or work skills offered by and under the direction of school district staff, as directed by the administration and board of directors of the district.

(d) A school district has "provided the opportunity to engage in" the basic skills and work skills activities required by this section when the district actually conducts basic skills and work skills instruction for students. If a district is not actually conducting the percentage(s) of basic skills and/or work skills required by this section, such district nevertheless shall be deemed to be in compliance with such requirements if such district's instructional time offered to students in basic skills and work skills instruction equals or exceeds the minimum instructional hour requirements in each grade level grouping as specified in subsections (3) through (6) of this section. A school district that makes a reasonable and good faith effort through the first day of the school term to provide students the opportunity to take the section(s) or course(s) necessary to comply with the basic skills and work skills percentages, as specified in subsections (3) through (6) of this section and no student enrolled in such section(s) or course(s), may count that section(s) or course(s) toward the total basic skills and work skills percentages offered to students that term. Each of the basic skills areas specified in subsections (2) through (6) of this section for a particular grade level grouping must be offered each school year to students at one or more of the grade levels within the particular grade level grouping. Instruction in at least one of the following work skills must be offered each school year to students at one or more of the grade levels within each of the grade level groupings specified in subsections (5) and (6) of this section: Industrial arts, home and family life education, business and office education, distributive education, agricultural education, health occupations education, vocational education, trade and industrial education, technical education and career education.

(e) Five percent variation—Basic skills and work skills requirements. A school district may establish minimum course mix percentages that deviate within any grade level grouping by up to five percentage points above or below the minimums established by subsections (3) through (6) of this section, provided the total program hour offering requirement for the grade level grouping is met.

(2) Kindergarten. Each school district shall make available to students in kindergarten at least a total program offering of four hundred fifty hours each school year. The program shall include reading, arithmetic, language skills and such other subjects and activities as the school district shall determine to be appropriate for the education of the school district's students enrolled in such program.

(3) Grades 1 through 3. Each school district shall make available to students in grades one through three at least a total program hour offering of two thousand seven hundred hours each school year. A minimum of ninety-five percent (ninety percent with the five percent variation included, or 2,430 instructional hours) of such total program hour offerings shall be in the instruction of the basic skills areas of reading/language arts (which may include foreign languages), mathematics, social studies, science, music, art, health and physical education. The remaining five percent of the total program hour offerings may include such subjects and activities as the school district shall determine to be appropriate for the education of the school district's students in such grades.

(4) Grades 4 through 6. Each school district shall make available to students in grades four through six at least a total program offering of two thousand nine hundred seventy hours each school year. A minimum of ninety percent (eighty-five percent with the five percent variation included, or 2,524.5 instructional hours) of such total program

hour offerings shall be in the instruction of the basic skills areas of reading/language arts (which may include foreign languages), mathematics, social studies, science, music, art, health and physical education. The remaining ten percent of the total program hour offerings may include such subjects and activities as the school district shall determine to be appropriate for the education of the school district's students in such grades.

(5) Grades 7 through 8. Each school district shall make available to students in grades seven through eight at least a total program hour offering of one thousand nine hundred eighty hours each school year. A minimum of eighty-five percent (eighty percent with the five percent variation included, or 1,584 instructional hours) of such total program hour offerings shall be in the instruction of the basic skills areas of reading/language arts (which may include foreign languages), mathematics, social studies, science, music, art, health and physical education. A minimum of ten percent (five percent with the five percent variation included, or 99 instructional hours) of the total program offerings shall be in the instruction of work skills. The remaining five percent of the total program hour offerings may include such subjects and activities as the school district shall determine to be appropriate for the education of the school district's students in such grades.

(6) Grades 9 through 12.

(a) Each school district shall make available to students in grades nine through twelve at least a total program hour offering of four thousand three hundred twenty hours each school year. A minimum of sixty percent (fifty-five percent with the five percent variation included, or 2,376 instructional hours(((~~f~~))) of such total program hour offerings shall be in the instruction of the basic skills areas of language arts, foreign language, mathematics, social studies, science, music, art, health and physical education. A minimum of twenty percent (fifteen percent with the five percent variation included, or 648 instructional hours) of the total program hour offerings shall be in the instruction of work skills. The remainder of the total program hour offerings may include traffic safety or such subjects and activities as the school district shall determine to be appropriate for the education of the school district's students in such grades: PROVIDED, That, whether or not the five percent deviations in course mix percentages allowed by subsection (2)(d) of this section are applied, not less than four hundred and thirty-two instructional hours (i.e., ten percent of the total program hour requirement) of such remaining instructional hours shall consist of basic skills and/or work skills: PROVIDED, That any program hours and/or instructional hours not achieved due to the implementation of WAC 180-16-215(4) relating to students graduating from high school, shall not be deducted from the total program hours calculated.

(b) Grade nine option. Each school district shall have the option of including grade nine within the program hour offering requirements of grades seven and eight so long as such requirements for grades seven through nine are increased to two thousand nine hundred seventy hours and such requirements for grades ten through twelve are decreased to three thousand two hundred forty hours. Each school district shall state which option is in use when providing compliance documentation to the superintendent of public instruction.

(7) Basis and means for determining compliance with basic skills and work skills percentage requirements.

(a) Each school district shall adopt a written policy and procedure for establishing the basis and means for determining and monitoring compliance with the basic skills and work skills percentages, the course requirements and instructional hour minimums as established by this section. Written documentation of such annual determinations and monitoring activities shall be maintained on file by each school district.

(b) Handicapped education programs, vocational-technical institute programs, state institution, state residential school programs and alternative education programs where students are provided access to the basic skills/work skills offered in the regular program, all of which programs are conducted for the common school age, kindergarten through secondary school program students encompassed by this section, shall be exempt from the basic skills and work skills percentage and course requirements of this section in order that the unique needs, abilities or limitations of such students may be met.

(8) WAIVER OPTION.

(a) A district, desiring to implement a local plan to provide an effective educational system to enhance the educational program for all students, may apply for a waiver from the provisions of subsections (2) through (6) of this section, pertaining to the total program hour offerings requirement and the basic skills/work skills percentages/instructional hours requirement. The state board of education ((~~shall~~)) may grant said waiver ((~~if the district demonstrates the need for the waiver by meeting the procedural criteria as specified in (b) and (c) of this subsection~~)). Approval of district waivers shall occur at the November/December or March state board of education meeting prior to ((~~the school year when~~)) implementation ((~~is to commence. Each approval shall be valid for three school years and may be renewed for additional three-year periods based on the criteria as specified in (d) of this subsection~~)).

(((~~(b) ESTABLISHMENT OF NEED. When a district wishes a deviation from subsections (2) through (6) of this section, it shall create an ad hoc committee to review the proposed deviation(s) as a basis for its inclusion in the local plan. The ad hoc committee shall be comprised of at least one district classroom teacher, one district administrator, one district school board member, one district secondary student and two parents who are not employees of the district. Districts may use an existing committee for this purpose if it includes the same make-up of participating members.~~

~~(i) The ad hoc committee shall meet to develop the local plan to provide an effective educational system to enhance the educational program for all students. The plan cannot benefit only a particular group or grade level in the district, but must apply to all students in the district.~~

~~(ii) The local plan shall identify:~~

~~(A) The basic education program requirements that need to be waived;~~

~~(B) A rationale that addresses the need for waiving the identified basic education program requirements;~~

~~(C) The goals and objectives of the effective educational system; and~~

~~(D) The anticipated results and outcomes of the effective educational system.~~

~~(iii) The ad hoc committee shall give sufficient opportunity to the community, through public notice and open public meetings, to give input into the development of the local plan.~~

~~(iv) The appointed representative of the ad hoc committee shall present the plan to the board of directors, the board shall provide an opportunity for testimony and review, and the board shall then take action on the plan.~~

~~(c)~~)) for school districts or individual schools within a district who submit a plan for restructuring of the educational program that includes:

(i) A description of the relationship between the requested waiver and expected student achievement;

(ii) Specific standards for increased student learning that the district expects to achieve;

(iii) How the higher standards are to be achieved, including timelines for implementation;

(iv) How the district plans to assess achievement;

(v) Evidence that the board of directors, teachers, administrators, and classified employees are committed to working cooperatively in implementing the plan;

(vi) Evidence that opportunities were provided for parents and citizens to be involved in the development of the plan; and

(b) APPLICATION PROCEDURE.

(((~~(i) A district, upon the adoption of a local plan to provide an effective educational system, shall make application to the superintendent of public instruction. Accompanying the application form shall be the local plan documentation that identifies the basic education program requirements to be waived and the rationale, the goals and objectives of the effective educational system, and, the anticipated results and outcomes that the plan will achieve. In addition, evidence of the ad hoc committee meetings and verification of the board of director's adoption of the local plan shall be included in the application process.~~

~~(ii)~~)) The application for a waiver and all supporting documentation must be received by the superintendent of public instruction at least thirty days prior to the November/December or March state board of education meeting((~~, when~~)) where consideration of ((~~all~~)) the waiver((~~s~~)) shall occur. The superintendent of public instruction shall review all applications and supporting documentation to insure the accuracy of the information ((~~and shall recommend approval to the state board of education~~)). In the event that deficiencies are noted in the application or documentation, districts will have the opportunity to make corrections and to seek state board approval at a subsequent meeting.

(((~~(d)~~))) (c) RENEWAL PROCEDURE.

(((~~(i) A school district may renew the state board of educations' approval of a local plan waiver for periods of three school years provided that an application for renewal is submitted to the superintendent of~~

~~public instruction and that said application is accompanied by documentation which establishes a continuing need for the waiver. To establish the continuing need, a school district shall verify that:~~

~~(A) The ad hoc committee, as defined in (b) of this subsection, reconvened to evaluate the success of the previous plan, and that the evaluation involved a thorough analysis of whether the plan's goals and objectives were achieved;~~

~~(B) The ad hoc committee gave sufficient opportunity to the community, through public notice and open public meetings, to provide input into the evaluation process and make recommendations for its continuation;~~

~~(C) The ad hoc committee, based on its evaluation findings and community input, developed a continuing local plan that identifies the basic education program requirements that will need to be waived, the goals/objectives of the plan, and the anticipated results that the plan will have on enhancing the educational program for all students in the district;~~

~~(D) The ad hoc committee presented the evaluation findings from the previous local plan, as well as the continuing plan recommendations to the board of directors;~~

~~(E) The board of directors adopted the recommendations to continue the plan and to apply for a subsequent waiver.~~

~~(ii) The application for renewal and all supporting documentation must be received by the superintendent of public instruction at least thirty days prior to the March state board of education meeting when consideration of waivers and renewals shall occur. A district, desiring to continue a local plan waiver, must submit the application for renewal and all supporting documentation during the last school year of the previously approved three-year period. The superintendent of public instruction shall review all applications for renewal and supporting documentation, shall notify districts of any deficiency in the application or documentation, and shall recommend approval of the continuation to the state board of education. In the event that deficiencies are found in the application or documentation, districts will have the opportunity to make corrections and to seek state board approval at a subsequent meeting.~~)) Waivers granted by the state board of education under this section may be renewed every three years upon the state board of education receiving a renewal request from the school district board of directors. In addition to other evaluation and assessment activities, the school district shall conduct at least one public meeting to evaluate the educational programs that were implemented as a result of the waivers before filing the request. The request to the state board of education shall include information and data regarding the activities and programs implemented as a result of the waivers and a summary of the comments received at the public meeting or meetings.

AMENDATORY SECTION (Amending Order 15-86, filed 10/7/86)

WAC 180-16-205 CLASSROOM TEACHER CONTACT HOURS REQUIREMENT—WAIVER. (1) Contact hours requirement—Definition. The average annual classroom contact hours for each average annual full-time equivalent certificated classroom teacher employed by a school district shall be no less than twenty-five hours per week. For the purpose of this section "classroom contact hours" shall mean those hours a certificated classroom teacher is instructing students in a classroom, exclusive of such time as the teacher spends for preparation, conferences, administrative duties, and any other nonclassroom instruction duties.

(2) Classroom—Definition. For the purpose of this section, "classroom" shall mean those areas or spaces within or without a building, on or off a school campus, that are utilized by a certificated classroom teacher and his/her students for the conduct of planned instructional activities.

(3) Computation of FTE teachers. For the purpose of this section the "average annual full-time equivalent classroom teachers" of a school district shall be the sum of full-time and part-time teachers computed as follows:

(a) Full-time teachers. Each employee who is employed full time for the regular instructional year exclusive of summer school, and who is assigned solely classroom instructional and related duties (e.g., planning periods, parent/teacher conferences, before and after school supervision of students, etc.) pursuant to his/her basic contract shall be counted as one full-time equivalent classroom teacher regardless of his/her actual teaching load. No such employee shall be counted as more than one full-time equivalent classroom teacher: PROVIDED, That in the case of full-time employees of a school district that conducts a year round regular school program who are employed for a term in excess of the equivalent of the regular instructional year for individual students, such excess term of employment shall be counted as a portion of an additional full-time equivalent classroom teacher.

(b) Part-time teachers. Each part-time employee who is assigned classroom instructional duties solely or in part, and each full-time employee who is assigned both classroom instructional duties and nonclassroom related duties (e.g., administrative duties, extracurricular instructional or supervisory duties, etc.) pursuant to his/her basic contract, shall be counted as a fractional full-time equivalent classroom teacher based upon the percentage of time he or she performs duties equivalent to the duties performed by a full-time employee who is assigned solely classroom instructional duties and related duties (e.g., planning periods, parent/teacher conferences, before and after school supervision of students, etc.) pursuant to his/her basic contract.

(4) Computation of annual average classroom contact hour requirement. A school district's compliance with the average annual contact requirement shall be based upon teachers' normally assigned weekly instructional schedules, as assigned by the district administration. Additional recordkeeping by classroom teachers as a means of accounting for contact hours shall not be required.

(a) For each teacher, count the actual number of minutes during the school week when the teacher has regularly scheduled responsibilities for the instruction of students. Teacher instructional contact time for the purposes of this requirement shall be that time between the start of the first regularly scheduled class and the end of the last regularly scheduled class including actual minutes scheduled in all regular classes, laboratories, study halls and the supervision of extended classrooms, work experience, outdoor education and other such programs.

(b) Time spent for lunch intermissions, class changes, recesses, planning/preparation, staff meetings, home visits, conferences, supervision of students in noninstructional activities (lunch duty, playground duty, hall duty, sports programs, student clubs and other activities not requiring student attendance or required for credit), and for specialist teachers (librarian, subject-matter specialist) when the teacher is free from instructional purposes (i.e., released from classroom responsibilities) shall not be countable time for the purpose of computing the teacher's instructional contact. This time is considered valuable and is covered under (e) of this subsection.

(c) The number of average annual full-time equivalent classroom teachers employed by a school district and computed pursuant to subsection (3) of this section shall be divided into the total number of actual contact minutes within a normally scheduled instructional week, pursuant to (a) and (b) of this subsection, that such average annual full-time equivalent classroom teachers are scheduled to be in contact with and instructing students in a classroom (including those hours which would have been accrued but for the implementation of WAC 180-16-215(4) relating to students graduating from high school.

(d) The quotient received by dividing the total number of actual contact minutes per week, for all average annual full-time equivalent classroom teachers in the school district by the number of average annual full-time equivalent classroom teachers shall be called the net average contact minutes per week for the average annual full-time equivalent certificated classroom teacher in the school district.

(e) At the discretion of each school district board of directors, up to two hundred minutes per average annual full-time equivalent classroom teachers for every five school days scheduled for the regular instructional year may be added to the net average contact minutes per week to accommodate for time spent in authorized parent-guardian/teacher conferences, recess, passing time between classes and informal instructional activity.

(f) The quotient received by dividing the net average contact minutes, per week, including up to two hundred minutes to accommodate for time spent in authorized parent-guardian/teacher conferences, recess, passing time between classes and informal instructional activity, by sixty shall be the school district's average annual direct classroom contact hours per week for the average annual full-time equivalent certificated classroom teacher in the school district.

(g) The average annual classroom contact hours per week shall not be less than twenty-five hours per week.

(5) WAIVER OPTION.

(a) In the event that a district develops an educational excellence component(s) which consists of less than the twenty-five hours of average teacher contact and the district determines, but for the inclusion of this component(s), that it would meet the twenty-five hour average teacher contact requirement, the district may apply for a waiver of the inclusion of this component(s) within the calculations. The state board of education ((~~shall~~)) may grant said waiver ((~~if the district demonstrates the need for the waiver by meeting the procedural criteria, as~~

~~specified in (b) and (c) of this subsection~~)). Approval of district waivers shall occur at the November/December or March state board of education meeting prior to ((~~the school year when~~)) implementation ((~~is to commence. Each approval shall be valid for three school years and may be renewed for additional three-year periods based on the criteria as specified in (d) of this subsection.~~

~~(b) ESTABLISHMENT OF NEED. When a district wishes a deviation from the twenty-five hour average teacher contact requirement, it shall create an ad hoc committee to review the proposed deviation as a basis for its inclusion in the local plan. The ad hoc committee shall be comprised of at least one teacher, one district administrator, one district school board member, one district secondary student, and two district parents who are not employees of the district. Districts may use an existing committee for this purpose if it includes the same make-up of participating members.~~

~~(i) The ad hoc committee shall meet to develop the local plan for educational excellence.~~

~~(ii) The local plan shall include:~~

~~(A) A rationale that addresses the need for waiving the twenty-five hour average teacher contact time, that verifies the students' instructional time will not be reduced, and, that explains how the use of the district's teachers is critical to the success of the local plan;~~

~~(B) The goals/objectives of the educational excellence program; and~~

~~(C) The anticipated results/outcomes of the educational excellence program.~~

~~(iii) The ad hoc committee shall give sufficient opportunity to the community, through public notice and open public meetings, to give input into the development of the local plan.~~

~~(iv) The appointed representative of the ad hoc committee shall present the plan to the board of directors, the board shall provide an opportunity for testimony and review, and the board shall then take action on the plan.~~

~~(c)~~)) for school districts or individual schools within a district who submit a plan for restructuring of the educational program that includes:

(i) A description of the relationship between the requested waiver and expected student achievement;

(ii) Specific standards for increased student learning expected to be achieved;

(iii) How the higher standards are to be achieved, including timelines for implementation;

(iv) How the district plans to assess achievement;

(v) Evidence that the board of directors, teachers, administrators, and classified employees are committed to working cooperatively in implementing the plan;

(vi) Evidence that opportunities were provided for parents and citizens to be involved in the development of the plan; and

(b) APPLICATION PROCEDURE.

((~~(i) A district, upon the adoption of a local plan of educational excellence, shall make application to the superintendent of public instruction. Accompanying the application form shall be the local plan documentation that includes the rationale, the goals/objectives of the educational excellence program, and the anticipated results and outcomes that the plan will achieve. In addition, evidence of the ad hoc committee meetings and verification of the board of director's adoption of the local plan shall be included in the application process.~~

~~(ii)~~)) The application for a waiver and all supporting documentation must be received by the superintendent of public instruction at least thirty days prior to the November/December or March state board of education meeting((~~, when~~)) where consideration of ((~~all~~)) the waiver((~~s~~)) shall occur. The superintendent of public instruction shall review all applications and supporting documentation to insure the accuracy of the information ((~~and shall recommend approval to the state board of education~~)). In the event that deficiencies are noted in the application or documentation, districts will have the opportunity to make corrections and to seek state board approval at a subsequent meeting.

(((~~d~~))) (c) RENEWAL PROCEDURES.

((~~(i) A school district may renew the state board of education's approval of a local plan waiver for periods of three school years provided that an application for renewal is submitted to the superintendent of public instruction and that said application is accompanied by documentation which establishes a continuing need for a waiver. To establish the continuing need, a school district shall verify that:~~

~~(A) The ad hoc committee, as defined in (b) of this subsection, reconvened to evaluate the success of the previous plan, and that the evaluation involved a thorough analysis of whether the plan's goals and objectives were achieved;~~

~~(B) The ad hoc committee gave sufficient opportunity to the community, through public notice and open public meetings, to provide input into the evaluation process and make recommendations for its continuation;~~

~~(C) The ad hoc committee, based on its evaluation findings and community input, developed a continuing plan that identifies the need to waive the teacher contact requirement, the goals/objectives for the plan, and the anticipated results that the plan will have on educational excellence in the district;~~

~~(D) The ad hoc committee presented the evaluation findings from the previous local plan, as well as the continuing plan recommendations to the board of directors; and~~

~~(E) The local school board adopted the recommendations to continue the local plan and to apply for a subsequent waiver.~~

~~(ii) The application for renewal and all supporting documentation must be received by the superintendent of public instruction at least thirty days prior to the March state board of education meeting, when consideration of waivers and renewals shall occur. A district, desiring to continue a local plan waiver, must submit the application for renewal and all supporting documentation during the last school year in the previously approved three-year period. The superintendent of public instruction shall review all applications for renewal and supporting documentation, shall notify districts of any deficiency in the application or documentation, and, shall recommend the approval of the continuation to the state board of education. In the event that deficiencies are noted in the application or documentation, districts will have the opportunity to make corrections and to seek state board approval at a subsequent meeting.~~)) Waivers granted by the state board of education under this section may be renewed every three years upon the state board of education receiving a renewal request from the school district board of directors. In addition to other evaluation and assessment activities, the school district shall conduct at least one public meeting to evaluate the educational programs that were implemented as a result of the waivers before filing the request. The request to the state board of education shall include information and data regarding the activities and programs implemented as a result of the waivers and a summary of the comments received at the public meeting or meetings.

WSR 92-01-125
PROPOSED RULES
STATE BOARD OF EDUCATION
[Filed December 19, 1991, 10:45 a.m.]

Original Notice.

Title of Rule: Chapter 180-77 WAC, Vocational certification standards for business and industry.

Purpose: Comply with RCW 28A.410.050(2) which requires that the State Board of Education develop and adopt rules establishing masters degree equivalency standards for vocational instructors performing instructional duties and acquiring professional level certification after August 31, 1992.

Statutory Authority for Adoption: RCW 28A.410.050(2).

Statute Being Implemented: RCW 28A.410.050(2).

Summary: The proposed amendments to chapter 180-77 WAC complies with the RCW 28A.410.050(2) mandate. It provides opportunity to update chapter 180-77 WAC standards for vocational certification of business and industry instructors.

Reasons Supporting Proposal: See above.

Name of Agency Personnel Responsible for Drafting: Rick Wilson, Office of Superintendent of Public Instruction, Old Capitol Building, 753-2298; Implementation:

John Pearson, Office of Superintendent of Public Instruction, Old Capitol Building, 753-1545; and Enforcement: Jay Wood, Office of Superintendent of Public Instruction, Old Capitol Building, 753-2062.

Name of Proponent: State Board of Education, governmental.

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

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

Proposal Changes the Following Existing Rules: WAC 180-77-040 general requirements for vocational certification of instructors from business and industry; WAC 180-77-045 specific requirements for vocational certification of instructors from business and industry; WAC 180-77-050(3) instructors from business and industry renewal requirements; updates WAC 180-77-065 reinstatement requirements for extended absence; new sections WAC 180-77-105 grandfather clause for current vocational business and industry instructors; WAC 180-77-100 part-time vocational certificate for instructors from business and industry; and WAC 180-77-110 vocational instructor certification reciprocity.

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

Hearing Location: Thurston Room, Educational Service District 113, 601 McPhee Road S.W., Olympia, WA 98502, on January 23, 1992, at 9:00 a.m.

Submit Written Comments to: Dr. Monica Schmidt, State Board of Education, P.O. Box 47200, Olympia, WA 98504-7200, by January 22, 1992.

Date of Intended Adoption: January 24, 1992.

December 18, 1991
Dr. Monica Schmidt
Executive Director/Secretary

AMENDATORY SECTION (Amending Order 11-78, filed 9/7/78)

WAC 180-77-040 GENERAL REQUIREMENTS FOR VOCATIONAL CERTIFICATION OF INSTRUCTORS FROM BUSINESS AND INDUSTRY. ((~~Instructors in agriculture, business and office, community resource training program coordinator (CRT), distributive education—cooperative preparatory and preparatory specialist, diversified occupations, home economics related occupations (gainful), industrial co-op education (ICE) and trade and industrial, technical and health occupations must meet the following requirements:~~

~~(1) The requirements for the one-year certificate are as follows:~~

~~(a) Instructors must complete three years of gainful employment in the occupation beyond the learning period, two of which must have been within the past six years or for apprenticeable occupations, the minimum work experience will be equal to the learning period then currently registered with the state department of labor and industries, two years of which must have occurred during the last six years, except distributive education—cooperative preparatory and ICE which require one year in a supervisory or management position in a private business or industry within the six years prior to certification;~~

~~(b) Three quarter credits or the equivalent in the methods/elements of teaching the subject area to be taught prior to teaching;~~

~~(c) Instructors assigned to vocational programs which involve cooperative education methods must complete three quarter credits or the equivalent in instructor-coordinator techniques for cooperative on-the-job instruction, or have equivalent experience as evaluated by the state program director of the program area before employment;~~

~~(d) Instructors are required to meet the general and specific safety and industrial hygiene and first aid requirements.~~

~~(2) The requirements for the three-year certificate are as follows:~~

~~(a) Instructors must have possessed a valid one-year vocational education certificate within the preceding two years;~~

~~(b) Vocational teaching experience of one hundred twenty hours under the previous one-year certificate is required;~~

~~(c) Instructors are required to have a total of nine quarter credits or the equivalent of approved vocational teacher training which must include elements/methods of teaching, occupational analysis and course organization/curriculum development for the program area; except distributive education—preparatory specialist which requires methods of teaching and principles and objectives of vocational education, and ICE which does not require teacher training;~~

~~(d) Instructors must complete three quarter credits or the equivalent of approved vocational teacher training since the last certificate; except distributive education—cooperative preparatory which requires three quarter credits or the equivalent of approved vocational teacher training, which must include a course in methods of teaching or an equivalent course in teaching techniques since the initial one-year certificate;~~

~~(e) Instructors must possess a valid first aid certificate.~~

~~(3) The requirements for the five-year certificate are as follows:~~

~~(a) Instructors must possess a valid three-year vocational certificate within the preceding two years;~~

~~(b) Vocational teaching experience of not less than two years is required during the life of the previous certificate;~~

~~(c) Instructors must complete a total of eighteen quarter credits or the equivalent of approved vocational teacher training which must include courses in:~~

~~(i) Methods/elements of teaching in the program area to be taught;~~

~~(ii) Occupational analysis in the program area;~~

~~(iii) Course organization/curriculum development in the program area;~~

~~(iv) Student leadership development techniques in the program area to be taught;~~

~~(v) Philosophy of vocational education;~~

~~(vi) State board of education prior approved three hundred clock hours of work experience or thirty clock hours of special technical upgrading workshops; except distributive education—cooperative preparatory and ICE which require ninety clock hours of state board of education approved in-service teacher preparation since the three-year certificate;~~

~~(d) Instructors must complete three quarter credits or the equivalent of approved vocational teacher training since the previous certificate; except distributive education—cooperative preparatory which requires six quarter credits or the equivalent of state board of education approved distributive education subjects beyond the three-year certificate requirements;~~

~~(e) Instructors must possess a valid first aid certificate.~~)) Prior to employment in an approved vocational program, a vocational instructor must be qualified to hold a credential in one of the designated program areas of: Agriculture, business, health occupations, trade and industrial occupations, home economics related occupations, marketing, and diversified occupations must meet the following requirements:

(1) To qualify for a credential in one of the program areas, an instructor must provide documentation of one of the following:

(a) Completion of an apprenticeship program receiving journey level according to rules and regulations established by the Washington state apprenticeship and training council.

(b) A valid license by the state of Washington to practice a particular occupation or profession.

(c) An associate degree or diploma issued by a community or technical college, which indicates the completion of a program for the same occupation as the program area credential.

(d) A recommendation by the local vocational education program advisory committee that the candidate possesses required knowledge and skills in a specific occupation which was determined following a review of the candidates credentials.

(2) The requirements for the two-year certificate are as follows:

(a) Each instructor shall have an individual professional growth plan which covers the time interval of the current certificate and which has been developed in consultation with and approved by the vocational director/administrator and/or designee. The plan shall be designed to meet program and instructor needs and be reviewed by the program advisory committee for recommendation. The individual professional growth plan shall list college credit, clock hour credit, gainful industry employment, and internships deemed appropriate to maintain and improve occupational and teaching competencies. The vocational director/administrator and/or designee shall maintain a file of all such plans. Such plans shall be reviewed annually by the vocational director/administrator and/or designee.

(b) Instructors must meet occupational experience as defined in WAC 180-77-003.

(i) The minimum occupational experience is three years (6000 hours) of gainful employment provided that one year (2000 hours) of that experience shall have been within the five years prior to application for the initial certificate.

(ii) Instructors may meet gainful employment requirements in selected occupations through work skill competency performance related to subject area as identified by vocational educators and specialists in the field and by verification of one year (2000 hours) of gainful work experience within the five years prior to application for the initial certificate. The instructors work skill competencies are evaluated by a business and/or industrial employer utilizing the check list of competencies identified for the subject area occupation and be recommended by the local vocational education program advisory committee.

(c) Completion of three quarter credits or 30 clock hours in methods of teaching vocational subjects.

(d) An additional thirty-two quarter credits or 320 clock hours, or a combination thereof of provider approved professional education, professional experience, and/or technical/education upgrading as defined in WAC 180-77-003 (13), (14), and (20). One hundred hours of occupational experience after the minimum requirement as defined in WAC 180-77-003(15) is approved for one-quarter hour of approved teacher training.

(e) Instructors assigned to vocational programs which involve cooperative education methods must complete three quarter credits or 30 clock hours in coordination techniques for cooperative education.

(f) Instructors are required to meet the general safety and industrial hygiene and first aid CPR requirements.

(g) For the purposes of WAC 392-121-245 (4)(a) and 392-121-272 (4)(b) the minimum vocational certification requirements of a person meeting the vocational certification requirements of (a) through (f) of this subsection shall be deemed to have been met when the minimum occupational experience requirement of (b) of this subsection was met.

(3) The requirements for the three-year certificate are as follows:

(a) Each instructor shall have an individual professional growth plan as described in subsection (2)(a) of this section.

(b) Instructors are required to have an additional fifty quarter credits or 500 clock hours, or a combination thereof, of provider approved professional education, professional experience, and/or technical/education upgrading as defined in WAC 180-77-003 (13), (14), and (20) which must include the following courses offered for three quarter credits or 30 clock hours each:

(i) Occupational analysis introduction to competency based curriculum;

(ii) Course organization;

(iii) Philosophy of vocational education;

(iv) Advanced competency based curriculum;

(v) Leadership techniques.

The above course offerings shall include concepts for developing competencies in working with special populations and equity issues. One hundred hours of gainful work experience in the subject area being taught is equivalent to technical upgrade of one quarter credit or 10 clock hours.

(c) Instructors assigned to vocational programs which involve cooperative education methods must complete three quarter credits or 30 clock hours in coordination techniques for cooperative education.

(d) Instructors must possess a valid first aid/CPR certificate.

(4) The three-year certificate may be renewed one time in the following manner:

(a) Each instructor shall have an individual professional growth plan as described in subsection (2)(a) of this section.

(b) Instructors are required to have an additional fifty quarter credits or 500 clock hours or a combination thereof, of provider approved professional education, professional experience, and/or technical/education upgrading as defined in WAC 180-77-003 (13), (14), and (20) since the issuance of the previous three-year certificate.

One hundred hours of gainful work experience in the subject area being taught is equivalent to technical upgrade of one quarter credit or 10 clock hours.

(c) Vocational teaching experience of one year under the previous certificate is required.

(d) Instructors assigned to vocational programs which involve cooperative education methods must complete three quarter credits or 30 clock hours in coordination techniques for cooperative education.

(e) Instructors must possess a valid first aid/CPR certificate.

(5) The requirements for a five-year certificate are as follows:

(a) Each instructor shall have an individual professional growth plan as described in subsection (2)(a) of this section.

(b) Instructors must have completed the requirements for the two-year, three-year, or three-year renewal certificates.

(c) Within the last five years, instructors must have completed additional nine quarter credits or 90 clock hours or a combination thereof, of provider approved professional education, professional experience, and/or technical/education upgrading as defined in WAC 180-77-003 (13), (14), and (20). One hundred hours of gainful work experience in the subject area since the previous certificate is equivalent to technical upgrade of one quarter credit or ten clock hours. A maximum of 600 hours of gainful work experience in the occupation certified may be substituted for six of the nine quarter credits.

(d) Satisfactory completion of the one hundred thirty-five quarter credits and/or equivalency credits for placement on the MA+0 column of the state-wide salary allocation schedule.

(e) Vocational teaching experience of one year under the previous certificate is required.

(f) Instructors assigned to vocational programs which involve cooperative education methods must complete three quarter credits or 30 clock hours in coordination techniques for cooperative education.

(g) Instructors must possess a valid first aid/CPR certificate.

(6) The five-year certificate may be renewed every five years if the following criteria are met.

(a) Each instructor shall have an individual professional growth plan as described in subsection (2)(a) of this section.

(b) Within the last five years, instructors must have completed nine quarter credits or 90 clock hours or a combination thereof, of provider approved professional education, professional experience, and/or technical/education upgrading as defined in WAC 180-77-003 (13), (14), and (20). One hundred hours of gainful work experience in the subject area since the previous certificate is equivalent to technical upgrade of one quarter credit or 10 clock hours. A maximum of 600 hours of gainful work experience in the occupation certified may be substituted for six of the nine quarter credits.

(c) Vocational teaching experience of not less than two years is required during the life of the previous five-year certificate.

(d) Instructors assigned to vocational programs which involve cooperative education methods must complete three quarter credits or 30 clock hours in coordination techniques for cooperative education.

(e) Instructors must possess a valid first aid/CPR certificate.

AMENDATORY SECTION (Amending Order 11-78, filed 9/7/78)

WAC 180-77-045 SPECIFIC REQUIREMENTS FOR VOCATIONAL CERTIFICATION OF INSTRUCTORS FROM BUSINESS AND INDUSTRY. ((~~Those areas having specific requirements in addition to the general vocational requirements for a one-year certificate are as follows:~~

~~(1) Instructors of distributive education—cooperative and preparatory are required to have a course in the objectives, principles and/or philosophy of vocational education and twelve quarter credits or the equivalent of distributive education subjects or equivalent experience as evaluated by the state program director of distributive education;~~

~~(2) ICE instructors are required to have a course in the objectives, principles and/or philosophy of vocational education, a course in occupational analysis and a course in leadership development.~~)) (1) Each instructor shall have an individual professional growth plan which covers the time interval of the current certificate and which has been developed in consultation with and approved by the vocational director/administrator and/or designee. The plan shall be designed to meet program and instructor needs and be reviewed by the program advisory committee for recommendation.

(2) The minimum occupational work experience of 6000 hours shall determine the specific program subject matter that the instructor is qualified to teach.

AMENDATORY SECTION (Amending Order 11-78, filed 9/7/78)

WAC 180-77-050 RENEWAL OF VOCATIONAL CERTIFICATION FOR INSTRUCTORS. Instructors in agriculture, business and office, community resource training program coordinators (CRT), distributive education, distributive education—cooperative preparatory and preparatory specialist, diversified occupations, home and family life (useful), home economics related occupations (gainful), home economics subject matter specialist (useful), home economics subject

matter specialist (gainful), home economics related occupations, industrial co-op education (ICE), and trade and industrial, technical and health occupations must meet the following requirements for certification renewal:

(1) Instructors with a bachelor's degree must meet the following general requirements for certification renewal:

(a) The one-year certificate may be renewed two times;

(b) The three-year certificate may be renewed one time provided the instructor has:

(i) One year of teaching experience in the field certified to teach during the life of the previous certificate; except:

(A) Home and family life (useful), and home economics related occupations (gainful) which do not require teaching experience;

(B) Home economics subject matter specialist (useful and gainful) require vocational teaching experience during the life of the previous certificate in the home economics specialty area or the home economics related occupation.

(ii) Three quarter credits or the equivalent of approved vocational teacher training in the field certified to teach since the initial three-year certificate; except:

Home and family life (useful) and home economics related occupations (gainful) which do not require additional teacher training.

(iii) Instructors must possess a valid first aid certificate.

(c) The five-year certificate may be renewed every five years provided the following conditions are met; except home and family life (useful) and home economics related occupation (gainful):

(i) Two years of professional experience in the field certified to teach during the life of the five-year vocational certificate; except home economics subject matter specialist (useful and gainful) require teaching experience in the home and family life specialty or in the home economics related occupation during the life of the previous certificate;

(ii) Six quarter credits or the equivalent of approved vocational teacher training which may include three quarter credits or the equivalent of technical upgrading or equivalent work experience prior approved by the state board of education since the previous certificate;

(iii) Instructors must possess a valid first aid certificate.

(d) Home and family life (useful) and home economics related occupations (gainful) require the following of the instructors for first renewal of the five-year vocational certificate:

(i) Forty-five quarter credits of state board of education approved professional and technical studies which include at least six quarter credits in home economics subject matter and/or home economics education beyond the requirements for the first five-year certificate; and

(ii) Vocational home and family life education teaching experience during the life of the preceding certificate.

(e) Home and family life (useful) and home economics related occupations (gainful) require the following of the instructors for second and subsequent renewals of the five-year vocational certificate:

(i) Within the five-year period immediately preceding the request for renewal, the instructor must have had teaching experience in home and family life education subjects or in the home economics related occupation (gainful);

(ii) Six quarter credits or the equivalent of professional education, including home economics and/or home economics education; and

(iii) Instructors must possess a valid first aid certificate.

(2) Instructors with a bachelor's degree must meet the following specific requirements in addition to the general requirements for certification renewal:

Those areas having specific requirements for renewal of the one-year certificate are as follows:

(a) Home economics subject matter specialist (useful and gainful) require that the one-year certificate may be renewed two times in the following manner:

(i) Instructors must have a course in principles and objectives of vocational education for the first renewal; and

(ii) Instructors are required to have three quarter credits or the equivalent of professional education in the discipline to be taught.

(b) Business and office instructors are required to have a course in objectives, principles and philosophies of vocational education in order that the one-year certificate be renewed.

(3) Instructors from business and industry must meet the following general requirements for certification renewal:

((~~(a) The one-year certificate may be renewed two times in the following manner:~~

~~(i) The first renewal shall consist of:~~

~~(A) Three quarter credits or the equivalent of approved vocational teacher training since the initial certification which must include methods of teaching if not taken prior to initial certification; except CRT, distributive education—cooperative preparatory, diversified occupations, and ICE do not require the above; and~~

~~(B) Possession of a valid first aid certificate.~~

~~(ii) The second renewal shall consist of:~~

~~(A) Three quarter credits or the equivalent of vocational teacher training since the previous certificate, which must include curriculum development/course organization if not taken previously; except CRT, distributive education—cooperative preparatory, diversified occupations and ICE which do not require the above. Home economics related occupations (gainful) require three quarter credits or thirty additional clock hours of approved teacher training from courses listed under the five-year certificate; and~~

~~(B) Possession of a valid first aid certificate.~~

~~(b) The three-year certificate may be renewed one time in the following manner:~~

~~(i) Instructors must possess vocational-teaching experience of one hundred twenty hours in the occupation certified to teach during the life of the previous certificate; except home economics related occupations (gainful);~~

~~(ii) Three quarter credits or the equivalent of approved vocational teacher training is required since the three-year certificate; and~~

~~(iii) Instructors are required to possess a valid first aid certificate.~~

~~(c) The five-year certificate may be renewed every five years if the following criteria are met:~~

~~(i) Instructors must have vocational teaching or supervisory experience of two years in the occupation certified to teach during the life of the previous certificate; except home economics related occupations (gainful) which requires vocational teaching experience in the home economics related occupation during the life of the previous certificate;~~

~~(ii) Instructors are required to have six quarter credits or the equivalent of approved vocational teacher training which may include three quarter credits or the equivalent of technical upgrading or three hundred hours of work experience, prior approved by the state board of education since the previous certificate; and~~

~~(iii) Instructors are required to possess a valid first aid certificate.~~

~~(4) Instructors from business and industry must meet the following specific requirements in addition to the general requirements for certification renewal:~~

~~Those areas having specific requirements for the first renewal of the one-year certificate are as follows:~~

~~(a) Home economics related occupations (gainful) require a course in curriculum development;~~

~~(b) Trade and industry, technical and health occupations require a course in Unit II, occupational analysis.~~)) (a) The three-year certificate may be renewed one time in the following manner:

(i) Each instructor shall have an individual professional growth plan as described in WAC 180-77-040 (2)(a).

(ii) Instructors are required to have an additional fifty quarter credits or 500 clock hours or a combination thereof, of provider approved professional education, professional experience, and/or technical/education upgrading as defined in WAC 180-77-003 (13), (14), and (20) since the issuance of the previous three-year certificate. One hundred hours of gainful work experience in the subject area being taught is equivalent to technical upgrade of one quarter credit or 10 clock hours.

(iii) Instructors must possess vocational teaching experience of one year in the occupation certified to teach during the life of the previous certificate.

(iv) Instructors assigned to vocational program which involve cooperative education methods must complete three quarter credits or 30 clock hours in coordination techniques for cooperative education.

(v) Possession of a valid first aid/CPR certificate.

(b) The five-year certificate may be renewed every five years if the following criteria are met:

(i) Each instructor shall have an individual professional growth plan as described in WAC 180-77-040 (2)(a).

(ii) Within the last five years instructors must have completed nine quarter credits or 90 clock hours or a combination thereof, of provider approved professional education, professional experience, and/or technical/education upgrading as defined in WAC 180-77-003 (13), (14), and (20). One hundred hours of gainful work experience in the subject area since the previous certificate is equivalent to technical upgrade of one quarter credit or ten clock hours. A maximum of 600 hours of gainful work experience in the occupation certified may be substituted for six of the nine quarter credits.

(iii) Instructors must possess vocational teaching experience of not less than two years during the life of the previous five-year certificate.

(iv) Instructors assigned to vocational programs which involve cooperative education methods must complete three quarter credits or 30 clock hours in coordination techniques for cooperative education.

(v) Possession of a valid first aid/CPR certificate.

AMENDATORY SECTION (Amending Order 11-78, filed 9/7/78)

WAC 180-77-065 VOCATIONAL CERTIFICATION REINSTATEMENT REQUIREMENTS FOR EXTENDED ABSENCE FROM SUBJECT AREA OF VOCATIONAL EDUCATION FOR SIX YEARS OR MORE. Instructors in agriculture, business and office, CRT, distributive education, diversified occupations, home economics related occupations (gainful), ICE and trade and industrial, technical and health occupations are required to meet the following:

Teachers returning to the profession need a minimum of three quarter credits or the equivalent of approved teacher training in the program area within the last five years to reinstate the vocational certificate last held, except home and family life (useful) which requires candidates who have completed an approved program for training vocational teachers and have not taught for ten years or more must complete a total of twelve quarter credits or the equivalent including home economics education and subject matter courses to qualify for the five-year vocational certificate. A one-year certificate can be issued upon completion of three quarter credits of the above requirements.

NEW SECTION

WAC 180-77-100 PART-TIME VOCATIONAL CERTIFICATE FOR INSTRUCTORS FROM BUSINESS AND INDUSTRY. Notwithstanding other requirements prescribed in this chapter for eligibility for vocational certification in the state of Washington, the part-time vocational certificate shall be issued under specific circumstances set forth below for limited service:

(1) The issuance of the part-time certificate is limited to:

(a) Persons whose contract is no greater than .5 of a full-time equivalent instructor.

(b) Persons highly qualified and experienced in the knowledge and occupational skills of the vocational program to be certified.

(c) Persons who meet the general requirements for vocational certification from business and industry pursuant to WAC 180-77-040 (1)(a) through (d) and (2)(f).

(d) Persons who are employed in a vocationally approved program.

(2) The certificate is issued to individuals who are screened by the local vocational director/administrator and school district superintendent or designee. The local vocational director/administrator or superintendent will verify that the following criteria have been met when requesting the part-time vocational certificate:

(a) No person with vocational certification in the field is available as verified by the local vocational director/administrator or superintendent;

(b) The individual is being certified for a limited assignment and responsibility in a specified vocational program area;

(c) Personnel so certificated will be oriented and prepared for the specific assignment and will be apprised of any legal liability, the lines of authority and the duration of the assignment; and

(d) The vocational director/administrator and local program advisory committee will indicate the basis on which he/she has determined that the individual is competent for the assignment and will verify that general requirements for certification as set forth in WAC 180-75-085 (1) and (2) have been met.

(3) The certificate is valid for one year and only for the teaching area specified on the certificate. The certificate may be reissued on application and evidence that requirements continue to be met.

NEW SECTION

WAC 180-77-105 GRANDFATHER CLAUSE FOR CURRENT VOCATIONAL CERTIFIED TEACHERS FROM BUSINESS AND INDUSTRY. Any person who holds a current vocational certificate under chapter 180-77 WAC prior to August 1, 1992, has the option to continue being vocationally certified under chapter 180-77 WAC adopted September 7, 1978, or follow the new WAC 180-77-040 revised January 1992 by the state board of education. Any person who allows their certificate to lapse as defined in WAC 180-85-040, must renew the certificate under the current chapter 180-77 WAC in effect at time of reapplication.

NEW SECTION

WAC 180-77-110 VOCATIONAL INSTRUCTOR CERTIFICATION RECIPROCITY. The superintendent of public instruction will recognize community and technical college instructors certified under WAC 131-16-091 through 131-16-095 when these individuals provide instruction to high school students. These instructors must maintain their certification in good standing and, if teaching students sixteen years of age or younger, shall be required to have completed and have on file a background check at the applicant's expense through the Washington state patrol criminal identification system.

WSR 92-01-126
PROPOSED RULES
STATE BOARD OF EDUCATION
[Filed December 19, 1991, 10:47 a.m.]

Original Notice.

Title of Rule: WAC 180-16-222 Exceptions to classroom teacher assignment policy; 180-16-223 Temporary out-of-endorsement assignment criteria; 180-75-016 Equivalency of standards; 180-75-055 Types of certificates; 180-75-065 Fee for certification; 180-75-080 Citizenship requirements—Exceptions; 180-75-085 General requirements—Teachers, administrators, educational staff associates; 180-75-087 Reinstatement of certificates; 180-75-089 Teacher exchange permits; 180-75-090 Temporary permits; 180-75-110 Study of educational staff associate certification; 180-79-047 Conversion to new standards; 180-79-049 Professional preparation program requirement for certification; 180-79-075 Certificate endorsement; 180-79-080 Authorized endorsements for teachers; 180-79-086 Minimum preparation for endorsements for teachers; 180-79-115 Academic requirements for certification—Teachers; 180-79-120 Academic requirements for certification—Administrators; 180-79-123 Experience requirement for continuing certification—Administrators; 180-79-129 Implementation of general knowledge requirement for certification; 180-79-131 General knowledge required of all candidates for certification; 180-79-136 General knowledge required of all candidates for teacher certificates; 180-79-230 Limited certificates; 180-79-310 Minimum course work credit hours—Definition; 180-79-311 Specialty areas of study; 180-79-333 Comparative religion—Subject area endorsement; 180-79-379 Philosophy—Subject area endorsement; 180-85-045 Approved in-service education agency—Definition; 180-85-077 Continuing education credit—ESAS; and 180-85-115 SPI notice of lapsed certificate.

Purpose: Changes for editorial clarification; additions due to new RCW mandates; and new sections to implement new provisions of certification requirements.

Statutory Authority for Adoption: RCW 28A.410.010.

Statute Being Implemented: RCW 28A.410.010.

Summary: The proposed amendments, new sections and repealers address recent proposed rules by the State Board of Education and new statutes adopted by the 1991 legislature.

Reasons Supporting Proposal: Need for clarifying language to assist implementation from the field, and to

adopt rules to support new RCWs and new sections implementing new certification requirements.

Name of Agency Personnel Responsible for Drafting: Richard Wilson, Superintendent of Public Instruction, Old Capitol Building, 753-2298; Implementation: Theodore Andrews, Superintendent of Public Instruction, Old Capitol Building, 753-3222; and Enforcement: John Brickell, Superintendent of Public Instruction, Old Capitol Building, 753-3222.

Name of Proponent: State Board of Education, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: All of the proposed amendments, new sections and repealers strengthen teacher preparation programs and requirements for certification in the state of Washington.

Proposal Changes the Following Existing Rules: Eliminates ambiguous language and combines two previous WACs into a single clarifying WAC.

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

Hearing Location: Thurston Room, Educational Service District 113, 601 McPhee Road S.W., Olympia, WA 98502, on January 23, 1992, at 9:00 a.m.

Submit Written Comments to: Dr. Monica Schmidt, State Board of Education, P.O. Box 47200, Olympia, WA 98504-7200, by January 22, 1992.

Date of Intended Adoption: January 24, 1992.

December 18, 1991
Dr. Monica Schmidt
Executive Director/Secretary

AMENDATORY SECTION (Amending Order 5-86, filed 6/10/86)

WAC 180-16-222 EXCEPTIONS TO CLASSROOM TEACHER ASSIGNMENT POLICY. Exceptions to the classroom teacher assignment specified in WAC 180-16-221 shall be limited to the following:

(1) Any certificated teacher may be assigned to serve as a substitute classroom teacher at any grade level or in any subject area for a period not to exceed thirty consecutive school days in any one assignment.

(2) Any certificated person holding a limited certificate as specified in WAC 180-79-230 or a vocational education certificate as specified in chapter 180-77 WAC or any person holding a nonimmigrant alien permit issued pursuant to WAC 392-193-055, may be assigned as per the provisions of such section or chapter.

(3) Any certificated teacher may be assigned to courses offered in basic education subject areas not included within the list of endorsements specified in WAC 180-79-080.

(4) Any certificated teacher may be assigned temporarily to an out-of-endorsement grade level or subject area if such assignment complies with WAC 180-16-223.

(5) Any certificated teacher may be assigned to a middle school or junior high school block program, which for the purpose of this section shall be defined as the same teacher assigned to teach two or more subject areas to the same group of students, if the teacher has an endorsement in one of the subject areas and has completed or will complete within one year nine quarter hours in each of the other subject areas.

(6) Any certificated teacher who holds one of the specific subject area endorsements (i.e., drama, English, journalism, and/or speech) related to the broad area of English/Language Arts, may be assigned at the junior high school/middle school level to teach any other related course in that respective broad subject area endorsement if the teacher has completed or will complete at least nine quarter hours (six semester hours) of study within one year in the assigned endorsement area. Only coursework which received a grade of C (2.0) or higher or a grade of pass on a pass-fail system of grading shall be counted toward the required minimum number of credit hours.

(7) Any certificated teacher who holds one of the specific subject area endorsements (i.e., biology, chemistry, earth science, and/or physics) related to the broad area of science, may be assigned at the junior high school/middle school level to teach any other related course in that respective broad subject area endorsement if the teacher has completed or will complete at least nine quarter hours (six semester hours) of study within one year in the assigned endorsement area. Only coursework which received a grade of C (2.0) or higher or a grade of pass on a pass-fail system of grading shall be counted toward the required minimum number of credit hours.

(8) Any certificated teacher who holds one of the specific subject area endorsements (i.e., anthropology, economics, geography, history, political science, psychology, and/or sociology) related to the broad area of social studies, may be assigned at the junior high school/middle school level to teach any other related course in that respective broad subject area endorsement if the teacher has completed or will complete at least nine quarter hours (six semester hours) of study within one year in the assigned endorsement area. Only coursework which received a grade of C (2.0) or higher or a grade of pass on a pass-fail system of grading shall be counted toward the required minimum number of credit hours.

AMENDATORY SECTION (Amending WSR 90-17-009, filed 8/6/90, effective 9/6/90)

WAC 180-16-223 TEMPORARY OUT-OF-ENDORSEMENT ASSIGNMENT CRITERIA. In order for a temporary out-of-endorsement assignment for a classroom teacher to comply with the basic education approval standards, the board of directors of the district must comply with the following:

(1) The board of directors of the district must make one or more of the following factual determinations:

(a) The district was unable to recruit a teacher with the proper endorsement who was the best qualified of candidates for the position.

(b) The need for a teacher with such an endorsement could not have been reasonably anticipated and the recruitment of such a classroom teacher at the time of assignment was not reasonably practicable.

(c) The reassignment of another teacher within the district with the appropriate endorsement to such assignment would be unreasonably disruptive to the current assignments of other classroom teachers or would have an adverse effect on the educational program of the students assigned such other classroom teachers.

(d) The district has a surplus of teachers with endorsements in specified grade levels or subject areas and it is necessary to reassign such teachers in whole or part in order to avoid adversely affecting such teachers' contract status.

(2) The teacher assigned to the out-of-endorsement grade level or subject area must meet the following requirements:

(a) The teacher so assigned must have at least two full school years of classroom teaching experience and must not have been placed on probation pursuant to RCW 28A.405.100 during the last two school years.

(b) The teacher so assigned must have completed six semester hours or nine quarter hours of course work which are applicable to an endorsement in the out-of-endorsement grade level or subject area.

(3) The board of directors of the district shall comply with the following conditions:

(a) Prior to the assignment of the out-of-endorsement grade level or subject area, or as soon as reasonably practicable thereafter, but in no event beyond twenty school days after the commencement of the assignment, if the assignment was not reasonably foreseeable, a designated representative of the district and the classroom teacher so assigned shall mutually develop a written plan which provides necessary assistance to the teacher so assigned and which provides for a reasonable amount of planning and study time associated specifically with the out-of-endorsement classroom assignment.

(b) No classroom teacher shall be assigned in any one semester or trimester to more than one preparation in one out-of-endorsement grade level or subject area and for no more than two periods of not more than sixty minutes each per day ((~~unless the school building in which such teacher is assigned has a preexisting policy of assigning classroom teachers to "block programs," which for the purpose of this section shall be defined as the same teacher assigned to teach two or more subject areas to the same group of students. However, in order to be eligible for assignment to block programs, the teacher so assigned must be endorsed in one of the subject areas within the block program and must meet the criterion in subsection (2)(b) of this section in each of the additional subject areas within the block program~~)).

(c) Any observation conducted in the out-of-endorsement grade level or subject area will not be utilized by the district as evidence to support probation of the teacher so assigned pursuant to RCW 28A.405.100 or nonrenewal of such teacher pursuant to RCW 28A.405.210.

(d) A second or third year assignment to an out-of-endorsement grade level or subject area will be made only pursuant to WAC 180-16-224 and in no case will the teacher be assigned to the same out-of-endorsement grade level or subject area during more than three school years at any time in which the teacher serves within the same school district; hence, this provision applies to assignments in consecutive or nonconsecutive school years.

(4) The board of directors shall submit to the office of superintendent of public instruction as part of its annual report required by WAC 180-16-195, a list which indicates all assignments for the previous school year in out-of-endorsement grade levels or subject areas. Such list shall include:

(a) The name and certification number of each teacher so assigned, the out-of-endorsement grade levels or subject areas and the number of such periods taught by such teacher, and the dates upon which such assignment(s) commenced and concluded.

(b) The reason for each such assignment.

(c) The reason why the particular teacher was selected for the out-of-endorsement grade level or subject area.

(d) A dated copy of each plan of assistance required pursuant to WAC 180-16-223 (3)(a). Such copy shall not contain any personal information the disclosure of which would violate the named teacher's right to privacy pursuant to RCW 42.17.310(b).

(e) An assurance that each such assignment was made in compliance with WAC 180-16-221 through 180-16-224.

(5) PROVIDED, That the provisions of subsections (2)(a) and (b) and (3)(b) of this section shall be waived for a period of three consecutive school years for each proposed out-of-endorsement assignment by the state board of education if:

(a) The board of directors of the school district adopts a resolution for each proposed out-of-endorsement assignment which states that the district has made a good faith effort to comply with the provision(s) for which it is requesting a waiver. Such resolution must recite the actions that the school district has taken to comply. Upon adoption and transmission of such resolution to the superintendent of public instruction, the district shall be authorized to assign each such classroom teacher affected to the proposed out-of-endorsement assignment until the state board of education makes its determination under (c) of this subsection.

(b) The superintendent of public instruction presents the resolution at a meeting of the state board of education and documents to the board the stated efforts of the district.

(c) The state board of education determines, based on the evidence received, that a good faith effort to comply has been made.

NEW SECTION

WAC 180-75-016 EQUIVALENCY OF STANDARDS. Reasonable flexibility in interpretation of the requirements contained in this chapter and in chapters 180-78 and 180-79 WAC may be applied consistent with the intent and spirit of the requirements of the appropriate chapter. For example, advanced degrees in the same or related fields may be substituted for required lesser degrees. An annual report of the use of this rule shall be submitted to the state board of education by the superintendent of public instruction.

AMENDATORY SECTION (Amending WSR 89-22-010, filed 10/20/89, effective 11/20/89)

WAC 180-75-055 TYPES OF CERTIFICATES. Four types of certificates shall be issued:

(1) Teacher. The teacher certificate, including ((~~alien~~)) teacher exchange permits as provided in ((~~chapter 392-193~~)) WAC 180-75-089, authorizes service as a classroom teacher.

(2) Administrator.

(a) The administrator certificate endorsed "principal" authorizes services as a building administrator or vice principal.

(b) The administrator certificates endorsed "superintendent" or "program administrator" will be issued to persons who meet state board of education certification standards for service in the roles of superintendent or program administrator.

(3) Educational staff associate. The educational staff associate certificate authorizes service in endorsed roles of communication disorders specialists, counselors, school nurses, occupational therapists, physical therapists, psychologists, social workers, and reading resource specialists: PROVIDED, That nothing within chapter 180-79 WAC authorizes professional practice by an educational staff associate which is otherwise prohibited or restricted by any other law, including licensure statutes and rules and regulations promulgated by the appropriate licensure board or agency.

(4) Vocational. The vocational certificate authorizes service in vocational instruction in accordance with the provisions of chapter 180-77 WAC.

AMENDATORY SECTION (Amending WSR 90-17-009, filed 8/6/90, effective 9/6/90)

WAC 180-75-065 FEE FOR CERTIFICATION. (1) In accordance with provisions of RCW 28A.410.060 and 28A.415.010, the fee for certificates which are valid for more than one year, issued by authority of the state of Washington and authorizing the holder to serve in the common schools of the state, shall be as follows:

(a) The continuing certificate is seventy dollars;

(b) The reinstatement, additional endorsement on the teaching certificate, duplicate certificates, substitute certificates, and certificates issued for the purpose of showing a name change is fifteen dollars; and

(c) Any other certificate or credential or any renewal thereof shall be five dollars for each year of validity:

(d) PROVIDED, That the fee for all vocational certificates shall be one dollar.

(2) The fee for any other certificate/credential, or for any renewal thereof, issued by the authority of the state of Washington and authorizing the holder to serve in the common schools of the state, shall be five dollars.

(3) Officials authorized to collect certification fees are educational service district superintendents, local school district superintendents, deans and directors of education at colleges and universities, and designees of program units. The fee must accompany the application for a certificate and shall be transmitted by the receiving district, college or university, or program unit designee at least quarterly to the educational service district within which the application is filed for disposition in accordance with provisions of RCW 28A.410.060. The fee shall not be refunded unless the application is withdrawn before it is finally considered (i.e., the issuance of a certificate or a written communication denying such issuance) by the superintendent of public instruction or his or her designee. Fees not refunded shall apply as a credit to a reapplication for the same or one or more other certificates if such applicant reapplies within twenty-four months of the date of denial. Moneys accrued from certification fees within the boundaries of an educational service district shall be divided in the following manner:

(a) Local school districts employing more than one hundred teachers and other professional staff and collecting certification fees may retain one dollar of each fee in order to hold a professional training institute. If such district does not hold an institute all such moneys shall be placed to the credit of the educational service district.

(b) No less than fifty percent of the funds accruing within the boundaries of an educational service district shall be used to support program activities related to state-wide precertification professional preparation and evaluation.

(c) The remaining funds shall be used to support professional in-service training programs and evaluations thereof.

AMENDATORY SECTION (Amending WSR 90-17-009, filed 8/6/90, effective 9/6/90)

WAC 180-75-085 GENERAL REQUIREMENTS—TEACHERS, ADMINISTRATORS, EDUCATIONAL STAFF ASSOCIATES. The following requirements are to be met by candidates for certification as teachers, administrators, or educational staff associates:

(1) Age. No person who is less than eighteen years of age shall receive a certificate to serve in the public or nonpublic schools of Washington state.

(2) Character. Applicants for certificates in Washington state who are not holders of a valid Washington state teacher's, administrator's, educational staff associate's, or vocational certificate must give evidence of good moral character and personal fitness as specified in WAC 180-75-082 and must make arrangements with the Washington state patrol for a background check as required by RCW 28A.410.010: PROVIDED, That applicants for vocational teaching certificates who do not make such an arrangement with the state patrol shall have placed on such certificates by the superintendent of public instruction a

provision which restricts the certificate holder to the teaching of vocational technical institute students who are sixteen years of age or older.

(3) Academic. A candidate for certification shall have successfully completed ((~~an~~)) a state approved college/university professional preparation program ((~~within the state of Washington~~)) and hold appropriate degrees, licenses, and additional course work as prescribed in chapter 180-79 WAC or have qualified under WAC 180-79-245: PROVIDED, That this section shall not apply to vocational, limited, internship, or instructional specialists certificates.

((~~(4) Program completion. A candidate for an initial or continuing certificate shall provide verification that he or she has completed an approved professional preparation program.~~

~~Subsections (3) and (4) of this section shall not apply to vocational or limited certificates. Vocational certificates are issued under academic and experience requirements set forth in chapter 180-77 WAC. Limited certificates are issued pursuant to WAC 180-79-230.~~))

AMENDATORY SECTION (Amending WSR 90-17-009, filed 8/6/90, effective 9/6/90)

WAC 180-75-087 REINSTATEMENT OF CERTIFICATES. Only a continuing certificate may be reinstated. A holder of a lapsed, surrendered, or revoked continuing professional certificate at the time of application for reinstatement of such certificate must submit the following:

(1) Character evidence as required by WAC 180-75-085(2) for candidates for certification.

(2) ((~~An affidavit that he or she has not intentionally and knowingly practiced with an expired, lapsed, surrendered, or revoked certificate in a professional position for which certification is required under the rules of the state board of education or the submission of a statement why such practice, if conducted, should not reflect on such applicant's good moral character or personal fitness at the time of application.~~

~~(3)~~)) In accordance with RCW 28A.410.110, a revoked certificate may not be reinstated within one calendar year from the date of revocation.

((~~(4)~~)) (3) PROVIDED, That no certificate may be reinstated if more than five calendar years has passed since the date of lapsing, surrender, or revocation; however, such applicants may apply pursuant to WAC 180-75-061 for a new certificate under standards in effect at the time of application.

((~~(5) PROVIDED FURTHER, That notwithstanding any regulation to the contrary, any person whose Washington state initial or provisional certificate has expired for any reason may apply prior to August 31, 1990, and be issued an initial certificate under the rules in effect at the time of application upon submission of the following:~~

~~(a) The character evidence required in subsection (1) of this section.~~

~~(b) The affidavit or statement required in subsection (2) of this section.~~

~~(c) Evidence of completion of fifteen quarter hours (ten semester hours) of course work at an accredited college or university within the seven years prior to the application for reinstatement.~~))

NEW SECTION

WAC 180-75-089 TEACHER EXCHANGE PERMITS. Teacher exchange permits may be issued by the superintendent of public instruction to an individual admitted to the United States for the purpose of serving as an exchange teacher. Such teacher exchange permit shall be valid for one year and may be renewed once.

AMENDATORY SECTION (Amending WSR 90-12-121, filed 6/6/90, effective 7/7/90)

WAC 180-75-090 TEMPORARY PERMITS. Temporary permits may be issued by the superintendent of public instruction and designated agents under the following conditions:

(1) Temporary permits may be issued under this section to those persons who have filed an application for a certificate; who, based on available documentation, including affidavits or other evidence that appears reliable which substantiates the existence of missing documentation, appear to have completed all requirements for certification; and who do not disclose any information which indicates that such applicant fails to meet the character requirement of WAC 180-75-085(2).

(2) An individual may apply for a permit directly to the superintendent of public instruction or designated agents—i.e., educational service districts or Washington state institutions of higher education.

(3) A permit entitles the holder to serve as a teacher, educational staff associate or administrator consistent with the endorsement(s) on his/her permit.

(4) A permit is valid for one hundred twenty consecutive calendar days ((~~commencing with the date following the date of issuance~~)) unless prior to ((~~such~~)) the expiration date the superintendent of public instruction determines the applicant is ineligible to receive a valid certificate or endorsement. In such cases, the temporary permit shall expire on the date notice of cancellation is received by the applicant and/or the employer. ((~~The temporary permit may be reissued only upon demonstration that the applicant has made a good faith effort to secure the missing documentation.~~))

(5) The temporary permit may be reissued only upon demonstration that the applicant has made a good faith effort to secure the missing documentation.

(6) Issuing authority. The superintendent of public instruction either directly or through a designated agent shall issue all permits and shall provide institutions of higher education and educational service districts with forms and instructions relevant to application for a permit.

NEW SECTION

WAC 180-75-110 STUDY OF EDUCATIONAL STAFF ASSOCIATE CERTIFICATION. Recognizing that the educational staff associate endorsements, established approximately twenty years ago, need to be reviewed to determine if they continue to meet the emerging needs of today's children, the state board of education and the superintendent of public instruction will establish an advisory committee to study ESA certification. The advisory committee, described below, shall have the responsibility to study the roles, responsibilities, and professional standards for existing and potential education staff associate endorsements. The advisory committee shall recognize the ultimate responsibility of school districts to provide for the very best service to children and to meet their needs. A progress report and preliminary recommendations for changes shall be submitted to the state board of education no later than December 1993. The advisory committee shall seek broad involvement of the state's professional staff in the development of these recommendations.

Between December 1991 and the completion of this study in 1994, the admission to practice examination shall be waived for existing ESAs. Also, any existing educational staff associate professional education advisory board may request a waiver of an existing state standard for program approval. The waiver may be approved by the state board of education if the requesting educational staff associate professional education advisory board can show how the intent of the standard can be met in another manner.

The advisory committee shall consist of one ESA from each of the existing eight endorsement categories to be recommended by their professional association, two teachers to be recommended by their professional association, two school administrators to be recommended by their professional association, two school superintendents to be recommended by their professional association, two parents, who are not school district employees, to be recommended by the special education coalition, one school director to be recommended by his/her professional association, the state special education director or his designee, one university training representative from each ESA category cooperatively selected through the respective institutions, and two representatives from "related and interested" organizations to be recommended by the WEA-ESA commission.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 180-75-080 CITIZENSHIP REQUIREMENTS—EXCEPTIONS.

AMENDATORY SECTION (Amending Order 27-88, filed 12/14/88)

WAC 180-79-047 CONVERSION TO NEW STANDARDS. Notwithstanding any provision of WAC 180-79-045 to the contrary, any person who holds a provisional or initial certificate issued under previous standards of the state board of education shall be eligible to ((~~apply for and receive a~~)) convert to an initial or continuing certificate ((~~under standards in effect at the time of application~~)) by meeting requirements for that certificate pursuant to chapters 180-75 and 180-79 WAC.

AMENDATORY SECTION (Amending WSR 90-12-075, filed 6/1/90, effective 7/2/90)

WAC 180-79-049 PROFESSIONAL PREPARATION PROGRAM REQUIREMENT FOR CERTIFICATION. All applicants for certification, except as otherwise provided in WAC 180-79-230 and 180-79-245, in order to be certified within the state of Washington shall have completed a state approved college/university preparation program in the professional field for which certification is to be issued. In addition, candidates for principal's certificates must have completed a state approved college/university preparation program for certification as a teacher and candidates for superintendent's certificates must have completed a state approved college/university preparation program for certification as a teacher or educational staff associate.

AMENDATORY SECTION (Amending WSR 90-12-075, filed 6/1/90, effective 7/2/90)

WAC 180-79-075 CERTIFICATE ENDORSEMENT. Professional education certificates shall be endorsed as follows:

(1) Teacher certificates shall specify endorsements in subject area(s) and grade level(s).

(2) Educational staff associate certificates shall identify the field of specialization by endorsement.

(3) Administrator certificates shall identify the field of specialization (principal, program administrator, superintendent) by endorsement.

Principals' initial certificates shall be endorsed for grades preschool-9, 4-12, or preschool-12 based on recommendations from the college or university in which the candidate completed an approved preparation program.

(4) In order to change or add an endorsement to any teaching certificate, the candidate must complete an application, pay the certification fee specified in WAC 180-75-065, and submit verification of completion of the necessary requirements specified in this chapter.

AMENDATORY SECTION (Amending WSR 91-04-016, filed 1/28/91, effective 2/28/91)

WAC 180-79-080 AUTHORIZED ENDORSEMENTS FOR TEACHERS. Endorsements for grade levels and subject areas within such grade levels for certificated teachers receiving endorsements shall be limited to the following:

(1) Preschool through grade three endorsements shall be granted in the subject area of:

(a) Early childhood special education.

(b) Early childhood education.

(2) Grade kindergarten through grade eight endorsements shall be granted in the subject area of elementary education which shall include all subject areas taught in such grades.

(3) Grade kindergarten through grade twelve endorsements shall be granted in:

(a) Art

(b) Music (broad subject area endorsement) and the specialized subject areas of:

(i) Choral music

(ii) Instrumental music

(c) Physical education

(d) Reading

(e) Designated foreign language

(f) Special education

(g) Learning resources

(h) English as a second language

(i) Bilingual education.

(4) Grade four through grade twelve endorsements shall be granted in:

(a) English/language arts (broad subject area endorsement) and the specialized English/language arts subject areas of:

(i) Drama

(ii) English

(iii) Journalism

(iv) Speech.

(b) Science (broad subject area endorsement) and the specialized science subject areas of:

(i) Biology

(ii) Chemistry

(iii) Earth science

(iv) Physics.

(c) Social studies (broad subject area endorsement) and the specialized social studies subject areas of:

(i) Anthropology

(ii) Economics

(iii) Geography

(iv) History

(v) Political science

(vi) Psychology

(vii) Sociology.

(d) The specialized subject areas of:

(i) Agriculture

(ii) Business education

(iii) Comparative religion

(iv) Computer science

((~~(iv)~~)) (v) Health

((~~(v)~~)) (vi) Home and family life education (formerly home economics)

((~~(vi)~~)) (vii) Technology education (formerly industrial arts)

((~~(vii)~~)) (viii) Mathematics

((~~(viii)~~)) (ix) Marketing education.

(x) Philosophy.

(5) Traffic safety endorsements may be noted on certificates issued under this chapter if the candidate meets the requirements of the regulations promulgated by the superintendent of public instruction pursuant to RCW 28A.220.020(3).

AMENDATORY SECTION (Amending Order 27-88, filed 12/14/88)

WAC 180-79-086 MINIMUM PREPARATION FOR ENDORSEMENTS FOR TEACHERS. Endorsements granted teachers shall comply with the following:

(1) Endorsements—with the exception of the broad subject area endorsements of English/language arts, music, science, and social studies, which shall require the satisfactory completion of a minimum of forty-five quarter hours (thirty semester hours) of course work— shall require the satisfactory completion of a minimum of twenty-four quarter hours (sixteen semester hours) of course work((~~—not including any practice teaching, internship, or other clinical or field laboratory experience courses—~~))in the subject area in a regionally accredited institution of higher education or in a college or university with a professional preparation program approved by the state board of education pursuant to chapter 180-79 WAC.

(2) Reasonable flexibility shall be permitted in establishing equivalencies for specified subject area course work. The test for substitution of an equivalent course for a stated subject area course is a factual determination that the subject matter content of the equivalent course, or combination of courses, substantially complies with the generally recognized course content of the subject area course.

(3) Course work used to meet endorsement requirements must be completed through a regionally accredited college/university and may not include student teaching credits.

(4) Only course work in which an individual received a grade of C (2.0) or higher or a grade of pass on a pass-fail system of grading shall be counted toward the required minimum number of credit hours as defined in WAC 180-79-086.

AMENDATORY SECTION (Amending WSR 90-22-002, filed 10/25/90, effective 11/25/90)

WAC 180-79-115 ACADEMIC REQUIREMENTS FOR CERTIFICATION—TEACHERS. Candidates for teachers' certificates shall complete the following requirements in addition to those set forth in WAC 180-75-080 and 180-75-085.

(1) Initial.

(a) Candidates for the initial certificate who apply for such certificate on or before August 31, 1992, shall hold a baccalaureate degree from a regionally accredited college or university and shall have completed the degree major in an academic field or in the teaching specialization of early childhood, elementary, reading, or special education.

(b) Candidates for the initial certificate who apply for such certificate after August 31, 1992, shall hold an approved baccalaureate degree from a regionally accredited college or university: PROVIDED, That if the approved baccalaureate degree is in early childhood education, elementary education, or special education, the candidate also must have at least thirty quarter hours (twenty semester hours) in one

of the academic fields listed in WAC 180-79-080 (3)(a) through (e) and (4).

(2) Continuing.

(a) Candidates who apply for a continuing certificate on or before August 31, 1992, shall have ((~~completed~~)) at least forty-five quarter hours (thirty semester hours) of upper division and/or graduate work completed subsequent to the conferral of the baccalaureate degree: PROVIDED, That if the individual is pursuing study in a new subject matter area or specialization, lower division courses in that subject area or specialization shall be accepted toward continuing certification upon completion of the requirements for an endorsement in that subject area or specialization.

(b) Candidates who apply for a continuing certificate after August 31, 1992, shall have completed an approved masters degree.

(c) Candidates for a continuing certificate shall have been granted ((~~or have completed the requirements for~~)) at least two subject area endorsements.

(d) Candidates who apply for a continuing certificate after August 31, 1992, who have not successfully completed course work or an in-service program including a minimum of ten clock hours of instruction on issues of abuse, must complete such course work or in-service program as a condition for the issuance of a continuing certificate. The content of the course work or in-service program shall discuss the identification of physical, emotional, sexual, and substance abuse, information on the impact of abuse on the behavior and learning abilities of students, discussion of the responsibilities of a teacher to report abuse or provide assistance to students who are the victims of abuse, and methods for teaching students about abuse of all types and their prevention.

AMENDATORY SECTION (Amending Order 27-88, filed 12/14/88)

WAC 180-79-120 ACADEMIC REQUIREMENTS FOR CERTIFICATION—ADMINISTRATORS. Candidates for the respective administrative certificate shall complete the following requirements in addition to those set forth in WAC 180-75-085.

(1) Superintendent.

(a) Initial.

(i) The candidate who applies for an initial certificate on or before August 31, 1992, shall hold a master's degree and complete at least fifteen quarter hours (ten semester hours) of graduate study beyond the master's degree in education-related course work and shall hold or be eligible to hold a valid initial or continuing teacher or ESA certificate at the time he or she applies for the initial superintendent's certificate.

(ii) The candidate who applies for an initial certificate after August 31, 1992, shall hold an approved masters degree and have completed subsequent to the baccalaureate degree at least forty-five quarter hours (thirty semester hours) of graduate level course work in education.

(iii) The candidate must meet requirements for a superintendent's certificate pursuant to WAC 180-79-049.

(b) Continuing.

(i) The candidate who applies for a continuing certificate on or before August 31, 1992, shall have completed at least thirty quarter hours (twenty semester hours) of graduate work beyond the master's degree.

(ii) The candidate who applies after August 31, 1992, shall hold an approved masters degree and have completed subsequent to the baccalaureate degree at least sixty quarter hours (forty semester hours) of graduate level course work in education or shall hold a doctorate in education.

(iii) The candidate must meet requirements for a superintendent's certificate pursuant to WAC 180-79-049.

(2) Principal.

(a) Initial.

(i) The candidate who applies on or before August 31, 1992, shall hold or have held a ((~~valid~~)) Washington initial ((~~or~~)), continuing ((~~teacher~~)) or comparable teaching certificate from another state at the time he or she applies for the initial principal's certificate and shall have completed ((~~at least thirty quarter hours (twenty semester hours) of work applicable to a graduate degree subsequent to receipt of a baccalaureate degree in~~)) an approved program for the preparation of principals.

(ii) The candidate who applies after August 31, 1992, shall hold ((~~an approved~~)) a masters degree and have completed ((~~subsequent to the baccalaureate degree at least thirty quarter hours (twenty semester hours) of graduate level course work in education~~)) an approved program for the preparation of principals.

(b) Continuing.

(i) The candidate who applies on or before August 31, 1992, shall hold a master's degree.

(ii) The candidate who applies after August 31, 1992, shall hold an approved masters degree and completed subsequent to the baccalaureate degree at least forty-five hours (thirty semester hours) of graduate level course work in education or shall hold a doctorate in education.

(iii) The candidate must meet requirements for a principal's certificate pursuant to WAC 180-79-049.

(3) Program administrator.

(a) Initial.

(i) The candidate who applies on or before August 31, 1992, shall hold a valid initial or continuing teacher or educational staff associate certificate at the time he or she applies for the program administrator's initial certificate and shall hold a master's degree.

(ii) The candidate who applies after August 31, 1992, shall hold an approved masters degree, a masters degree required for an educational staff associate certificate, a masters degree in school nursing, occupational therapy or physical therapy, or a masters degree in public, education, or business administration and have completed subsequent to the baccalaureate degree at least twenty-four quarter hours (sixteen semester hours) of graduate level course work in education.

(b) Continuing.

(i) The candidate who applies on or before August 31, 1992, shall have completed at least fifteen quarter hours (ten semester hours) of graduate work subsequent to the master's degree relevant to educational administration or his or her subject matter field(s) or specialization(s).

(ii) The candidate who applies after August 31, 1992, shall hold an approved masters degree, a masters degree required for an educational staff associate certificate, a masters degree in school nursing, occupational therapy, physical therapy, or a masters degree in public, education, or business administration and have completed subsequent to the baccalaureate degree at least thirty quarter hours (twenty semester hours) of graduate level course work in education or shall hold a doctorate in education.

NEW SECTION

WAC 180-79-123 EXPERIENCE REQUIREMENT FOR CONTINUING CERTIFICATION—ADMINISTRATORS. In addition to the academic requirements specified in WAC 180-79-120, candidates for continuing administrator certificates shall provide, as a condition for issuance of a continuing certificate, documentation of one hundred eighty days or full time equivalent or more employment in the respective role with an authorized employer—i.e., school district, educational service district, state agency, college or university, private school, or private school system—and at least thirty days of such employment with the same employer. The requirements set forth in this section shall expire August 31, 1992.

AMENDATORY SECTION (Amending Order 3-88, filed 2/17/88)

WAC 180-79-131 GENERAL KNOWLEDGE REQUIRED OF ALL CANDIDATES FOR CERTIFICATION. General knowledge required of all candidates for certification includes the following:

(1) SCHOOLS AND SOCIETY. Topics to be included consist of the following:

(a) Development of education in public and private schools in the United States.

(b) The nature and foundation of the educational system, including the evolution of school curriculum in grades P-12.

(c) Public policy issues related to the role of schools in a democratic society, with particular emphasis on:

(i) Equity issues related to various populations—e.g., race, sex, handicapping conditions, gifted, migrant, poverty, aliens, etc.

(ii) Study of values in public schools.

(iii) Issues related to the funding of public and private schools.

(iv) Compulsory attendance, compulsory education, and parental rights and responsibilities.

(v) Federal, state, and community control of schools.

(vi) Resource personnel and public and private agencies, including professional associations, which offer services to teachers, children, parents, and schools.

(2) HUMAN GROWTH, DEVELOPMENT, AND LEARNING. Topics included consist of the following:

(a) Physical, psychomotor, cognitive, social, and emotional development of the normal and exceptional child, including those who are victims of abuse, children with handicapping conditions and the highly capable from birth to age twenty-one.

(b) Theories of learning, including:

(i) Behavioralism.

(ii) Social learning.

(iii) Information processing.

(iv) Cognitive development.

(c) Educational processes appropriate to normal and exceptional children, including those with handicapping conditions and the highly capable from birth through age twenty-one as to:

(i) Collection and interpretation of data.

(ii) Identification and assessment of individual students.

(iii) Impact of teaching and learning techniques on behavior.

(3) AMERICAN SCHOOL LAW. Topics include legal matters common to all education systems within the United States and consist of the following:

(a) Educational structure and governance, including the role of the courts.

(b) Students and the law, including First Amendment and due process rights, corporal punishment, grading, expulsion, suspension, discipline, and search and seizure and privacy rights.

(c) School professionals and the law, including nonrenewal, discharge, revocation, academic freedom, collective bargaining, professional ethics and legal responsibilities, and child abuse and other reporting requirements.

(d) Professional and school district liability, including negligence and tort liability.

(e) Federal law respecting the rights of the handicapped.

AMENDATORY SECTION (Amending Order 3-88, filed 2/17/88)

WAC 180-79-136 GENERAL KNOWLEDGE REQUIRED OF ALL CANDIDATES FOR TEACHER CERTIFICATES. General knowledge of all candidates for teacher certificates include the following:

(1) CLASSROOM MANAGEMENT AND DISCIPLINE. Topics to be included consist of the following:

(a) Research and theoretical models used to design instructional programs that manage the physical environment and the human dynamics of the classroom.

(b) Alternative forms of corrective action and application of such to classroom behavior.

(c) Designing instructional units, including alternative approaches to development, implementation, and evaluation of such units.

(2) INSTRUCTION METHODOLOGY. Topics to be included consist of the following:

(a) Instructional theory and strategies (i.e., Informational Processing, Personal, Social, Behavioral Systems), including the strengths and weaknesses of alternative models.

(b) The needs of exceptional students including those who are victims of abuse requiring special instruction, the assessment of learning abilities, the appropriate methods and materials, and the ways of adapting the regular curriculum for these students.

(c) The instructional uses of audio-visual materials, the computer, and other technological developments.

(d) Techniques for assessing students' reading and writing levels in content areas, making appropriate referrals, and, if necessary, prescribing appropriate remedial action.

(3) STUDENT TESTING, ASSESSMENT, AND EVALUATION. Topics to be included consist of the following:

(a) Developing and using classroom formative and summative procedures including planning, developing, administering and returning, essay, true/false, matching, and multiple choice items.

(b) Observing and rating student achievement and behavior.

(c) Student marking or grading systems.

(d) Social, legal, and ethical issues in student testing.

(4) PROGRAM ASSESSMENT. Topics to be included consist of the following:

(a) Interpreting norm and criterion referenced tests.

(b) Reliability and validity of classroom and standardized tests.

(c) Basic measurement and statistical concept.

(d) Ethnographic approaches.

(5) TEACHER EVALUATION AND PROFESSIONAL GROWTH. Topics to be included consist of the following:

(a) State evaluation laws, including contract renewal procedures.

(b) Procedures for obtaining feedback on professional effectiveness.

(c) Developing personal inservice plans for professional improvement.

AMENDATORY SECTION (Amending WSR 91-05-056, filed 2/15/91, effective 3/18/91)

WAC 180-79-230 LIMITED CERTIFICATES. Notwithstanding other requirements prescribed in this chapter for eligibility for certification in the state of Washington, the following certificates shall be issued under specific circumstances set forth below for limited service:

(1) Conditional certificate.

(a) Such certificates are issued upon application by the local school district or educational service district superintendent to persons:

(i) Who meet the age, good moral character, and personal fitness requirements of WAC 180-75-085 (1) and (2); and

(ii) Who are highly qualified and experienced in subject matter to be taught in the common or nonpublic schools; or

(iii) Who qualify to instruct in the traffic safety program as paraprofessionals pursuant to WAC 392-153-020 (2) and (3); or

(iv) Who are assigned instructional responsibility for intramural/interscholastic activities which are part of the district approved program; or

(v) Who possess a baccalaureate or higher degree or otherwise required in WAC 180-79-125 and who possess a state of Washington license for a nurse, occupational therapist, or physical therapist: PROVIDED, That ((~~this exception to other certification requirements shall terminate as of midnight August 31, 1991~~)) the district will be responsible for orienting and preparing individuals for their assignment as described in (c)(ii) of this subsection.

(b) The educational service district or local district superintendent will verify that the following criteria have been met when requesting the conditional certificate:

(i) No person with regular certification in the field is available as verified by the district or educational service district superintendent;

(ii) The district or educational service district superintendent will indicate the basis on which he/she has determined that the individual is competent for the assignment;

(iii) The individual is being certificated for a limited assignment and responsibility in a specified activity/field.

(c) When requesting the conditional certificate for persons who are highly qualified and experienced in fields of knowledge to be taught in the common or nonpublic schools, the educational service district superintendent or local district superintendent will verify that the following additional criteria will be met:

(i) The individual will be delegated primary responsibility for planning, conducting, and evaluating instructional activities with the direct assistance of a school district mentor and will not be serving in a paraprofessional role which would not require certification;

(ii) Personnel so certificated will be oriented and prepared for the specific assignment by the employing district. A written plan of assistance will be developed, in cooperation with the person to be employed within twenty working days from the commencement of the assignment. In addition, prior to ((~~teaching~~)) service the person will be apprised of any legal liability, the responsibilities of a professional educator, the lines of authority, and the duration of the assignment;

(iii) Within the first sixty working days, personnel so certificated will complete sixty clock hours (six quarter hours or four semester hours) of course work in pedagogy and child/adolescent development appropriate to the assigned grade level(s) as approved by the employing school district.

(d) The certificate is valid for two years or less and only for the activity specified. The certificate may be reissued for two years and for two year intervals thereafter upon completion of sixty clock hours (six quarter hours or four semester hours) of course work since the issuance of the most recent certificate as approved by the employing school district.

(2) Substitute certificate.

(a) The substitute certificate entitles the holder to act as substitute during the absence of the regularly certificated staff member for a period not to exceed thirty consecutive school days during the school year in any one assignment. This certificate may be issued to:

(i) Teachers, educational staff associates or administrators whose state of Washington certificates have expired, or

(ii) Persons who have completed state approved preparation programs at regionally accredited colleges and universities for certificates.

(b) The substitute certificate is valid for life:

(c) PROVIDED, That if the district has exhausted or reasonably anticipates it will exhaust its list of qualified substitutes who are willing to serve as substitutes, the superintendent of public instruction may issue emergency substitute certificates to persons not fully qualified under this subsection for use in a particular school district once the list of otherwise qualified substitutes has been exhausted. Such emergency substitute certificates shall be valid for three years.

(3) Emergency certification.

(a) Emergency certification for specific positions may be issued upon the recommendation of school district and educational service district superintendents to persons who hold the appropriate degree and have substantially completed a program of preparation in accordance with Washington requirements for certification: PROVIDED, That a qualified person who holds regular certification is not available or that the position is essential and circumstances warrant consideration of issuance of an emergency certificate.

(b) The emergency certificate is valid for one year.

(4) Nonimmigrant alien exchange teacher. Applicants for certification as a nonimmigrant alien exchange teacher must qualify pursuant to WAC ((~~392-193-055(1)~~)) 180-75-089 and be eligible to serve as a teacher in the elementary or secondary schools of the country of residence.

((~~(5) Nonimmigrant alien foreign language teacher. Applicants for certification as a nonimmigrant alien foreign language teacher must qualify pursuant to WAC 392-193-055(2) and possess a baccalaureate degree or establish equivalency to a baccalaureate degree by having his or her college or university transcripts evaluated as equivalent by any accredited college or university within the state of Washington.~~))

NEW SECTION

WAC 180-79-311 SPECIALTY AREAS OF STUDY. (1) Specialty areas of study in middle grades, gifted, and at-risk students shall be recognized by the state board of education on the basis of the following:

(a) Completion of twelve quarter hours (eight semester hours) of academic study from a regionally accredited college or university directly addressing knowledge and skills relevant to the respective specialty area as recommended by the respective college/university PEAB; and

(b) Recommendation of the individual by the college/university that has offered the specialty area of study.

(2) Specialty areas of study are not endorsements and shall have no bearing on assignment policies as outlined in chapter 180-18 WAC.

(3) The recognition of specialty areas of study shall in no way impact the requirements for obtaining or maintaining an initial or continuing certificate.

(4) The recognition of specialty areas of study shall be reviewed by PEAC with recommendations to the state board of education by June 30, 1995.

NEW SECTION

WAC 180-79-333 COMPARATIVE RELIGION—SUBJECT AREA ENDORSEMENT. In order to receive an endorsement in comparative religion, the candidate shall have completed the minimum course work credit hours in the subject area of comparative religion, including but not limited to, credit hours in each of the essential areas of, History and/or development of comparative religious thought, and Issues and trends in modern religions, plus two other essential areas of study:

(1) History and/or development of comparative religious thought.
(2) Issues and trends in modern religions.
(3) Ethics.
(4) Aesthetics.
(5) Epistemology.
(6) Metaphysics.
(7) Logic.
(8) History of philosophy.

NEW SECTION

WAC 180-79-379 PHILOSOPHY—SUBJECT AREA ENDORSEMENT. In order to receive an endorsement in philosophy, the candidate shall have completed the minimum course work credit hours in the subject area of philosophy, including but not limited to, credit hours in a minimum of four of the following areas of essential study:

(1) Ethics.
(2) Aesthetics.
(3) Epistemology.
(4) Metaphysics.
(5) Logic.
(6) History of philosophy.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 180-79-129 IMPLEMENTATION OF GENERAL KNOWLEDGE REQUIREMENT FOR CERTIFICATION.
WAC 180-79-310 MINIMUM COURSE WORK CREDIT HOURS—DEFINITION.

AMENDATORY SECTION (Amending WSR 91-04-016, filed 1/28/91, effective 2/28/91)

WAC 180-85-045 APPROVED IN-SERVICE EDUCATION AGENCY—DEFINITION. As used in this chapter, the term "approved in-service education agency" shall mean an agency approved by the state board of education to provide in-service education programs and to grant continuing education credit hours to all or a selective group of educators. Such agency must demonstrate the following characteristics:

(1) The agency is one of the following entities or a department or section within such entities:

(a) A college or university referenced in WAC 180-85-025(1);

(b) ((~~A professional~~)) An organization which for the purpose of this chapter shall mean any local, state, regional, or national nonprofit organization ((~~composed primarily of~~)) which offers in-service education programs to teachers, administrators, and/or educational staff associates;

(c) A school district, an educational service district, ((~~and~~)) the superintendent of public instruction, or any state or national agency; or

(d) An approved private school which for the purpose of this chapter shall mean the same as provided in WAC 180-90-112.

(2) The agency has either a committee or board of directors which provides prior approval to proposed in-service education programs on the basis that the proposed programs are designed to meet the program standards set forth in WAC 180-85-200. In the case of school districts or educational service districts the committee shall be composed of the same representatives as required by RCW 28A.415.040—i.e., "representatives from the ranks of administrators, building principals, teachers, classified and support personnel . . ., . . . the public ((~~.~~)), and . . .institution(s) of higher education, ..."

NEW SECTION

WAC 180-85-077 CONTINUING EDUCATION CREDIT—ESAS. Educational staff associates may use credits or clock hours that satisfy the continuing education requirements for their professional licensure, if any, toward fulfilling the continuing education certification requirements.

AMENDATORY SECTION (Amending WSR 90-12-076, filed 6/1/90, effective 7/2/90)

WAC 180-85-115 SPI NOTICE OF LAPSED CERTIFICATE. On or before October 1 of each year, the superintendent of public instruction shall make reasonable attempts to notify each affected certificate holder whose certificate has lapsed the preceding August 31 of such status. The notice shall include procedures for reinstatement and procedures for disputing the lapsed status. ((~~In addition, on or before October 1 of each year, the superintendent of public instruction shall notify by bulletin each school district, approved private school, and educational service district of the name and certificate number of each holder of an affected certificate whose certificate has lapsed the preceding August 31.~~))

WSR 92-01-127
PERMANENT RULES
STATE BOARD OF EDUCATION
[Filed December 19, 1991, 10:48 a.m.]

Date of Adoption: November 22, 1991.

Purpose: Changes for editorial clarification; additions due to new RCW mandates; and new sections to implement new provisions of certification requirements.

Citation of Existing Rules Affected by this Order: Repealing WAC 180-78-125, 180-86-012 and 180-86-097; and amending WAC 180-75-081, 180-78-047, 180-78-145, and 180-78-170.

Statutory Authority for Adoption: RCW 18A.410.010 [28A.410.010] and 28A.70.005.

Pursuant to notice filed as WSR 91-20-152 on October 2, 1991.

Changes Other than Editing from Proposed to Adopted Version: WAC 180-78-165 removed pending further review prior to adoption consideration.

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

December 18, 1991
Dr. Monica Schmidt
Executive Director

AMENDATORY SECTION (Amending WSR 90-02-073, filed 1/2/90, effective 2/2/90)

WAC 180-75-081 GOOD MORAL CHARACTER AND PERSONAL FITNESS—DEFINITION. As used in this chapter, the terms "good moral character and personal fitness" means character and personal fitness necessary to serve as a certificated employee in schools in the state of Washington, including character and personal fitness to have contact with, to teach character and personal fitness to have contact with, to teach, and to perform supervision of children. Good moral character and personal fitness includes, but is not limited to, the following:

(1) No conviction of any felony crime involving:

(a) The physical neglect of a child under chapter 9A-.42 RCW;

(b) The physical injury or death of a child under chapter 9A.32 or 9A.36 RCW, excepting motor vehicle violations under chapter 46.61 RCW;

(c) The sexual exploitation of a child under chapter 9.68A RCW;

(d) Sexual offenses where a child is the victim under chapter 9A.44 RCW;

(e) The promotion of prostitution of a child under chapter 9A.88 RCW;

(f) The sale or purchase of a child under RCW 9A.64.030;

(g) PROVIDED, That the general classes of felony crimes referenced within this subsection shall include equivalent federal and crimes in other states committed against a child;

(h) PROVIDED FURTHER, That for the purpose of this subsection "child" means a minor as defined by the applicable state or federal law;

(i) PROVIDED FURTHER, That for the purpose of this subsection "conviction" shall include a guilty plea.

(2) No conviction of any crime within the last ten years, including motor vehicle violations, which would materially and substantially impair the individual's worthiness and ability to serve as a professional within the public and private schools of the state. In determining whether a particular conviction would materially and substantially impair the individual's worthiness and ability to practice, the following and any other relevant considerations shall be weighed:

(a) Age and maturity at the time the criminal act was committed;

(b) The degree of culpability required for conviction of the crime and any mitigating factors, including motive for commission of the crime;

(c) The classification of the criminal act and the seriousness of the actual and potential harm to persons or property;

(d) Criminal history and the likelihood that criminal conduct will be repeated;

(e) The permissibility of service as a professional educator within the terms of any parole or probation;

(f) Proximity or remoteness in time of the criminal conviction;

(g) Any evidence offered which would support good moral character and personal fitness;

(h) If this subsection is applied to a person certified under the laws of the state of Washington in a suspension or revocation action, the effect on the education profession, including any chilling effect, shall be weighed; and

(i) In order to establish good moral character and personal fitness despite the criminal conviction, the applicant or certificate holder has the duty to provide available evidence relative to the above considerations. The superintendent of public instruction has the right to gather and present additional evidence which may corroborate or negate that provided by the applicant or certificate holder.

(3) No ((~~serious~~)) behavioral problem which endangers the educational welfare or personal safety of students, teachers, or other colleagues within the educational setting.

(4) No ((~~intentional and knowing~~)) practice within the state of Washington within the previous five school years with an expired, lapsed, surrendered, or revoked certificate in a professional position for which certification is required under the rules of the state board of education.

AMENDATORY SECTION (Amending Order 26-88, filed 12/14/88)

WAC 180-78-047 ANNUAL REPORT BY COLLEGES AND UNIVERSITIES. Each college or university offering an approved professional preparation program shall submit by July 31 of each year, an annual report covering the period from July 1 of the previous year to June 30 of the current year, containing the following:

(1) The minutes of each professional education advisory board.

(2) The number of candidates recommended for initial and continuing certificates by type of certificate and endorsement areas.

(3) Other material related to the professional preparation programs requested by the superintendent of public instruction.

AMENDATORY SECTION (Amending Order 26-88, filed 12/14/88)

WAC 180-78-145 EVIDENCE OF COMPLIANCE WITH PROFESSIONAL EDUCATION ADVISORY BOARD APPROVAL STANDARD. The following evidence shall be evaluated to determine whether each professional preparation program is in compliance with the program approval standard of WAC 180-78-140(1).

(1) The professional education advisory board has been established in accordance with WAC 180-78-075 through 180-78-120.

(2) The professional education advisory board has carried out ((~~its responsibilities under WAC 180-78-125. In determining compliance with this subsection, the following written documentation must be available for review:~~

~~(a) Documentation is available that the professional education advisory board has participated in a review of and made recommendations about:~~

~~(i) The plan to provide all candidates for certification with field experiences with ethnic, racial, and cultural populations and with special education and highly capable students.~~

~~(ii) Proposed revisions in the professional preparation program to reflect local district policies related to changing demographics, curriculum, organization, and federal and state laws, including administrative rules and case law.~~

~~(iii) The policies used to develop agreements between the college/universities and agencies providing field sites for field experiences.~~

~~(iv) Alternative professional preparation programs, if developed.~~

~~(v) The curriculum materials and media collection.~~

~~(vi) The evaluation data, including course, field, and follow-up data, on the professional preparation program's effectiveness.~~

~~(vii) The extent to which the college or university addresses the state board of education standards.~~

~~(viii)~~)) the following responsibilities:

(a) Elect a chair of the professional education advisory board.

(b) Adopt bylaws which are consistent with the provisions of this chapter.

(c) Meet at the call of the chair of the professional education advisory board or as provided in the bylaws of the professional education advisory board which, in either case, shall be at least four meetings per calendar year.

(d) Advise the superintendent of public instruction of needed changes in the administrative code affecting the professional preparation programs for which the professional education advisory board has responsibility.

(e) Advise the quality review team as provided in WAC 180-78-190(3).

(f) Report alternative professional programs, if developed.

(3) In determining compliance with this subsection, written documentation must be available for review indicating that the following have been reviewed annually:

(a) One or more program approval standards of WAC 180-78-140 and, as needed, formally notify the college or university in writing of changes the professional education advisory board believes are necessary or required to bring the college or university into compliance with the program approval standards for the professional preparation program and, based upon such review, provide formal recommendations pursuant to subsection (2)(d) of this section.

(b) The plan to provide all candidates for certification with field experiences with ethnic, racial, and cultural populations and with special education and highly capable students.

(c) The evaluation data, including course, field experience (WAC 180-78-165(2)), and follow-up data (WAC 180-78-175 (4) and (5)).

(4) In determining compliance with this subsection, written documentation must be available indicating that the following have been reviewed at least once every three years:

(a) The policies used to develop agreements between the college/universities and agencies providing field sites for field experience.

(b) The curriculum materials and media collection.

(c) Proposed revisions in the professional preparation program to reflect local district policies related to changing demographics, curriculum, organization, and federal and state laws, including administrative rules and case law.

(d) Recent professional developments which may impact the design of the professional preparation program.

((~~(b)~~)) (5) Written minutes are available for each meeting of each professional education advisory board ((~~including~~)) which shall include the following items for each meeting listed in the college or university's annual report (WAC 180-78-047): Attendance by individuals and the agencies they represent, agenda items, substantive issues discussed, actions taken, and a list of all recommendations for change.

((~~(c)~~)) (6) Documentation from the college or university is available showing that each recommendation from each professional education advisory board during each academic year has been considered and acted upon by faculty committees or administrators—depending upon college or university governance—and, if delayed, modified, or not adopted, a rationale provided to the professional education advisory board as to why a recommendation was delayed, modified, or not adopted. All recommendations from professional education advisory boards shall be forwarded to appropriate faculty committees or administrators within two months of formal receipt by the chief administrator of the professional preparation program.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 180-78-125 RESPONSIBILITIES OF PROFESSIONAL EDUCATION ADVISORY BOARDS.

AMENDATORY SECTION (Amending Order 26-88, filed 12/14/88)

WAC 180-78-170 EVIDENCE OF COMPLIANCE WITH CANDIDATE FIELD EXPERIENCE POLICIES PROGRAM APPROVAL STANDARD. The following evidence shall be evaluated to determine whether each professional preparation program is in compliance with the candidate field experience policies program approval standard of WAC 180-78-140(6):

(1) Field experiences prior to student teaching, practicum, or internship requirements shall consist of no less than forty hours of structured observation of one or more professionals serving in the role for which the candidate is being prepared.

(2) Agreements exist between the college or university and the agencies providing field sites for field experiences which specify the role of the involved agencies and the responsibilities and contributions each will make to the field program.

(3) Candidates participate in structured experiences with ethnic, racial, and cultural populations and with special education and highly capable students. Such experiences provide opportunities for candidates to understand the unique contributions, similarities, differences, interdependencies, and special needs of students with particular emphasis on those from varying racial, cultural, linguistic, and socio-economic backgrounds.

(4) Field experiences integrate theory and practice and are documented by written records which describe:

(a) Specifications for selecting field sites and field personnel.

(b) Criteria for assigning students to field settings, including provisions for changes in assignments if necessary.

(c) Responsibilities of college and university supervisors and school personnel working with candidates in planning, instruction, observation, evaluation, and/or grading.

(d) Knowledge and skills relevant to the respective roles specified in WAC 180-78-205 through 180-78-325.

(5) School personnel working with candidates for the required eight weeks field experiences must have had three years experience in the role supervised (i.e., as a teacher, administrator, or ESA), have been oriented to their responsibilities, and have been given training by the college or university and/or school district in their role and responsibilities.

(6) Records of observations and conferences are maintained for each candidate in the professional preparation program. Such records shall document at least ((~~eight~~)) a total of twelve hours of observations by, and conferences with, a college or university supervisor.

(7) Standards for evaluating the candidate's successful completion of the required student teaching, practicum, or internship shall include the following categories:

(a) The state's minimum criteria, as set forth in chapter 392-191 WAC, for the evaluation of certificated employees, if applicable to the role.

(b) The state's general and role specific skills as set forth in WAC 180-78-205 through 180-78-325.

(c) Current research findings as reported in relevant professional publications.

NEW SECTION

WAC 180-78-196 ADMISSION TO PRACTICE EXAMINATION—TEACHER, AND ADMINISTRATOR. After August 31, 1993, all candidates who apply for an initial or a first time Washington teacher, or administrator certificate must pass an admission to practice examination based on WAC 180-79-131 General knowledge required of all candidates for certification. In addition, teachers must pass a second examination based on WAC 180-79-136 General knowledge required of all candidates for teacher certificates. Administrators must also pass an additional examination based on WAC 180-79-140 General knowledge required of all candidates for administrator certificates. Any teacher or administrator who allows his or her certificate to lapse after August 31, 1993, or who converts to guidelines in effect after that time shall be required to pass the admission to practice examination.

NEW SECTION

WAC 180-78-201 PROGRAM APPROVAL-TEACHERS, COLLABORATION WITH K-12 SCHOOLS. An approved preparation program shall annually develop and implement a plan to increase the level of collaboration and interaction between the program's faculty and K-12 schools in the state. The plan shall require, to the maximum extent feasible, that each member of the full time teacher preparation faculty annually provide instruction to students in the K-12 classroom in a public or approved private school setting in the state of Washington, during the regular school year. The instruction that will be provided must be in accordance with RCW 28A.405.010 and applicable state board of education rules.

NEW SECTION

WAC 180-78-232 OUTCOME-BASED STANDARDS: ADVISORY COMMITTEE. The state board of education acknowledges that it has the primary responsibility for establishing standards for the approval of programs for the preparation of teachers. It also recognizes that developmental efforts are occurring across the United States to establish outcome-based standards which could, when in place, increase the quality of beginning teachers by establishing more effective measures of accountability while reducing the rules and regulations governing colleges and universities that prepare teachers. Therefore, the state board of education requests the superintendent of public instruction to appoint

and provide necessary assistance to an advisory committee, described below which shall have the responsibility to present recommendations for outcome-based standards to the state board of education no later than October 1, 1993. In completing this task, the advisory committee shall consider at a minimum such developments as the assessment of authentic teaching tasks, student teacher work samples, and assessment approaches now being developed by the National Board for Professional Teaching Standards, major testing companies, and other states. The committee shall be composed of at least three teachers, three higher education faculty and/or administrators, three principals, one personnel administrator, one superintendent, one school board member, and one parent representative.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 180-86-012 SUNSET OF AUTHORITY TO REPRIMAND.
WAC 180-86-097 SUNSET OF ADVISORY COMMITTEE.

WSR 92-01-128
PREPROPOSAL COMMENTS
BUILDING CODE COUNCIL
[Filed December 19, 1991, 10:50 a.m.]

Subject of Possible Rule Making: To establish minimum building/fire standards for wildland/urban interface areas within Washington state which have been identified as having high or extreme hazard risk levels.

Persons may Comment on this Subject in the Following Ways: Provide comments in writing, State Building Code Council, 906 Columbia Street S.W., P.O. Box 48300, Olympia, WA 98504-8300, December 15, 1991, through March 31, 1992.

Other Information or Comments by Agency at this Time, if any: Persons interested in either serving on a Technical Advisory Group or in receiving regulations when drafted should notify staff, Mari Eichner, State Building Code Council, 906 Columbia Street S.W., P.O. Box 48300, Olympia, WA 98504-8300. Formal rule making is anticipated in June 1992 with public hearings scheduled in fall 1992. Adoption will occur by November 30, 1992.

December 12, 1991
Gene J. Colin
Chair

WSR 92-01-129
PREPROPOSAL COMMENTS
BUILDING CODE COUNCIL
[Filed December 19, 1991, 10:51 a.m.]

Subject of Possible Rule Making: To establish final requirements for the maintenance of indoor air quality in newly constructed residences as required by RCW 19.27.190(2).

Persons may Comment on this Subject in the Following Ways: Provide comments in writing, State Building Code Council, 906 Columbia Street S.W., P.O. Box 48300, Olympia, WA 98504-8300, by December 19, 1991, through January 31, 1992.

Other Information or Comments by Agency at this Time, if any: Persons interested in either serving on the Technical Advisory Group to draft standards and rules or receiving draft regulations, should notify staff by January 31, 1992, Don Kaiser, State Building Code Council, 906 Columbia Street S.W., P.O. Box 48300, Olympia, WA 98504-8300. Provide comments on potential regulatory language for modifying the existing Ventilation and Indoor Air Quality Code (chapter 51-13 WAC) which is an interim standard. Formal rule making is anticipated in June 1992 with public hearings scheduled in the fall of 1992. Adoption will occur by January 1, 1993.

November 8, 1991
Gene J. Colin
Chair

WSR 92-01-130
PERMANENT RULES
BUILDING CODE COUNCIL
[Filed December 19, 1991, 10:53 a.m., effective July 1, 1992]

Date of Adoption: November 8, 1991.

Purpose: To repeal chapter 51-10 WAC, State regulations for barrier-free facilities. Barrier-free regulations have been incorporated into chapter 51-20 WAC.

Citation of Existing Rules Affected by this Order: Repealing chapter 51-10 RCW.

Statutory Authority for Adoption: Chapters 70.92 and 19.27 RCW.

Pursuant to notice filed as WSR 91-16-110 on August 7, 1991.

Effective Date of Rule: July 1, 1992.

November 8, 1991
Gene J. Colin
Chair

REPEALER

The following chapter of the Washington Administrative Code is repealed:

Chapter 51-10 WAC BARRIER-FREE FACILITIES

WSR 92-01-131
PROPOSED RULES
PUBLIC DISCLOSURE COMMISSION
[Filed December 19, 1991, 11:50 a.m.]

Original Notice.

Title of Rule: WAC 390-05-300 Suspension of reporting requirements; 390-05-305 Petition for disclosure—Form; 390-16-041 Forms—Summary of total contributions and expenditures; and 390-28-025 Hearing to modify reporting requirements.

Purpose: WAC 390-05-300, reporting requirements are suspended for jurisdictions with fewer than 1,000 registered voters unless petition with valid signatures is filed with Public Disclosure Commission; WAC 390-05-305 describes what petition (in WAC 390-05-300) requires; WAC 390-16-041, describes forms required to be filed by candidates and political committees who use full and abbreviated reporting options; and WAC 390-28-025, an official may request a hearing to modify reporting requirements.

Statutory Authority for Adoption: RCW 42.17.370.

Summary: WAC 390-05-300 and 390-05-305, to make rule consistent with 1986 amendment to statute; WAC 390-16-041, add a new form to allow state executive and legislative candidates to provide more detailed information; and WAC 390-28-025, adds a paragraph to indicate how modification hearing is to be conducted.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Graham E. Johnson, Olympia, 3-1111.

Name of Proponent: [Public Disclosure Commission], governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 390-05-300, jurisdictions with fewer than 1,000 registered voters are not required to file certain reports with the Public Disclosure Commission unless a petition is filed with the Public Disclosure Commission. If petition is filed, officials in that jurisdiction will be notified of their requirements under the disclosure law; WAC 390-05-305, the petition for disclosure must include, among other things, name of jurisdiction, name and address of candidates and ballot issue committees in jurisdiction, name, address and legal signature of at least 15% of registered voters; WAC 390-16-041, Forms C-4, Schedules A, B, C, & L are required from officials and political committees who use full reporting option. Forms C-4, Schedules A-s/1, B-s/1, C and L are required to be filed by candidates for state executive and legislative offices. Form C4ABB is required to be filed by candidates and political committees who use abbreviated reporting; and WAC 390-28-025, officials who find they cannot fully comply with the disclosure law can request a reporting modification hearing before the commission.

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, 711 Capitol Way, Olympia, WA, on January 28, 1992, at 9 a.m.

Submit Written Comments to: Public Disclosure Commission, P.O. Box 40908, Olympia, WA 98504-0908, by January 15, 1992.

Date of Intended Adoption: January 28, 1992.

December 19, 1991
Graham E. Johnson
Executive Director

AMENDATORY SECTION (Amending Order 85-03, filed 7/9/85)

WAC 390-05-300 SUSPENSION OF REPORTING REQUIREMENTS. From the effective date of RCW 42.17.405, the following reporting requirements are suspended in jurisdictions with less than one thousand registered voters as of the date of the most recent general election in the jurisdiction:

(1) The F-1 financial reports of public officials required by RCW 42.17.240 and WAC 390-24-010, 390-24-020 and 390-24-025;

(2) The L-5 public agency lobbying report required by RCW 42-.17.190 and WAC 390-20-120;

(3) The C-1 through C-4 campaign finance reports required for ballot issues by RCW 42.17.040 through 42.17.090 and WAC 390-16-011, 390-16-031, 390-16-036, 390-16-041, and independent campaign expenditure reports (C-6) required for ballot issues by RCW 42.17.100 and WAC 390-16-050: Provided, That reporting requirements shall be reinstated by order of the commission at its next regular or special meeting if:

(a) A certified "petition for disclosure" containing the valid signatures of ((~~five~~)) fifteen percent of the number of registered voters of the jurisdiction as of the date of the most recent general election in the jurisdiction is filed with the commission; or

(b) The jurisdiction has by ordinance, resolution or other official action petitioned the commission to void the suspension with respect to elected officials, candidates and ballot propositions for the jurisdiction.

If reporting requirements are reinstated by petition, the commission shall promptly notify all known affected candidates and incumbent elected officials of their duty to file disclosure reports. Such individuals and committees shall be ordered to file the required statements within thirty days of the commission order.

AMENDATORY SECTION (Amending Order 85-03, filed 7/9/85)

WAC 390-05-305 PETITION FOR DISCLOSURE—FORM. (1) A petition for disclosure shall be legible, on 8-1/2 x 11" paper and shall include the following information:

(a) The name of the jurisdiction;

(b) A request that public disclosure be required;

(c) The names and addresses of all known candidates and ballot proposition committees in the jurisdiction who will be required to report;

(d) The legibly printed name and address and the legal signature of at least ((~~five~~)) fifteen percent of the number of registered voters in the jurisdiction as of the date of the most recent general election in the jurisdiction.

(2) The petition shall be verified and certified by the auditor or elections officer of the county or counties in which the jurisdiction is located. The signatures shall be verified by comparing the signatures on the petition to the signatures on the voter registration roll. The auditor shall place his seal on each verified page of the petition in order to certify it to the commission.

(3) A suggested form for petition is:

"We, the undersigned citizens and registered voters of (name of jurisdiction), request that the Public Disclosure Commission order disclosure in (name of jurisdiction)."

(4) A suggested form for the petition of a jurisdiction by ordinance, resolution or other official action is:

"We, the (governing board) of (name of jurisdiction) request that the Public Disclosure Commission order disclosure in (name of jurisdiction). This request is made pursuant to RCW 42.17.405 and WAC 390-05-305(4)."

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 91-22-033, filed 10/30/91, effective 11/30/91)

WAC 390-16-041 FORMS—SUMMARY OF TOTAL CONTRIBUTIONS AND EXPENDITURES. (1) The official form for reports of contributions and expenditures by candidates and political committees ((~~[who use the "file" reporting option]~~)) who use the "full" reporting option is designated "C-4," revised 1/90, and includes Schedule A, revised 1/90, Schedule B, revised 1/90, Schedule C, revised 1/90, and Schedule L, revised 1/90.

(2) The official form for reports of contributions and expenditures by candidates for the state legislature or state executive office and who use the "full" reporting option is designated C-4, revised 1/90, and includes Schedule ((~~A-s/[l][1]~~)) A-s/l, revised 10/91, Schedule B-s/l, revised 10/91, Schedule C, revised 1/90, and Schedule L, revised 1/90.

(3) The official form for reports of contributions and expenditures by candidates and political committees who use the "abbreviated" reporting option is designated "C-4abb," revised 1/90.

(4) Copies of ((~~[these forms] [this form]~~)) these forms are available at the Commission Office, Room 403, Evergreen Plaza Building, Olympia, Washington 98504. Any attachments shall be on 8-1/2" x 11" white paper.

STATE OF WASHINGTON PDC PUBLIC DISCLOSURE COMMISSION

SUMMARY, FULL REPORT RECEIPTS AND EXPENDITURE

C4 1/90

PDC OFFICE USE

POST MARK RECEIVED

Candidate or committee name (Do not abbreviate. Include full name.)

Address

City County Zip

Report Period Covered From: (last C-4) To: (end of period)

RECEIPTS

1. Previous total cash and in kind contributions (From line 8, last C-4) (If beginning a new campaign or calendar year, see instruction booklet) .....
2. Cash received (From line 2, Schedule A) .....
3. In kind contributions received (From line 1, Schedule B) .....
4. Total cash and in kind contributions received this period (Line 2 plus 3) .....
5. Loan principal repayments made (From line 2, Schedule L) ..... ( )
6. Corrections (From line 1 or 3, Schedule C) ..... Show + or (-)
7. Net adjustments this period (Combine lines 5 & 6) ..... Show + or (-)
8. Total cash and in kind contributions during campaign (Combine lines 1, 4 & 7) .....
9. Total pledge payments due (From line 2, Schedule B)

EXPENDITURES

10. Previous total cash and in kind expenditures (From line 17, last C-4) (If beginning a new campaign or calendar year, see instruction booklet) .....
11. Total cash expenditures (From line 4, Schedule A or line 5 Schedule A-a/I) .....
12. In kind expenditures (goods & services) (From line 1, Schedule B) .....
13. Total cash and in kind expenditures made this period (Line 11 plus line 12) .....
14. Loan principal repayments made (From line 2, Schedule L) ..... ( )
15. Corrections (From line 2 or 3, Schedule C) ..... Show + or (-)
16. Net adjustments this period (Combine lines 14 & 15) ..... Show + or (-)
17. Total cash and in kind expenditures during campaign (Combine lines 10, 13 and 16) .....

CANDIDATES

Please complete:

	Won	Lost	Unopposed	Name not on ballot
Primary election	☐	☐	☐	☐
General election	☐	☐	☐	☐

CASH SUMMARY

18. Cash on hand (Line 8 minus line 17) ..... (Line 18 should equal your checkbook balance.)
19. Liabilities: (Sum of loans and debts owed) ..... ( )
20. Balance (Surplus or deficit) (Line 18 minus line 19) .....

CERTIFICATION: I certify that the information herein and on accompanying schedules and attachments is true to the best of my knowledge.

Candidate's Signature Date | Treasurer's Signature (if a political committee) Date

PDC form C4 (Rev. 1/90) -1499-

See instructions on reverse

PUBLIC DISCLOSURE COMMISSION
403 EVERGREEN PLAZA, FJ-42
OLYMPIA, WASHINGTON 98504-3342
Telephone (206) 753-1111

PDC FORM **C4** (1/90)

CONTRIBUTION AND EXPENDITURE SUMMARY

INSTRUCTIONS

Please consult PDC instruction manuals when completing this report.
Reporting requirements are contained in and governed by chapters 42.17 RCW and 390-16 WAC.

WHO MUST FILE Each candidate and political committee using Full Reporting.

FILING DATES

1) File with C-1 (Registration) if you received contributions or made expenditures before registering.

2) File on the 10th of each month if contributions or expenditures were over $200 since last C-4 was filed. (Note: These 10th-of-the-month reports are not required if another C-4 must be filed during that month. See #3 below.)

3) For each primary, general and special election in which the candidate or political committee makes an expenditure, file

- **21 days prior to the election**
- **7 days prior to the election**
- **10th of the first month after the election***

(*Not required after primary from candidates who will be in the general election or from continuing political committees.)

4) File final report when campaign is finished or committee closes operation. Often, this coincides with the primary or general post-election, 10th-of-the-month report.

All reports are considered filed as of the postmark date or the date hand-delivered to PDC.

SCHEDULES AND ATTACHMENTS State executive and legislative candidates will file Schedules A-s/I, B, C and L, as appropriate, along with the C-4. These candidates also will file Form C-4x with each C-4.

Judicial and local office candidates and all political committees will file Schedules A, B, C and L, as appropriate, along with their C-4 reports.

All candidates and committees must attach any C-3 reports that were due but not filed.

WHERE TO SEND REPORTS Send original C-4 reports along with any attachments to PDC at the above address. Candidates send a duplicate copy to their County Auditor (County Elections Department). Political committees send a copy to County Auditor of the county in which their headquarters is located or, if no headquarters, the county in which their treasurer resides.

OTHER REPORTS

C-3 (Cash Receipts Report): Used with Full Reporting only.

C-4 (Contribution and Expenditure Report): Used with Full Reporting only.

ABB C-4 (Receipts and Expenditures Summary): Filed by candidates using Abbreviated Reporting.

Special Report E (Earmarked Contributions Report): Filed by committees which receive funds earmarked for use on behalf of another candidate or committee.

For assistance, call or write PDC!

CASH RECEIPTS AND EXPENDITURES

SCHEDULE A to C4 (1/90)

Candidate or committee name (Do not abbreviate. Use full name)

1. CASH RECEIPTS (Contributions) which have been reported on C3. List each deposit made since last C4 report was submitted.

Date of deposit	Amount	Date of deposit	Amount	Date of deposit	Amount	Total deposits

2. TOTAL CASH RECEIPTS — Enter also on line 2 of C4 _____

3. CASH EXPENDITURES. List all expenses since last C-4 report was filed.

	Amount
a. Total expenditures each $50 or less not itemized below (including petty cash)	
b. Payments and reimbursement to candidate or committee officials. Attach a sheet listing each payment, the person paid, the original vendor and the purpose of the expenditure. Attach a copy of each receipt or invoice.	

EXPENDITURES OVER $50.00. ITEMIZE EACH BELOW.

Date paid	Name and address of recipient or vendor paid	Purpose of expenditure	Amount

IN KIND CONTRIBUTIONS, PLEDGES, ORDERS, DEBTS, OBLIGATIONS

SCHEDULE B to C4 (1/90)

Candidate or committee name (Do not abbreviate. Use full name)

1. IN KIND CONTRIBUTIONS RECEIVED (goods, services, discounts, etc.)

Date received	Contributor's name and address	Description of contribution	Fair market value	Total given by this person during campaign or year
		TOTAL (Enter also on line 3 and line 12 of C4)		

2. PLEDGES RECEIVED BUT NOT YET PAID. List each pledge of $100.00 or more.

Date you were notified of plodge	Name and address of person making pledge (including organizations)	Amount	Total given by this person during campaign or year
	TOTAL (Include new pledges above and all other outstanding pledges.) (Enter also on line 9 of C4)		

3. ORDERS PLACED, DEBTS, OBLIGATIONS, ESTIMATED EXPENDITURES (Excluding loans. Report loans on Schedule L.)

a. List each debt, obligation or estimated expenditure which is more than $250.00.
b. List each debt, obligation or estimated expenditure which is more than $50.00 and has been outstanding for over 30 days.

Expenditure date	Vendor's/Recipient's name and address	Amount owed	Purpose of expenditure
	TOTAL (Include in line 19 of C4)		

PDC form C4B (rev. 1/90) -1500-

CORRECTIONS

SCHEDULE to C4 **C**

Candidate or committee name (Do not abbreviate. Use full name.)

Date

1. CONTRIBUTIONS AND RECEIPTS (Include mathematical corrections.)

Date of report	Contributor's name or description of correction	Amount reported	Corrected amount	Difference (+ or -)

Total corrections to contributions
Enter on line 6 of C4. Show + or (-).

2. EXPENDITURES (Include mathematical corrections.)

Date of report	Vendor's name or description of correction	Amount reported	Corrected amount	Difference (+ or -)

Total corrections to expenditures
Enter on line 15 of C4. Show + or (-).

3. REFUNDS. The below listed amounts have been received as refunds on expenditures previously reported. The refund has been deposited and reported on C3 report, line 1d.

Date of refund	Source/person making refund	Amount of refund

Total refunds
Enter as (-) on line 6 & line 15 of C4.

PDC form C4C (rev 1-90) -1318-

LOANS

See instructions and examples on reverse

SCHEDULE TO C3 OR C4 **L** (1/90)

Candidate or committee name

1. LOAN RECEIVED.

Date loaned	Lender's name and address	Amount of loan	Annual interest rate	Repayment schedule	Date due

Also include this amount on line 1c, C3 report →

Name and address of each endorser, co-signer, guarantor or other person liable for the loan:

2. LOAN PAYMENTS.

Date paid	Lender's name and address	Principal paid	Interest paid	Total payment	Balance owed

Total Principal Paid (Enter also on lines 5 and 14, C-4 report) →

Total Payments (Enter as an expenditure on Schedule A) →

3. LOAN FORGIVEN.

Date	Lender's name and address	Original amount	Principal repaid	Amount forgiven	Balance owed

4. LOANS STILL OWED. List each loan which has previously been reported and still has a balance due.

Loan date	Lender's name and address	Original amount	Principal repaid or forgiven	Amount owed

Subtotal

New loans received during this reporting period

☐ Check here if continued on attached sheet.

Total Loans Owed (Include in total on line 19, C-4 report)

PDC form C4L (1/90) -1500-

PUBLIC DISCLOSURE COMMISSION
403 EVERGREEN PLAZA, FJ-42
OLYMPIA, WASHINGTON 98504-3342
Telephone (206) 753-1111

SCHEDULE TO C3 OR C4	L (1/90)	LOANS

INSTRUCTIONS

Please consult PDC instruction manuals when completing this schedule.
Reporting requirements are contained in and governed by chapters 42.17 RCW and 390-16 WAC.

WHO MUST FILE Each candidate and political committee using full reporting that receives one or more campaign loans.

FILING DATES

When a loan is received by the campaign, complete Part 1 and file the Schedule L with the C-3 report that corresponds with the loan's deposit into the account. **Use a separate schedule for each loan received.**

When a loan is paid or forgiven, in whole or in part, complete Part 2 and/or Part 3 and file the Schedule L with the C-4 covering the period when the payment or forgiveness occurred.

When one or more loans remain unpaid, complete Part 4 and file the schedule with each C-4 report until all loans are repaid in full or forgiven. (The same schedule may be used to show loan payments, forgiveness information and to show which loans remain unpaid.)

LOAN RECEIVED (Information would appear on separate Schedule L)

LOAN PAYMENTS

LOAN FORGIVEN

LOANS STILL OWED

LOANS (See instructions and examples on reverse) — SCHEDULE TO C3 OR C4 **L** (1/90)

Candidate or committee name: Adrian Adams for State House

1. LOAN RECEIVED.

Date loaned	Lender's name and address	Amount of loan	Annual interest rate	Repayment schedule	Date due
2/10/9X	Candidate	$5,000	12%	$200/month	Not Fixed

Also include this amount on line 1c, C3 report → $5,000

Name and address of each endorser, co-signer, guarantor or other person liable for the loan:

Commercial loan to the candidate from Washington State Bank. Loan co-signed by Sam P. Smith, 145 Boulevard Drive, Podunk, WA and Jane S. Paul, 541 B Street, Podunk, WA. Each guaranteed $2,500 of the loan.

2. LOAN PAYMENTS.

Date paid	Lender's name and address	Principal paid	Interest paid	Total payment	Balance owed
3/30/9X	Candidate	$200	$50	$250	$4,800
3/31/9X	Michael Murray	$100	None	$100	$ 400

Total Principal Paid (Enter also on lines 5 and 14, C-4 report) → $300

Total Payments (Enter as an expenditure on Schedule A) → $350

3. LOAN FORGIVEN.

Date	Lender's name and address	Original amount	Principal repaid	Amount forgiven	Balance owed
3/15/9X	Kelly Adams	$250	None	$150	$100

4. LOANS STILL OWED. List each loan which has previously been reported and still has a balance due

Loan date	Lender's name and address	Original amount	Principal repaid or forgiven	Amount owed
2/10/9X	Candidate	$5,000	$200	$4,800
1/22/9X	Michael Murray	500	100	400
3/01/9X	Kelly Adams	250	150	100
3/11/9X	K.M. Lawrence	1,000	0	1,000
			Subtotal	$6,300
		New loans received during this reporting period		0
			Total Loans Owed (Include in total on line 10, C-4 report)	$6,300

( ) Check here if continued on attached sheet

CASH RECEIPTS AND EXPENDITURES

STATE EXECUTIVE AND LEGISLATIVE CANDIDATES

SCHEDULE to C4 **A-S/L** (10/91)

Candidate or Committee Name (Do not abbreviate. Use full name)

1. CASH RECEIPTS (Contributions) which have been reported on C3. List each deposit since last C4 report was submitted.

Date of Deposit	Amount	Date of Deposit	Amount	Date of Deposit	Amount	Total deposits

2. TOTAL CASH RECEIPTS Enter also on line 2 of C4 _____

CODES FOR CLASSIFYING EXPENDITURES: If one of the following codes is used to describe an expenditure, no other description is generally needed. The exceptions are: 1) if expenditures are in-kind or earmarked contributions to another candidate or committee or independent expenditures that benefit another candidate or committee, identify that candidate or committee in the Description block; and 2) when reporting payments to vendors for travel expenses, identify the traveller in the Description block.

CODE DEFINITIONS ON REVERSE

"C" - Contributions (monetary, in-kind & transfers)
"I" - Independent Expenditures
"L" - Literature, Brochures, Printing
"B" - Broadcast Advertising (Radio, TV)
"N" - Newspaper and Periodical Advertising
"O" - Other Advertising (yard signs, buttons, etc.)
"P" - Postage, Mailing Permits
"S" - Surveys and Polls
"F" - Fundraising Event Expenses
"T" - Travel, Accommodations, Meals
"M" - Management/Consulting Services
"W" - Wages, Salaries, Benefits
"G" - General Operation and Overhead

3. EXPENDITURES

a) Expenditures of $50 or less, including those from petty cash, need not be itemized. Add up these expenditures by category (Own Campaign, Contribution to Others, etc.), and show the categorical subtotals in the appropriate column on the first line below.
b) Itemize each expenditure of more than $50 by date paid, name and address of vendor, code/description, and amount. Put the amount in the appropriate expense category column.
c) For each payment to a candidate, campaign worker, PR firm, advertising agency or credit card company, attach a list of expenses or copies of receipts/ invoices supporting the payment.

Date Paid	Vendor or Recipient (Name and Address)	Code	Purpose of Expense and/or Description	Own Campaign	Contribution to Others	Public Office	Non-Campaign Misc.
N/A	Expenses of $50 or Less	N/A	N/A				
			Totals From Attached Pages				
4. TOTALS BY EXPENSE CATEGORY							
				1	2	3	4

5. TOTAL CASH EXPENDITURES (Sum of columns 1, 2, 3 & 4) Enter also on line 11 of C4 _____

PDC Form C4, Sch. A-s/l (Rev. 10/91)—1

CODE DEFINITIONS ON REVERSE

EXPENDITURE CODE DEFINITIONS AND USES

"C" MONETARY, IN-KIND AND EARMARKED CONTRIBUTIONS (including transfers) your campaign makes to other candidates and committees. Put a "C" in the Code column, in the Description column, specify who was benefited and, if in-kind, what was purchased, and put the amount in "Contribution to Others."

"I" INDEPENDENT EXPENDITURES (those expenditures that benefit other candidates or committees but are made independently of them). Put an "I" in the Code column, fully describe purpose and put the amount in "Contribution to Others."

"L" LITERATURE. Use "L" for expenditures made for the preparation and production of campaign literature and printed solicitations, including expenditures for mailing lists, design, photography, copy, layout, printing and reproduction. Use "P" for literature mailing costs.

"B" BROADCAST ADVERTISING. Use "B" for expenditures associated with the production and purchase of radio and television advertising.

"N" NEWSPAPER & PERIODICAL ADVERTISING. Use "N" for expenditures associated with the production and purchase of advertising in newspapers, periodicals and other publications.

"O" OTHER ADVERTISING. Use "O" for expenditures associated with the production and purchase of advertising on billboards, yard signs and campaign paraphernalia such as buttons, bumper stickers, T-shirts, etc.

"P" POSTAGE. Use "P" for expenditures for stamps, postage, United Parcel Service, Federal Express and direct mail services (postage only). Use "L" for design and other production costs associated with producing campaign literature.

"F" FUNDRAISING EVENTS. Use "F" for expenditures associated with holding a fundraiser, including payments to restaurants, hotels, caterers, other food and refreshment vendors, entertainers and speakers. Use "L" for expenditures for printed matter produced in connection with fundraising events.

"S" SURVEYS AND POLLS. Use "S" for expenditures associated with designing or producing polls, reports on election trends, voter surveys, telemarketing, telephone banks, GOTV drives, etc.

"T" TRAVEL, ACCOMMODATIONS, MEALS. Use "T" for expenditures associated with travel. If vendor has been paid directly, identify the traveller in Description column. If travel payment was made to credit card company or traveller (for out-of-pocket expenses), itemize expenses on separate sheet and attach to Sch. A-s/l.

"M" MANAGEMENT AND CONSULTING SERVICES. Use "M" for salaries, fees and commissions paid to campaign management companies and contract consultants, including law firms, whether the person is retained or formally employed by the campaign (for tax withholding purposes).

"W" WAGES, SALARIES, BENEFITS. Use "W" for expenditures associated with hiring campaign employees and other freelance workers who provide miscellaneous services other than campaign management or consulting.

"G" GENERAL OPERATION AND OVERHEAD. Use "G" for general campaign operating expenses and overhead, including filing fees, miscellaneous campaign expenses, headquarters rental, utilities, and purchase or rental of office equipment and furniture. (Note: these are campaign-related expenses, not costs associated with holding public office.)

EXPENDITURES CONTINUATION SHEET (Attachment to Schedule A-s/l) Page _____

STATE EXECUTIVE AND LEGISLATIVE CANDIDATES

Candidate or Committee Name (Do not abbreviate. Use full name.) Report Date

Date Paid	Vendor or Recipient (Name and Address)	Code	Purpose of Expense and/or Description	Own Campaign	Contribution to Others	Public Office	Non-Campaign Misc.
			Page Totals				

STATE OF WASHINGTON
PUBLIC DISCLOSURE COMMISSION

SUMMARY, ABBREVIATED REPORT RECEIPTS AND EXPENDITURES

ABB **C4** (1/90)

PDC OFFICE USE
POST MARK
RECEIVED

Candidate or committee name (Do not abbreviate. Include full name)

Address

City County Zip

1. PERIOD COVERED BY REPORT: From:_____ to:_____

a. **Candidates:** Start of campaign through the end of the month in which the election occurred.

b. **Ballot Measure Committees:** Start of campaign through the end of the month in which the election occurred.

c. **Continuing Committees filing post-election report:** January 1 through end of the month in which election occurred.

d. **Continuing Committees filing annual report:** Calendar year (January 1 through December 31).

2. RECEIPTS

a. Cash on hand from previous campaign or year (Include money in checking, savings and other accounts) .....

b. Cash contributions received this campaign or year (Include monetary contributions, loans, fund raising and cash contributions by a candidate) .....

c. Total cash receipts (Add lines 2a + 2b) .....

d. Other contributions, including in-kind (Include candidates and committee workers out of pocket expenditures over $50.00, donated goods and services, filing fees paid by others and similar non-cash contributions) .....

e. Total contributions (Add lines 2c +2d) .....

3. EXPENSES

a. Cash expenditures .....

b. Other expenditures. (Enter the amount shown on line 2d above here. Non-cash contributions are listed as both received and expended. Disregard any materials which may remain on hand.) .....

c. Total expenditures (Add lines 3a + 3b) .....

4. SURPLUS/DEFICIT

a. Cash on hand at end of reporting period (Subtract: line 3a from 2c) .....

b. Debts and obligations owed .....

c. Surplus or deficit .....

CANDIDATES *Please complete:*

	Won	Lost	Unopposed	Name not on ballot
Primary election		☐		
General election	☐	☐	☐	☐

CERTIFICATION: I certify that this report is true and correct to the best of my knowledge.

Candidate's signature	Date	Treasurer's signature (if a political committee)	Date

PDC form C4ABB (Rev 1/90) -1499-

See instructions on reverse

PUBLIC DISCLOSURE COMMISSION
403 EVERGREEN PLAZA, FJ-42
OLYMPIA, WASHINGTON 98504-3342
Telephone (206) 753-1111

PDC FORM ABB C4 (1/90)

ABBREVIATED RECEIPTS & EXPENDITURES REPORT

INSTRUCTIONS

Please consult PDC instruction manuals when completing this report.
Reporting requirements are contained in and governed by chapters 42.17 RCW and 390-16 WAC.

WHO MUST FILE Each candidate and political committee using Abbreviated Reporting.

FILING DATES

1) Special election candidates and political committees supporting or opposing special election candidates or ballot issues file on the 10th of the month following the election.

2) Candidates who lose in the primary and political committees supporting or opposing primary election ballot issues file on October 10.

3) Candidates who are in the general election and political committees making expenditures supporting or opposing general election candidates or ballot measures file on December 10.

4) Continuing political committees file annual reports on January 10 covering the preceding calendar year.

5) A final report is filed whenever a candidate's committee or a political committee ceases operation, disposes of any surplus campaign funds and has a zero account balance. Final reports may be filed at any time and may coincide with one of the due dates listed above.

All reports are considered filed as of the postmark date or the date hand-delivered to PDC.

WHERE TO FILE Send original C-4 ABB report to PDC at the above address. Candidates send a duplicate copy to their County Auditor (County Election Department). Political committees send a copy to County Auditor of the county in which their headquarters is located or, if no headquarters, the county in which their treasurer resides.

For assistance, call or write PDC!

IN KIND CONTRIBUTIONS, PLEDGES, ORDERS DEBTS, OBLIGATIONS

SCHEDULE to C4 **B-S/L** (10/91)

Candidate or Committee Name (Do not abbreviate. Use full name)

1. IN KIND CONTRIBUTIONS RECEIVED (goods, services, discounts, etc.)

Date Received	Contributor's Name and Address	Description of Contribution	Fair Market Value	Total given by this person during campaign or year
		TOTAL (Enter also on lines 3 and 12 of C4)		

2. PLEDGES RECEIVED BUT NOT YET PAID. List each pledge of $100.00 or more.

Date Notified of Pledge	Name and Address of Person Making Pledge (including organizations)	Amount	Total given by this person during campaign or year
N/A	Sum of outstanding pledges previously itemized on Schedule B ⟶		N/A
	TOTAL (Enter also on line 9 of C4)		

3. ORDERS PLACED, DEBTS, OBLIGATIONS, ESTIMATED EXPENDITURES (Excluding loans. Report loans on Schedule L.)

a. List each debt, obligation or estimated expenditure which is more than $250.00.
b. List each debt, obligation or estimated expenditure which is more than $50.00 and has been outstanding for over 30 days.

Expenditure Date	Vendor's/Recipient's Name and Address	Amount Owed	Code*	OR	Description of Obligation
	TOTAL (Include in line 19 of C4)				

DC form C4B (Rev 10/91)—f

*Code Definitions on Reverse

EXPENDITURE CODE DEFINITIONS AND USES

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"M" **MANAGEMENT AND CONSULTING SERVICES.** Use "M" for salaries, fees and commissions paid to campaign management companies and contract consultants, including law firms, whether the person is retained or formally employed by the campaign (for tax withholding purposes).

"W" **WAGES, SALARIES, BENEFITS.** Use "W" for expenditures associated with hiring campaign employees and other freelance workers who provide miscellaneous services other than campaign management or consulting.

"G" **GENERAL OPERATION AND OVERHEAD.** Use "G" for general campaign operating expenses and overhead, including filing fees, miscellaneous campaign expenses, headquarters rental, utilities, and purchase or rental of office equipment and furniture. (Note: these are campaign-related expenses, not costs associated with holding public office.)

AMENDATORY SECTION (Amending WSR 91-22-083, filed 11/5/91, effective 12/6/91)

WAC 390-28-025 HEARING TO MODIFY REPORTING REQUIREMENTS. (1) Any person who considers compliance with any of the reporting requirements of chapter 42.17 RCW to be a manifestly unreasonable hardship in a particular case may apply for a modification of such reporting requirements pursuant to RCW 42.17.370(10) and further pursuant to these rules.

(2) A hearing to modify the reporting requirements 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 390-28 WAC.

WSR 92-01-132
PERMANENT RULES
DEPARTMENT OF REVENUE
[Filed December 19, 1991, 1:12 p.m.]

Date of Adoption: December 19, 1991.

Purpose: To implement chapter 29, Laws of 1991 sp. sess., regarding the valuation and taxation of computer software.

Statutory Authority for Adoption: Chapter 29, Laws of 1991 and RCW 84.08.010.

Pursuant to notice filed as WSR 91-22-013 on October 25, 1991.

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

December 19, 1991
William N. Rice
Assistant Director

NEW SECTION

WAC 458-12-251 COMPUTER SOFTWARE — DEFINITIONS—VALUATION. (1) This rule implements the provisions of Chapter 29, Laws of Washington 1991, ex. sess, regarding the property taxation of computer software.

(2) COMPUTER SOFTWARE. Computer software is a set of directions or instructions that exist in the form of machine-readable or human-readable code, is recorded on physical or electronic medium and directs the operation of a computer system or other machinery and/or equipment. Computer software includes the associated documentation which describes the code and/or its use, operation, and maintenance and typically is delivered with the code to the user. Computer software does not include databases, but does include the computer programs and code which are used to generate databases. Computer software can be canned, custom, or a mixture of both.

(a) A database is text, data, or other information that may be accessed or managed with the aid of computer software but that does not itself have the capacity to direct the operation of a computer system or other machinery and equipment; and, therefore does not constitute computer software.

(3) CUSTOM SOFTWARE. Custom software is computer software that is specially designed for a single person's or a small group of persons' specific needs. Custom software includes modifications to canned software and can be developed in-house by the user, by outside developers, or by both.

(4) "Person" means any individual, receiver, administrator, executor, assignee, trustee in bankruptcy, trust, estate, firm, copartnership, joint venture, club, company, joint stock company, business trust, municipal corporation, political subdivision of the state of Washington, corporation, association, society, or any group of individuals acting as a unit, whether mutual, cooperative, fraternal, nonprofit, or otherwise and the United States or any instrumentality thereof.

(5) A "small group of persons" shall consist of less than four persons. A group of four or more persons shall be presumed not to be a small group of persons for the purposes of this section unless each of the persons are affiliated through common control and ownership.

(a) "Persons affiliated through common control and ownership" means

(i) Corporations qualifying as controlled group of corporations in 26 USC § 1563; or

(ii) Partnerships or other persons in which at least 80% of the ownership in the persons claimed to be affiliated is the same.

(6) CANNED SOFTWARE. Canned software, also referred to as pre-written, "shrink-wrapped" or standards software, is computer software that is designed for and distributed "as is" for multiple persons who can use it without modifying its code and which is not otherwise considered custom software.

(a) Computer software that is a combination of pre-written or standard components and components specially modified to meet the needs of a user is a mixture of canned and custom software. The standard or pre-written components are canned software and the modifications are custom software.

(b) Canned software that is "bundled" with or sold with computer hardware retains its identity as canned software and shall be valued as such. "Bundled" software is canned software that is sold with hardware and does not have a separately stated price, and can include operating systems such as DOS, UNIX, OS-2, or System 6.0 as well as other programs.

(c) An upgrade is canned software provided by the software developer, author, distributor, inventor, licensor or sublicensor to improve, enhance or correct the workings of previously purchased canned software.

(7) EMBEDDED SOFTWARE. Embedded software is computer software that resides permanently on some internal memory device in a computer system or other machinery and equipment, that is not removable in the ordinary course of operation, and that is of a type necessary for the routine operation of the computer system or other machinery and equipment.

(a) Embedded software can be either canned or custom software which:

(i) is an integral part of the computer system or machinery or other equipment in which it resides;

(ii) is designed specifically to be included in or with the computer system or machinery or other equipment; and

(iii) in its absence, the computer system or machinery or other equipment is inoperable.

(b) "Not removable in the ordinary course of operation" means that the software is not readily accessible and is not intended to be removed without

(i) terminating the computer system, machinery, or equipment's operation; or

(ii) removal of a computer chip, circuit board, or other mechanical device, or similar item.

(c) "Necessary for the routine operation" means that the software is required for the machinery, equipment, or computer to be able to perform its intended function. In the case of machinery or other equipment, such embedded software does not have to be a physical part of the actual machinery or other equipment, but may be part of a separate control or management panel or cabinet.

(8) RETAINED RIGHTS. Retained rights are any and all rights, including intellectual property rights such as those rights arising from copyright, patent, and/or trade secret laws, that are owned or held under contract or license by a computer software developer, author, inventor, publisher or distributor, licensor or sublicensor.

(9) GOLDEN OR MASTER COPY. A golden or master copy of computer software is a copy of computer software from which a computer software developer, author, inventor, publisher or distributor makes copies for sale or license.

(10) ACQUISITION COST.

(a) The acquisition cost of computer software shall include the total consideration paid for the software, including money, credits, rights, or other property expressed in terms of money, actually paid or accrued. The term also includes freight and installation charges but does not include charges for modifying software, retail sales tax or training. No deduction from the acquisition cost of computer software shall be allowed for any retained rights held by the developer, author, inventor, publisher, or distributor.

(b) In cases where the acquisition cost of computer software cannot be specifically identified, it will be valued at the usual retail selling price of the same or substantially similar computer software.

(c) In cases where canned software is specially modified for the user, the canned component of the computer software retains its identity as canned software; and the modifications are considered custom software and not taxable.

(11) VALUATION OF CANNED SOFTWARE.

(a) In the first year in which it will be subject to assessment, canned software shall be listed and valued at one hundred percent (100%) of acquisition cost as defined in section (10)(a), above, regardless of whether the software has been expensed or capitalized on the accounting records of the business.

(b) In the second year in which it will be subject to assessment, canned software shall be listed at one hundred percent (100%) of acquisition cost and valued at 50% (fifty percent) of its acquisition cost.

(c) After the second year in which canned software has been subject to assessment, it shall be valued at zero.

(d) Upgrades to canned software shall be listed and valued at the acquisition cost of the upgrade package under subsections (11)(a) and (b), above, and not at the value of what the complete software package would cost as a new item.

(12) VALUATION OF CUSTOMIZED CANNED SOFTWARE. In the case where a person purchases canned software and subsequently has that canned software customized or modified in-house, by outside developers, or both, only the canned portion of such computer software shall be taxable and it shall be valued as described in subsection (11).

(13) VALUATION OF EMBEDDED SOFTWARE. Because embedded software is part of the computer system, machinery, or other equipment, it has no separate acquisition cost and shall not be separately valued apart from the computer system, machinery, or other equipment in which it is housed.

(14) TAXABLE PERSON. Canned software is taxable to the person having the right to use the software, including a licensee.

(15) EXEMPTIONS.

(a) All custom software, except embedded software, shall be exempt from property taxation;

(b) Retained rights of the computer software developer, author, inventor, publisher, distributor, licensor or sublicensor are exempt from property taxation;

(c) Modifications to canned software shall be exempt from property taxation as custom software; however, the underlying canned software shall retain its identity as canned software and shall be valued as prescribed in subsection (11) of this rule;

(d) Master or golden copies of computer software are exempt from property taxation;

(e) The taxpayer is responsible for maintaining and providing records sufficient to support any claim of exemption for either canned or custom software.

NEW SECTION

WAC 458-50-085 COMPUTER SOFTWARE — DEFINITIONS—VALUATION — CENTRALLY ASSESSED UTILITIES. (1) This rule implements the provisions of Chapter 29, Laws of Washington 1991, ex. sess, regarding the property taxation of computer software for centrally assessed utilities.

(2) COMPUTER SOFTWARE. Computer software is a set of directions or instructions that exist in the form of machine-readable or human-readable code, is recorded on physical or electronic medium and directs the operation of a computer system or other machinery and/or equipment. Computer software includes the associated documentation which describes the code and/or its use, operation, and maintenance and typically is delivered with the code to the user. Computer software does not include databases, but does include the computer programs and code which are used to generate databases. Computer software can be canned, custom, or a mixture of both.

(a) A database is text, data, or other information that may be accessed or managed with the aid of computer

software but that does not itself have the capacity to direct the operation of a computer system or other machinery and equipment; and, therefore does not constitute computer software.

(3) CUSTOM SOFTWARE. Custom software is computer software that is specially designed for a single person's or a small group of persons' specific needs. Custom software includes modifications to canned software and can be developed in-house by the user, by outside developers, or by both.

(4) "Person" means any individual, receiver, administrator, executor, assignee, trustee in bankruptcy, trust, estate, firm, copartnership, joint venture, club, company, joint stock company, business trust, municipal corporation, political subdivision of the state of Washington, corporation, association, society, or any group of individuals acting as a unit, whether mutual, cooperative, fraternal, nonprofit, or otherwise and the United States or any instrumentality thereof.

(5) A "small group of persons" shall consist of less than four persons. A group of four or more persons shall be presumed not to be a small group of persons for the purposes of this section unless each of the persons are affiliated through common control and ownership.

(a) "Persons affiliated through common control and ownership" means

(i) Corporations qualifying as controlled group of corporations in 26 USC § 1563; or

(ii) Partnerships or other persons in which at least 80% of the ownership in the persons claimed to be affiliated is the same.

(6) CANNED SOFTWARE. Canned software, also referred to as pre-written, "shrink-wrapped" or standard software, is computer software that is designed for and distributed "as is" for multiple persons who can use it without modifying its code and which is not otherwise considered custom software.

(a) Computer software that is a combination of pre-written or standard components and components specially modified to meet the needs of a user is a mixture of canned and custom software. The standard or pre-written components are canned software and the modifications are custom software.

(b) Canned software that is "bundled" with or sold with computer hardware retains its identity as canned software and shall be valued as such. "Bundled" software is canned software that is sold with hardware and does not have a separately stated price, and can include operating systems such as DOS, UNIX, OS-2, or System 6.0 as well as other programs.

(c) An upgrade is canned software provided by the software developer, author, distributor, inventor, licensor or sublicensor to improve, enhance or correct the workings of previously purchased canned software.

(7) EMBEDDED SOFTWARE. Embedded software is computer software that resides permanently on some internal memory device in a computer system or other machinery and equipment, that is not removable in the ordinary course of operation, and that is of a type necessary for the routine operation of the computer system or other machinery and equipment.

(a) Embedded software can be either canned or custom software which:

(i) is an integral part of the computer system or machinery or other equipment in which it resides;

(ii) is designed specifically to be included in or with the computer system or machinery or other equipment; and

(iii) in its absence, the computer system or machinery or other equipment is inoperable.

(b) "Not removable in the ordinary course of operation" means that the software is not readily accessible and is not intended to be removed without

(i) terminating the computer system, machinery, or equipment's operation; or

(ii) removal of a computer chip, circuit board, or other mechanical device, or similar item.

(c) "Necessary for the routine operation" means that the software is required for the machinery, equipment, or computer to be able to perform its intended function. In the case of machinery or other equipment, such embedded software does not have to be a physical part of the actual machinery or other equipment, but may be part of a separate control or management panel or cabinet.

(8) RETAINED RIGHTS. Retained rights are any and all rights, including intellectual property rights such as those rights arising from copyright, patent, and/or trade secret laws, that are owned or held under contract or license by a computer software developer, author, inventor, publisher or distributor, licensor or sublicensor.

(9) GOLDEN OR MASTER COPY. A golden or master copy of computer software is a copy of computer software from which a computer software developer, author, inventor, publisher or distributor makes copies for sale or license.

(10) ACQUISITION COST.

(a) The acquisition cost of computer software shall include the total consideration paid for the software, including money, credits, rights, or other property expressed in terms of money, actually paid or accrued. The term also includes freight and installation charges but does not include charges for modifying software, retail sales tax or training. No deduction from the acquisition cost of computer software shall be allowed for any retained rights held by the developer, author, inventor, publisher, or distributor.

(b) In cases where the acquisition cost of computer software cannot be specifically identified, it will be valued at the usual retail selling price of the same or substantially similar computer software.

(c) In cases where canned software is specially modified for the user, the canned component of the computer software retains its identity as canned software; and the modifications are considered custom software and not taxable.

(11) VALUATION OF CANNED SOFTWARE.

(a) In the first year in which it will be subject to assessment, canned software shall be listed and valued at one hundred percent (100%) of acquisition cost as defined in section (10)(a), above, regardless of whether the software has been expensed or capitalized on the accounting records of the business.

(b) In the second year in which it will be subject to assessment, canned software shall be listed at one hundred percent (100%) of acquisition cost and valued at 50% (fifty percent) of its acquisition cost.

(c) After the second year in which canned software has been subject to assessment, it shall be valued at zero.

(d) Upgrades to canned software shall be listed and valued at the acquisition cost of the upgrade package under subsections (11)(a) and (b), above, and not at the value of what the complete software package would cost as a new item.

(12) VALUATION OF CUSTOMIZED CANNED SOFTWARE. In the case where a person purchases canned software and subsequently has that canned software customized or modified in–house, by outside developers, or both, only the canned portion of such computer software shall be taxable and it shall be valued as described in subsection (11).

(13) VALUATION OF EMBEDDED SOFTWARE. Because embedded software is part of the computer system, machinery, or other equipment, it has no separate acquisition cost and shall not be separately valued apart from the computer system, machinery, or other equipment in which it is housed.

(14) TAXABLE PERSON. Canned software is taxable to the person having the right to use the software, including a licensee.

(15) SITUS. Canned and custom software with situs in Washington means software physically located in Washington or installed in or on machinery, equipment, or computer systems physically located in Washington on the assessment date.

(16) REPORTING. Each utility/taxpayer defined in RCW 84.12 and 84.16 shall report to the Department, using the Annual Report tax form provided by the Department, the following information regarding its software with situs in Washington in use on the assessment date:

(a) The acquisition cost of expensed canned computer software which was purchased:

(i) In the year preceding the assessment date; and

(ii) In the second year prior to the assessment date; and

(iii) in the years prior to the second year preceding the assessment date.

(b) The historic cost less depreciation of capitalized canned computer software which was purchased:

(i) In the year preceding the assessment date;

(ii) In the second year prior to the assessment date;

(iii) In the years prior to the second year preceding the assessment date;

(c) The acquisition cost of expensed custom computer software which was purchased:

(i) In the year preceding the assessment date;

(ii) In the second year prior to the assessment date;

(iii) In the years prior to the second year preceding the assessment date;

(d) The historic cost less depreciation of capitalized custom computer software.

(17) CALCULATION OF COMPUTER SOFTWARE VALUE. The following formulas shall be used for determining the percent taxable calculation of computer software used by centrally assessed utilities.

(a) For the purpose of determining the numerator of the percent taxable calculation, the historic cost less depreciation of all taxable Washington property shall be computed by adjusting the historic cost less depreciation of property capitalized in the company's records as follows:

(i) Add the acquisition cost of expensed canned software acquired in the year preceding the assessment date; and

(ii) Add 50% of the acquisition cost of expensed canned software acquired in the second year preceding the assessment date; and

(iii) Subtract 50% of the historic cost less depreciation of capitalized canned software acquired in the second year preceding the assessment date; and

(iv) Subtract the historic cost less depreciation of capitalized canned software acquired in years prior to the second year preceding the assessment date; and

(v) Subtract the historic cost less depreciation of capitalized custom software.

(b) For the purpose of determining the denominator of the percent taxable calculation, the historic cost less depreciation of all Washington property shall be computed by adding the acquisition cost of expensed canned and custom software in use on the assessment date to the historic cost less depreciation of Washington property capitalized in the company's records.

(c) The historic cost less depreciation of all taxable Washington property (calculated as set forth in subsection (a) above) shall be divided by the historic cost less depreciation of all Washington property (calculated as set forth in subsection (b) above) to arrive at the percent taxable calculation.

(d) The portion of the unit value allocated to Washington State shall be multiplied by the percent taxable calculated as set forth in subsection (c) above to determine the Washington taxable property value.

(18) EXEMPTIONS.

(a) All custom software, except embedded software, shall be exempt from property taxation;

(b) Retained rights of the computer software developer, author, inventor, publisher, distributor, licensor or sublicensor are exempt from property taxation;

(c) Modifications to canned software shall be exempt from property taxation as custom software; however, the underlying canned software shall retain its identity as canned software and shall be valued as prescribed in subsection (11) of this rule;

(d) Master or golden copies of computer software are exempt from property taxation;

(e) The taxpayer is responsible for maintaining and providing records sufficient to support any claim of exemption for either canned or custom software.

WSR 92-01-133
NOTICE OF PUBLIC MEETINGS
EVERETT COMMUNITY COLLEGE
[Memorandum—December 17, 1991]

As per chapter 42.30 RCW, Open Public Meetings Act, the time and place of regular meetings for the Everett Community College board of trustees for 1992 will be as follows: The second and fourth Wednesdays of each month, (the second Wednesday will be for the purpose of a study session and will be held at 12:30 p.m. The fourth Wednesday will be for the purpose of a business meeting and will be held at 3:30 p.m.), Everett Community College or elsewhere as announced.

WSR 92-01-134
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF COMMUNITY DEVELOPMENT
[Memorandum—December 19, 1991]

The Temporary Committee on Natural Resources of State-wide Significance is holding two public hearings to review the draft report that will be submitted to the legislature. For a copy of the draft report call (206) 753-2222.

January 15, 1992
7:00 p.m. to 9:00 p.m.
Olympia Concourse
311 East 4th
Olympia

January 16, 1992
7:00 p.m. to 9:00 p.m.
Activities Building
Yakima County Parks Department
1000 Ahtanum Road
Yakima

WSR 92-01-135
PERMANENT RULES
UTILITIES AND TRANSPORTATION COMMISSION
[Order R-362, Docket No. A-911231—Filed December 19, 1991, 4:20 p.m.]

In the matter of amending WAC 480-09-736 to update mailing address of WUTC subdivision of Office of Administrative Hearings.

The Washington Utilities and Transportation Commission takes this action under Notice No. WSR 91-22-107, filed with the code reviser on November 6, 1991. The commission brings this proceeding pursuant to RCW 80.01.040 and chapter 80.36 RCW to implement those statutes.

This proceeding complies with the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.05 RCW), the State Register Act (chapter 34.08 RCW), the State Environmental Policy Act of 1971 (chapter 43.21C RCW), and the Regulatory Fairness Act (chapter 19.85 RCW).

The commission scheduled this matter for consideration under Notice No. WSR 91-22-107, at 9:00 a.m., Wednesday, December 18, 1991, in the Commission's Hearing Room, Second Floor, Chandler Plaza Building, 1300 South Evergreen Park Drive S.W., Olympia, WA.

The notice provided interested persons the opportunity to submit data, views, or arguments to the commission in writing until December 6, 1991, and orally at the time and place set for consideration. The commission received no written comments. The commission considered the rule change proposal at its December 18, 1991, meeting as scheduled in the notice, before Chairman Sharon L. Nelson and Commissioner A. J. Pardini. No person made oral comments to the commission.

The rule change affects no economic values.

In reviewing the entire record, the commission determines that it should amend WAC 480-09-736, to read as set forth in Appendix A, shown below. WAC 480-09-736, as amended, will correctly state the current mailing address of the WUTC subdivision of the Office of Administrative Hearings. The rule change shall take effect pursuant to RCW 34.05.380(2).

No changes were made between the text of the amendments issued pursuant to Notice No. WSR 91-22-107 and the text finally adopted by the commission, other than changes in capitalization and punctuation to conform to U.S. Postal Service requirements.

ORDER

THE COMMISSION ORDERS The following:

1. WAC 480-09-736, as set forth in Appendix A, is amended and adopted as a rule of the Washington Utilities and Transportation Commission to take effect pursuant to RCW 34.05.380(2).

2. This order and the rule shown below shall be recorded in the order register of the Washington Utilities and Transportation Commission and forwarded to the code reviser for filing pursuant to chapter 34.05 RCW and chapter 1-21 WAC.

DATED at Olympia, Washington, this 18th day of December, 1991.

Washington Utilities and Transportation Commission
Sharon L. Nelson, Chairman
A. J. Pardini, Commissioner

APPENDIX "A"

AMENDATORY SECTION (Amending Order R-336, Docket No. A-900700, filed 2/22/91, effective 3/25/91)

WAC 480-09-736 HEARING GUIDELINES. These guidelines are of a general nature and are provided to assist the presiding officer in regulating the course of the proceeding. The presiding officer has discretion to suspend or modify the guidelines or to use measures not specified herein when appropriate in the circumstances of the case.

(1) Starting times will be strictly observed. The proceeding will go forward in the absence of counsel who are late.

(2) Motions will be stated and argued at the start of the day, unless they arise from matters emerging during the hearing that are not reasonably foreseeable. This rule does not apply to motions with respect to the admissibility of evidence which may require foundation. In such cases, the presiding officer should be notified that a motion will be presented during the hearing.

(3) All counsel are expected to address comments, objections, and statements to the presiding officer rather than to other counsel. Questions will be addressed to the witnesses rather than to counsel.

(4) There will be no off-the-record discussions at the request of counsel unless counsel asks leave to go off the record and states the purpose for the request.

(5) Extended colloquies regarding procedural issues may be conducted off the record. Each attorney will be given the opportunity to state for the record a summary of his or her view on behalf of his or her client when the record resumes.

(6) When predistribution of evidence is required, one copy should be addressed specifically to the presiding administrative law judge. One copy should be addressed to the commission's accounting adviser, in care of the secretary of the commission. Each party is responsible for having two revised, corrected copies of its exhibits ready for marking and inclusion in the official case file at the hearing itself. One set of copies should also be brought to the hearing for the court reporter. To advise the parties of corrections, an errata sheet may be used to indicate the corrections to copies that have been predistributed. Corrections and revisions should be made to all copies distributed at hearing before the copies are distributed. The presiding officer will advise the parties regarding the number of extra copies to be filed with the commission.

(7) Prefiled testimony may be accompanied by exhibits. Parties should not preassign numbers to their own prefiled testimony and exhibits. Instead the following system should be used, including the witness's initials, and marked serially. For John Q. Witness's prefiled testimony and accompanying exhibits:

Ex ..... (JQW-Testimony)	Ex ..... (JQW-2)
Ex ..... (JQW-1)	Ex ..... (JQW-3)

Counsel unfamiliar with this method of identification should contact the presiding officer for further guidance. The official numbers for the case will be assigned by the administrative law judge at the hearing session.

(8) Each witness should present a short summary of his or her remarks on the opening page or two of prepared testimony. Counsel will be expected to ask as a foundation question the subjects that will be covered by the witness. This foundation question should request only a statement of the subjects to be covered by the witness, e.g., rate of return, and not a summary of the witness's positions on those subjects. Twenty copies of the summary shall be filed with the secretary of the commission unless the presiding officer advises that a different number is required.

(9) All prepared testimony, exhibits, and pleadings shall be 8-1/2 by 11 inches in size or folded to that size and punched for insertion into three-ring binders. Line numbers shall be set out on all prepared testimony to facilitate transcript or exhibit references. Large charts may be used at the hearing so long as a letter-size reduction is provided or so long as the chart is foldable to 8-1/2" by 11" for inclusion in the official record.

(10) Any revised pages for predistributed or previously admitted testimony or exhibits shall be prominently labeled "REVISED" and bear the date of the revision. The revised portions should be indicated for cross-reference to the original submissions. This practice should be followed even as to minor changes that involve only one page of an exhibit.

(11) Cross-examination will be limited to two rounds except upon a showing that good cause exists. Witnesses should not be asked to perform calculations or extract detailed data on the stand. Such questions should be provided to the witness in advance or asked "subject to check." When a witness answers "subject to check," the witness must perform the "check" as soon as possible. A response given "subject to check" will be deemed accurate unless disputed by the witness within ten days of distribution of the transcript or prior to the closing of the record, whichever occurs first.

(12) At the beginning of a hearing session for the purpose of taking testimony from members of the public, public counsel may inform the public of the major contested issues.

(13) All case-related correspondence should be addressed to the secretary of the commission, under existing commission rules. The parties are cautioned that correspondence addressed directly to an individual may not be logged in, may not be inserted in the case file, and may not constitute a part of the official record for appeal or for other purposes. In addition, one copy should be addressed to the presiding administrative law judge at the ((~~Office of Administrative Hearings, Third Floor, 2420 Bristol Court SW, Building E, Mailstop FS-34, Olympia, Washington 98504~~)) OFFICE OF ADMINISTRATIVE HEARINGS, 2420 BRISTOL CT SW (3RD FLOOR), PO BOX 42489, OLYMPIA WA 98504-2489.

(14) Petitions or motions intended for argument or resolution at previously-scheduled hearing sessions should be received by the commission and all parties at least three business days prior to argument. Oral response will be allowed on the record. (This guideline does not require personal service. Petitions or motions, if mailed, should be served so as to effect actual receipt three business days before argument.)

(15) When the commission is requested to take some action prior to the next hearing session, the petitioner or movant shall effect service upon all other parties. Responses are due in the office of the secretary of the commission no later than the close of the fifth business day following service, except as provided in WAC 480-09-425(3).

(16) The presiding officer shall confer with the parties at the conclusion of the hearing about post-hearing process. The presiding officer will determine whether oral argument, briefs, or both will be required, taking into consideration the parties' preferences. If briefs are required, the presiding officer shall determine a format to

be used by all parties. Briefs shall not exceed sixty pages, including appendices and attachments but excluding the cover and index pages, without permission from the presiding officer. Briefs shall comply with WAC 480-09-770(1).

(17) Each party will bear its own costs for transcripts including charges for expedited service when requested.

(18) For planning purposes, counsel should be prepared to provide time estimates for cross-examination of witnesses.

(19) Documents provided by or on behalf of members of the public at a public hearing will ordinarily be placed with the hearing file or may be offered as an illustrative exhibit. Letters received by the secretary of the commission and by public counsel from members of the public may be offered into evidence as illustrative of the opinions of the correspondents. Documents which are exceptional in their detail or their probative nature may be offered into evidence separately, provided that a sponsoring witness is available for cross-examination. Only exhibits and testimony offered and received are part of the record and subject to consideration by the commission in its decision.

WSR 92-01-136
WITHDRAWAL OF PROPOSED RULES
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Filed December 19, 1991, 4:23 p.m.]

The department is withdrawing WSR 91-20-094, dated September 30, 1991.

Leslie F. James, Director
Administrative Services

WSR 92-01-137
RESCINDING OF EMERGENCY RULES
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Filed December 19, 1991, 4:27 p.m.]

Please rescind the following sections of WAC filed on emergency order 3280, WSR 91-24-040, November 27, 1991:

WAC 388-100-035
WAC 388-99-060
WAC 388-86-021
WAC 388-86-073
WAC 388-86-090
WAC 388-86-098
WAC 388-86-100
WAC 388-86-120

The reason for rescinding is the governor reinstated these services.

Remaining on emergency order 3280 will be:

WAC 388-86-019
WAC 388-86-09601

Leslie F. James, Director
Administrative Services

WSR 92-01-138
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
(Family Independence Program)
[Memorandum—November 15, 1991]

1992 EXECUTIVE COMMITTEE MEETING SCHEDULE

DATE	TIME
Thursday, January 23	9:30 a.m.
Thursday, February 27	9:30 a.m.
Thursday, March 26	9:30 a.m.
Thursday, April 23	9:30 a.m.
Thursday, May 28	9:30 a.m.
Thursday, June 25	9:30 a.m.
Thursday, July 23	9:30 a.m.
Thursday, August 27	9:30 a.m.
Thursday, September 24	9:30 a.m.
Thursday, October 22	9:30 a.m.
Thursday, November 19	9:30 a.m.
Thursday, December 17	9:30 a.m.

All meetings will be held in Training Room 1 of the Employment Security Department Training Annex, Capitol Way and Maple Park, Olympia, Washington.

WSR 92-01-139
PROPOSED RULES
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Filed December 19, 1991, 4:29 p.m.]

Original Notice.

Title of Rule: WAC 388-49-580 Restoration of lost benefits.

Purpose: WAC 388-49-580 is currently interpreted incorrectly and resulting in inappropriate restoration of lost benefits.

Statutory Authority for Adoption: RCW 74.04.510.

Statute Being Implemented: RCW 74.04.510.

Summary: Categorically eligible households will no longer be a criteria for restoration of lost benefits.

Reasons Supporting Proposal: The original intent was to restore lost benefits to households who did not have their categorical eligibility reviewed when it became an eligibility factor on December 23, 1985.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Mike Arnaud, Income Assistance, 753-4918.

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

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

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

Proposal Changes the Following Existing Rules: See above.

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

Hearing Location: OB-2 Auditorium, 12th and Franklin, Olympia, Washington, on January 22, 1992, at 10:00 a.m.

Submit Written Comments to: Troyce Warner, Chief, Office of Issuances, Department of Social and Health Services, Mailstop 5805, Olympia, Washington 98504, by January 22, 1992.

Date of Intended Adoption: January 29, 1992.

December 19, 1991
Leslie F. James, Director
Administrative Services

AMENDATORY SECTION (Amending Order 2575, filed 12/31/87)

WAC 388-49-580 RESTORATION OF LOST BENEFITS. (1) The department shall restore benefits ((~~whenever~~)) when:

(a) A loss was caused by department error((;));

(b) An administrative disqualification for intentional program violation was reversed((;));

(c) A rule or instruction specifies restoration of lost benefits((;)); or

(d) A court action finding benefits were wrongfully withheld((~~; or~~

~~(e) A household was categorically eligible on or after December 23, 1985~~)).

(2) The department shall restore benefits, even if the household is currently ineligible((~~. Restore the benefits~~)), for not more than twelve months ((~~prior to~~)) before whichever of the following occurred first:

(a) The month the department receives a restoration request((;));

(b) The month the department is notified or discovers a loss has occurred((;));

(c) The date the household initiated a fair hearing request when a request for restoration was not received((;)); or

(d) The date court action was initiated when the household has taken no other action to obtain a restoration.

(3) The department shall notify the household of:

(a) Its entitlement((;));

(b) The amount of benefits to be restored((;));

(c) The method of restoration((;));

(d) The right to request a fair hearing within ninety days of the date the household is notified((;)); and

(e) Any offsetting to be done.

(4) If the household disagrees with the amount of benefits being restored, the department shall issue the amount determined by the department. If a fair hearing decision overturns the department, the department shall restore any lost benefits.

(5) If household composition has changed, the department shall restore the lost benefits to:

(a) First, the household containing a majority of the persons who were household members at the time of the loss; or

(b) Second, the household containing the head of the household at the time of the loss.

WSR 92-01-140
PERMANENT RULES
BUILDING CODE COUNCIL

[Filed December 19, 1991, 4:43 p.m., effective July 1, 1992]

Date of Adoption: November 8, 1991.

Purpose: To correct typographical errors and omissions and to assign the equations and tables of the code their own section numbers.

Citation of Existing Rules Affected by this Order: Amending WAC 51-11-0502, 51-11-0503, 51-11-0504, 51-11-0525 - 51-11-0542, 51-11-0608, 51-11-0625 - 51-11-0631, and 51-11-1000.

Statutory Authority for Adoption: Chapter 19.27A RCW.

Pursuant to notice filed as WSR 91-16-111 on August 7, 1991.

Effective Date of Rule: July 1, 1992.

November 8, 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. U-factors, either tested or simulated, labeled and certified in accordance with the National Fenestration Rating Council's (NFRC) procedure 100-91 are acceptable if based on model size AA.

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 cavaties 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^o) 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^o and U^w are specified in units of:

$$\frac{\text{Btu}}{\text{hr.}\bullet\text{ft}^2\bullet^\circ\text{F}}$$

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_o) 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^o) 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 $ft^2/hr.-°F/Btu$) 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/ft^2 pressure difference and have a label attached, showing compliance.

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.

EQUATION 2 -- ALL OCCUPANCIES

$$U = \frac{1}{r_o + R_1 + R_2 \ldots r_i}$$

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.

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:

$$U_{W1}A_{W1} + U_{W2}A_{W2} + U_{W3}A_{W3} + \ldots\text{etc.}$$

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

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:

$$U_{W1}A_{W1} + U_{W2}A_{W2} + U_{W3}A_{W3} + \ldots\text{etc.}$$

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/ft^2 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, or shall comply with the efficiencies as required in the 1987 National Appliances Energy Conservation Act (Public Law 100-12). 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.

$$\text{Air Transport Factor} = \frac{\text{Space Sensible Heat Removal*}}{\text{Supply + Return Fan(s) Power Input*}}$$

*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 multistory 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:

$$\frac{4.6 \times (\text{Table 5-12 Thickness})}{\text{Actual Resistance}} = \text{New Minimum Thickness}$$

b. For materials with thermal resistance less than R = 4.0 per inch, the minimum insulation thickness shall be increased as follows:

$$\frac{4.0 \times (\text{Table 5-10 Thickness})}{\text{Actual Resistance}} = \text{New Minimum Thickness}$$

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/ft^2 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 ft^2 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 daylit 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 ft^2 within daylit 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 ft^2 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 ft^2 of area. Lighting for signs that are not an integral part of the building shall be exempted from inclusion in these calculations.

TABLE 5-1 TARGET COMPONENT VALUES FOR GROUP R OCCUPANCY

	Electric Resistance		Other Fuels	
Climate Zone→	1	2	1	2
Component				
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)
Below Grade Interior				
Wall R-Value	(R = 19)	(R = 19)	(R = 19)	(R = 19)
2' Depth: Walls	U = 0.043	U = 0.043	U = 0.043	U = 0.043
Slab	F = .69	F = .69	F = .69	F = .69
3.5' Depth: Walls	U = 0.041	U = 0.041	U = 0.041	U = 0.041
Slab	F = 0.64	F = 0.64	F = 0.64	F = 0.64
7' Depth: Walls	U = 0.037	U = 0.037	U = 0.037	U = 0.037
Slab	F = 0.57	F = 0.57	F = 0.57	F = 0.57
Below Grade Exterior				
Wall R-Value	(R = 10)	(R = 12)	(R = 10)	(R = 12)
2' Depth: Walls	U = 0.070	U = 0.061	U = 0.070	U = 0.061
Slab	F = 0.60	F = 0.60	F = 0.60	F = 0.60
3.5' Depth: Walls	U = 0.064	U = 0.057	U = 0.064	U = 0.057
Slab	F = 0.57	F = 0.57	F = 0.57	F = 0.57
7' Depth: Walls	U = 0.056	U = 0.050	U = 0.056	U = 0.050
Slab	F = 0.42	F = 0.42	F = 0.42	F = 0.42

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.

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.

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.

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.

* $hr \cdot ft^2 \cdot °F/Btu$

TABLE 5-7 MINIMUM HEAT PUMP EFFICIENCIES, HEATING MODE[1]

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

	AIR COOLED		EVAP/WATER COOLED
STANDARD RATING CAPACITY	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

TABLE 5-9 MINIMUM EFFICIENCY FOR ELECTRIC HVAC COMPONENTS[1,2]

TYPE OF COMPONENT	COMPRESSOR TYPE	AIR EER	AIR COP	WATER EER	WATER COP	EVAPORATIVE EER	EVAPORATIVE COP
WATER CHILLING PACKAGES							
	CONDENSING MEANS						
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.

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

$$\text{Minimum COP} = \frac{\text{Net Cooling Output}}{\text{Total heat input}^1}$$

[1] electrical auxiliary inputs excluded

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
HEATING & HOT WATER SYSTEMS							
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"
COOLING SYSTEMS							
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 than2 inches.

* Column headings for pipe diameters amended 5/30/90.

TABLE 5-13 LIGHTING POWER BUDGET[1]

GROUP OCCUPANCY	DESCRIPTION	LIGHTING POWER BUDGET[3] (Watts/ft^2)
A	Assembly w/stage	
	Stage lighting	1.1
	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/ft^2 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

$$U = \frac{1}{r_o + R_1 + R_2 \ldots r_i}$$

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:

$$U_{W1}A_{W1} + U_{W2}A_{W2} + U_{W3}A_{W3} + \ldots\text{etc.}$$

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.

1991 EDITION

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:

$$U_{W1}A_{W1} + U_{W2}A_{W2} + U_{W3}A_{W3} + \ldots\text{etc.}$$

NEW SECTION

WAC 51-11-0530 TABLE 5-1.

TARGET COMPONENT VALUES FOR GROUP R OCCUPANCY

	Electric Resistance		Other Fuels	
Climate Zone→	1	2	1	2
Component				
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)
Below Grade Interior				
Wall R-Value	(R = 19)	(R = 19)	(R = 19)	(R = 19)
2' Depth: Walls	U = 0.043	U = 0.043	U = 0.043	U = 0.043
Slab	F = .69	F = .69	F = .69	F = .69
3.5' Depth: Walls	U = 0.041	U = 0.041	U = 0.041	U = 0.041
Slab	F = 0.64	F = 0.64	F = 0.64	F = 0.64
7' Depth: Walls	U = 0.037	U = 0.037	U = 0.037	U = 0.037
Slab	F = 0.57	F = 0.57	F = 0.57	F = 0.57
Below Grade Exterior				
Wall R-Value	(R = 10)	(R = 12)	(R = 10)	(R = 12)
2' Depth: Walls	U = 0.070	U = 0.061	U = 0.070	U = 0.061
Slab	F = 0.60	F = 0.60	F = 0.60	F = 0.60
3.5' Depth: Walls	U = 0.064	U = 0.057	U = 0.064	U = 0.057
Slab	F = 0.57	F = 0.57	F = 0.57	F = 0.57
7' Depth: Walls	U = 0.056	U = 0.050	U = 0.056	U = 0.050
Slab	F = 0.42	F = 0.42	F = 0.42	F = 0.42

NEW SECTION

WAC 51-11-0531 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.

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.

NEW SECTION

WAC 51-11-0533 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.

NEW SECTION

WAC 51-11-0534 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.

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.

* $hr \cdot ft^2 \cdot °F/Btu$

NEW SECTION

WAC 51-11-0536 TABLE 5-7.

MINIMUM HEAT PUMP EFFICIENCIES, HEATING MODE[1]

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.

MINIMUM EFFICIENCY FOR ELECTRIC HVAC EQUIPMENT, COOLING

STANDARD RATING CAPACITY	AIR COOLED SEER	AIR COOLED EER	EVAP/WATER COOLED EER
Under 65,000 Btu/hr. (19,050 watts)			
A. Split System	10.0	---	---
B. Single Package[3]	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

[3] Prior to January 1, 1993 a minimum value of 8.0 SEER may be used.

NEW SECTION

WAC 51-11-0538 TABLE 5-9.

MINIMUM EFFICIENCY FOR ELECTRIC HVAC COMPONENTS[1,2]

TYPE OF COMPONENT	COMPRESSOR TYPE	AIR EER	AIR COP	WATER EER	WATER COP	EVAPORATIVE EER	EVAPORATIVE COP
WATER CHILLING PACKAGES							
	CONDENSING MEANS						
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.

HVAC-SYSTEM HEAT OPERATED COOLING EQUIPMENT

HEAT SOURCE	MINIMUM COP
Direct Fired (gas, oil)	0.48
Indirect Fired (steam, hot water)	0.68

$$\text{Minimum COP} = \frac{\text{Net Cooling Output}}{\text{Total heat input}^1}$$

[1] electrical auxiliary inputs excluded

NEW SECTION

WAC 51-11-0540 TABLE 5-11.

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.

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
HEATING & HOT WATER SYSTEMS							
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"
COOLING SYSTEMS							
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.

NEW SECTION

WAC 51-11-0542 TABLE 5-13.

LIGHTING POWER BUDGET[1]

GROUP OCCUPANCY	DESCRIPTION	LIGHTING POWER BUDGET[2] (W/sq. ft.)
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/ft^2 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 REQUIREMENTS[1] 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 accodring 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.

TABLE 6-2 • PRESCRIPTIVE REQUIREMENTS[1] 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 accodring 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 REQUIREMENTS[1] FOR GROUP R OCCUPANCY
CLIMATE ZONE 2 • HEATING BY ELECIRIC 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 accodring 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 REQUIREMENTS[1] 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.[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. Seesection 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 accodring 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 6-5

LOG HOMES PRESCRIPTIVE REQUIREMENTS[1]
HEATING BY ELECIRIC 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
CLIMATE ZONE 1								
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
CLIMATE ZONE 2								
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 miminum 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 REQUIREMENTS[1]
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
CLIMATE ZONE 1								
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
CLIMATE ZONE 2								
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 miminum 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.

TABLE 6-7 OTHER THAN GROUP R OCCUPANCIES PRESCRIPTIVE REQUIREMENTS

COMPONENT	ZONE I	ZONE II
SPACE CONDITIONING SYSTEM TYPE	ANY	ANY
ROOF/CEILINGS	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.

TABLE 6-1
PRESCRIPTIVE REQUIREMENTS[1] 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%	0.32[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.

TABLE 6-2
PRESCRIPTIVE REQUIREMENTS[1] 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' demotes 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.

PRESCRIPTIVE REQUIREMENTS[1] 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%	0.30[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

* 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 followin 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.

PRESCRIPTIVE REQUIREMENTS[1] 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.	25%	0.40[7]	0.40	R-38	R-30	R-19	R-19	R-12	R-30	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. Seesection 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 .nsulation 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' demotes 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.

LOG HOMES PRESCRIPTIVE REQUIREMENTS[1]
HEATING BY ELECIRIC 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
CLIMATE ZONE 1								
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
CLIMATE ZONE 2								
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.

LOG HOMES PRESCRIPTIVE REQUIREMENTS[1]
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
CLIMATE ZONE 1								
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
CLIMATE ZONE 2								
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.

OTHER THAN GROUP R OCCUPANCIES PRESCRIPTIVE REQUIREMENTS

COMPONENT	ZONE I	ZONE II
SPACE CONDITIONING SYSTEM TYPE	ANY	ANY
ROOF/CEILINGS	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 92-01-141
PUGET SOUND WATER QUALITY AUTHORITY

[Filed December 19, 1991, 4:48 p.m.]

NOTICE OF PROPOSED PLAN AMENDMENT AND PUBLIC HEARINGS PUGET SOUND WATER QUALITY AUTHORITY

Title of Proposal: Amendments to selected programs of the 1991 Puget Sound Water Quality Management Plan

Purpose: The proposal makes selective amendments to several programs of the plan.

Statutory Authority for Revising Plan: RCW 90.70.075.

Statute Being Implemented: Chapter 90.70 RCW and Section 320 of the Federal Clean Water Act, as amended by the Water Quality Act of 1987, P.L. 100-4, 33 U.S.C. 1330

Name of Agency Personnel Responsible for Drafting, Implementing and Enforcing: Nancy McKay, Executive Director, P.O. Box 40900, Olympia, WA 98504-0900, (206) 493-9300 or 1-800-54-SOUND.

Name of Proponent: Puget Sound Water Quality Authority, governmental agency.

Date of Intended Adoption: On or after February 19, 1992

Opportunity for Public Review and Comment: Copies of the proposal may be obtained from the Authority - phone (206) 493-9300 or 1-800-54-SOUND. Written comments must be received by 5 p.m., January 27, 1992. Please direct comments to Steve Tilley, Puget Sound Water Quality Authority, MS-PV-15, P.O. Box 40900, Olympia, WA 98504-0900.

Five public hearings will be held as follows:

Seattle: Wednesday, January 22, 1992, 7 p.m. to 9 p.m., NOAA, Sandpoint, Building 9 Theater, 7600 Sandpoint Way N.E.

Mt. Vernon: Wednesday, January 22, 1992, 7 p.m. to 9 p.m., Skagit County Courthouse, Hearing Room A, 2nd and Kincaid.

Olympia: Wednesday, January 22, 1992, 7 p.m. to 9 p.m., General Administration Building, First Floor Conference Room, Capitol Campus.

Port Angeles: Thursday, January 23, 1992, 7 p.m. to 9 p.m., Clallam County Courthouse Training Room, 2232 East 4th Street.

Bremerton: Thursday, January 23, 1992, 7 p.m. to 9 p.m., Cascade Natural Gas, 6313 Kitsap Way.

Summary: The Puget Sound Water Quality Authority (authority) proposes to amend the following programs of the 1991 Puget Sound Water Quality Management Plan (plan): Estuary management and plan implementation; stormwater and combined sewer overflows; nonpoint source pollution; spill prevention and response; contaminated sediments and dredging; wetlands protection; municipal and industrial discharges; monitoring; laboratory support; and Puget Sound Foundation.

ESTUARY MANAGEMENT AND PLAN IMPLEMENTATION PROGRAM

Proposed amendments to this program revise the planning and reporting requirements for state agencies and local and tribal governments implementing the Puget Sound plan. The changes are intended to give the plan implementers greater responsibility in setting target dates, defining tasks, and in developing future work proposals. The proposed change would allow for improved tracking of plan implementation. Specific dates would be set for the reports already requested in the plan and some new reporting requirements would be established.

At the beginning of each biennium, agencies would prepare implementation plans setting target dates and defining tasks based on their available resources. These plans would be used as the basis for progress reports that would be submitted to the authority every six months.

In preparation for the subsequent budget cycle, the authority would provide guidance to agencies on plan priorities. Agencies would develop budgets as well as work proposals which define tasks and set new target dates for implementing the plan in the next biennium. These would be submitted to the authority for review and ultimately to the Office of Financial Management for preparation of the governor's budget proposal.

Early in the second fiscal year of each biennium, agencies would submit biennial reports to the authority in which they assess the consistency of their activities with plan requirements and success in implementing the plan to protect and improve Puget Sound water quality. The authority would prepare the state of the sound report for submittal to the governor and legislature in advance of the biennial budget session. The authority staff would also work with local and tribal governments to develop implementation plans.

STORMWATER AND COMBINED SEWER OVERFLOWS PROGRAM

The current program requires the authority and ecology to adopt companion rules requiring local governments in the Puget Sound Basin to adopt stormwater programs. The plan requires basic programs for all jurisdictions and comprehensive programs for urbanized areas. The amendment would replace the rules with direction in the plan that local governments adopt stormwater programs and that ecology provide technical guidance. The proposed amendment would require implementation of minimum requirements for local basic stormwater programs, including adoption of local technical manuals equivalent to ecology's technical manual. Ecology's manual contains design and operation standards for stormwater systems.

The proposed amendments would strengthen the goal by adding restoration of beneficial uses and replaces

"maximum extent practicable" with "as necessary." The strategy has been clarified to include best management practices as the preferred way to control stormwater and treatment as a last resort.

The proposed amendment provides better coordination with the Environmental Protection Agency's (EPA) programs. EPA has issued stormwater National Pollutant Discharge Elimination System (NPDES) regulations for large jurisdictions and for discharges associated with industrial activities in all jurisdictions. EPA will also issue NPDES requirements for smaller jurisdictions in the next few years. The proposed amendment directs ecology to: Begin comprehensive programs for five large and medium-sized jurisdictions named by EPA; develop a schedule for extending the comprehensive requirements to additional urbanized areas on a priority basis; and help smaller jurisdictions implement the basic program.

Other proposed stormwater program amendments would clarify that the plan directs local governments to manage stormwater quantity only as it relates to water quality and would promote cooperation among neighboring jurisdictions in basin planning efforts.

The Highway Runoff Program amendment would require ecology to designate the Washington State Department of Transportation's (WSDOT's) Puget Sound highway system as a municipality under the EPA NPDES regulations for medium-sized stormwater dischargers. As a result of this designation, ecology would write an NPDES permit for WSDOT to implement ecology's highway runoff rule. Finally, an amendment would require WSDOT to develop a long-term implementation strategy to implement the highway runoff rule.

NONPOINT POLLUTION PROGRAM

Proposed amendments to this program would make the plan consistent with revisions to the nonpoint rule (chapter 400-12 WAC) adopted by the authority in October 1991. For example, ecology's time limit to review final watershed action plans was reduced from 60 to 30 days and an optional appeal to the authority was added in case of disagreements between ecology and local governments over final approval of watershed plans.

SPILL PREVENTION AND RESPONSE PROGRAM

The proposed amendment would require coordination between plan-mandated studies of hazardous materials and navigation with the work of the new Office of Marine Safety and the Marine Oversight Board.

CONTAMINATED SEDIMENTS AND DREDGING PROGRAM

This amendment would direct ecology to develop an action plan for siting multi-user confined dredged material disposal sites. The amendment would require that the action plan be developed by a core management group with assistance from a broad advisory group.

MUNICIPAL AND INDUSTRIAL DISCHARGES PROGRAM

The municipal and industrial discharges program includes a comprehensive strategy to better control, monitor, and enforce toxic discharges going to Puget Sound. One proposed amendment introduces the concept of using waste water treatment sludges as opposed to just disposing of them. Another amendment includes pollution prevention as a tool to reduce discharges.

WETLANDS PROTECTION PLAN

A proposed amendment to Element W-5 would clarify direction to the U.S. Army Corps of Engineers related to nationwide permits. The original plan language asked the Corps to rescind Nationwide Permit #26, which allows wetlands under 10 acres to be filled without individual permits. The amendment directs the Seattle District of the Corps to use its discretionary authority to require individual permits for wetland fills that meet certain thresholds of size and wetland value. These thresholds are based on the likelihood of adverse impacts and availability of Corps staff time.

MONITORING PROGRAM

The U.S. Fish and Wildlife Service would be assigned to monitor contaminants in birds.

LABORATORY SUPPORT PROGRAM

The amendment would extend certification of laboratories to cover toxicity bioassays testing.

PUGET SOUND FOUNDATION PROGRAM

The amendment would emphasize the importance of researching pollution prevention through waste minimization.

WSR 92-01-142
PROPOSED RULES
DEPARTMENT OF GENERAL ADMINISTRATION
[Filed December 19, 1991, 4:52 p.m.]

Original Notice.

Title of Rule: Chapter 236-12 WAC, State capitol grounds traffic and parking regulations.

Purpose: To increase the agency's ability to control parking of motor vehicles on the state capitol grounds by establishing parking enforcement regulations, which include parking fees, barrelling and towing of vehicles. This will assist the agency in its management, control and monitoring of parkers on the state capitol grounds and in its issuance of permits to state and nonstate parkers. This also will assist the Department of General Administration in its implementation of a comprehensive parking plan for the capitol campus, including zone parking.

Statutory Authority for Adoption: Chapters 46.08, 43.19, 46.55, and 79.24 RCW.

Statute Being Implemented: RCW 46.08.150, 46.08-.172, and chapter 46.55 RCW.

Summary: The proposed rules provide the agency with enforcement tools to deal with parking violators on the state capitol grounds including imposing parking fees, barrelling and towing vehicles. In addition, sanctions for noncompliance are created including suspension and/or revocation of parking privileges and removal, suspension or revocation from parking waiting list. Hearing rights and procedures for parking fees, barrelling, parking privilege sanctions and towing are described as is the redemption notice requirements. Also, metered parking time limits are imposed and new definitions are added; the chapter is reorganized with subheadings as well and some sections are repealed.

Reasons Supporting Proposal: The successful implementation of a comprehensive parking plan for capitol campus, including zone parking. Requires a strong enforcement program. This WAC change will clarify the general administration's authority to impose parking fees, barrel and tow vehicles, and will establish the appropriate sanctions.

Name of Agency Personnel Responsible for Drafting: Vicki J. Toyohara, 218 General Administration Building, Mailstop AX-22, Olympia, WA 98504, 753-4243; Implementation: Gary C. Alexander, 1312 Fones Road S.E., Building 4, Olympia, WA 98504, 753-2755; and Enforcement: Artis Oliver, 110 West 11th, Mailstop AX-22, Olympia, WA 98504, 753-3269.

Name of Proponent: Washington State Department of General Administration, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed rules establish and clarify the agency's enforcement authority over parking on state capitol grounds and provide the Department of General Administration with enforcement tools to deal with parking violators, including imposing parking fees, barrelling and towing vehicles, based upon the number of prior noncompliances within a 12 month period. In addition, sanctions are created including suspension and/or revocation of parking privileges and removal, suspension or revocation from parking waiting list. Hearing rights and procedure for parking fees, barrelling, parking privilege sanctions and towing are described as are redemption notice requirements. Also metered parking time limits are imposed and new definitions are added; the chapter is reorganized with subheadings and some sections are repealed. The purpose of these proposed rules is to increase the ability of the Department of General Administration to control parking on state capitol grounds by establishing parking enforcement authority and regulations. This will assist the agency in its management, control and monitoring of parkers on state capitol grounds and in its issuance of permits. This will also assist in the implementation of a comprehensive parking plan for the capitol campus. Anticipated effects are decreased numbers of unauthorized vehicles parked on state capitol grounds, increased parking spaces open to visitors and validly-permitted parkers, an efficient and fair parking program and permit process.

Proposal Changes the Following Existing Rules: Adds a number of new defined terms, including "barrel/barrelling," "impound/impoundment," "presiding officer," "reviewing officer," "unauthorized vehicle"; amends existing definitions, including format and reorganization of definitions; entire chapter reorganized with subheadings for clarity, with some sections renumbered; repeal of WAC 236-12-050, 236-12-130, 236-12-132, and 236-12-340; makes clear persons and entities responsible for reading and understanding these regulations and that person or entity who holds permit as well as violators are responsible; adds parking time limits in metered areas and make clear chain parking not permitted; amends authorization and allocation of permit sections; and adds new parking enforcement sections dealing with unauthorized vehicles, parking fees, barrelling, towing, parking privilege sanctions described, notice of redemption, parking fee and barrel removal payments, hearing rights and procedure also described.

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

Hearing Location: Office Building 2 Auditorium, Twelfth and Franklin, Olympia, Washington 98504, on January 24, 1992, at 10:00 a.m.

Submit Written Comments to: K. Wendy Holden, Department of General Administration, 218 General Administration Building, AX-22, Olympia, WA 98504, by January 24, 1992, 10:00 a.m.

Date of Intended Adoption: January 28, 1992.

December 19, 1991
Gary C. Alexander
Assistant Director

PROPOSED RULE CHANGES TO
CHAPTER 236-12 WAC
STATE CAPITOL GROUNDS TRAFFIC AND
PARKING REGULATIONS

AMENDATORY SECTION (Amending Order 78-3, filed 4/7/78)

WAC 236-12-001 PROMULGATION. Pursuant to the authority granted by chapters 43.19, 46.08, 46.55, and 79.24 RCW, the director of the department of general administration hereby establishes the following regulations to govern pedestrian and vehicular traffic and parking upon state lands which are a part of the state capitol grounds. These regulations apply to vehicles owned by the state and any other governmental unit or agency as well as to privately-owned vehicles.

DEFINITIONS

NEW SECTION

WAC 236-12-015 DEFINITIONS. As used in this chapter, the following terms shall mean:

(1) "Barrel"/"Barrelling" defined. A large cylindrical container that is attached to a motor vehicle in order to prevent movement of that motor vehicle.

(2) "Campus security patrol" defined. The Washington state patrol as provided under chapter 43.43 RCW.

(3) "Director" defined. The director of the department of general administration.

(4) "Impound"/"Impoundment" defined. To take and hold an unauthorized vehicle in legal custody at the direction of the director or designee, subject to the procedures outlined in this chapter and in chapter 46.55 RCW. Such definition includes towing of an unauthorized vehicle.

(5) "Presiding officer" defined. Pursuant to RCW 34.05.485, a "presiding officer" is an individual(s) who is appointed by the director to preside over administrative hearings and render a decision regarding

the imposition of parking fees, barrelling of vehicles, suspension or revocation of parking privileges and removal, suspension or revocation from parking waiting list under this chapter.

(6) "Reviewing officer" defined. Pursuant to RCW 34.05.491, a "reviewing officer" is an individual(s) who is appointed by the director to review the decisions by the presiding officer and is authorized to grant appropriate administrative relief upon review.

(7) "State capitol grounds" defined. Those grounds owned by the state and otherwise designated as state capitol grounds, including the west capitol campus, the east capitol campus, Sylvester Park, the old capitol building and Capitol Lake, ways open to the public and specified adjoining lands and roadways.

(8) "Unauthorized vehicle defined." An "unauthorized vehicle" is a vehicle which is parked on state capitol grounds and:

(a) does not display the permit required for that area; and/or

(b) is not otherwise authorized to park in that area; and/or

(c) is parked in a metered parking area for a consecutive period longer than the time permitted for parking in that area; and/or

(d) is parked in a metered parking area with insufficient payment to use the space it occupies; and/or

(e) is parked in a parking space designated for disabled individuals and such vehicle does not display the required vehicle license identification authorizing parking in such spaces; and/or

(f) is parked in a parking space reserved for use by another vehicle; and/or

(g) is parked in an area not designated for parking.

(9) "Vehicle" defined. All mechanical transportation devices defined as vehicles in the motor vehicle laws and of the state of Washington including motorcycles and motor-driven cycles.

(10) "Way open to the public defined." Any road, alley, lane, parking area, parking structure, path or any place private or otherwise adapted to and fitted for travel that is in common use by the public with the consent expressed or implied of the owner or owners, and further shall mean public play grounds, school grounds, recreation grounds, parks, park ways, park drives, park paths.

TRAFFIC REGULATIONS

WAC 236-12-020 Objectives of traffic regulations.
WAC 236-12-030 Traffic control.
WAC 236-12-065 Camping.
WAC 236-12-070 Speed.
WAC 236-12-080 Regulatory signs and directions.
WAC 236-12-085 Marking.
WAC 236-12-140 Special traffic and parking regulations and restrictions authorized.
WAC 236-12-150 Advertising and solicitation activities.

PARKING REGULATIONS—GENERAL

NEW SECTION

WAC 236-12-185 KNOWLEDGE OF PARKING REGULATIONS. It is the responsibility of all persons and entities parking on state capitol grounds to read and fully understand these regulations. Lack of knowledge of these regulations will not be accepted as grounds for non-compliance.

NEW SECTION

WAC 236-12-186 PARKING TIME LIMITS IN METERED AREAS. On normal working days between 7:00 a.m. and 5:00 p.m., no person or entity shall park any vehicle on the state capitol grounds or in any area designated as metered parking for a consecutive period of time longer than that period of time for which parking is permitted in such areas, irrespective of the amount of time for which parking has been paid. Vehicles moved from one parking space to another or from one lot to another shall be assumed to have been parked continuously from the time they are initially parked in any metered area. A showing that the time period between when a vehicle is twice found parked in any metered area(s) on the same day is more than the time allowed for parking in metered areas shall constitute a prima facie presumption that the vehicle has been parked in violation of this section.

NEW SECTION

WAC 236-12-187 PARKING SPACES. The director shall formulate plans for the marking and numbering of parking areas and spaces and shall designate parking spaces for visitors, service vehicles, employees and others as well as areas in which parking is prohibited. The director may designate and set aside specific parking and travel areas for motorcycles, motor-driven cycles and/or bicycles, and they may be operated or parked only in those specified areas.

NEW SECTION

WAC 236-12-188 TOURISTS AND VISITORS. Tourists and visitors may park vehicles without fee in areas designated for their use, subject to the traffic and control regulations, or in metered parking areas on the state capitol grounds provided, however, that the prescribed parking fee shall be paid prior to parking. Employees of the state of Washington who are employed on the state capitol grounds may not park in spaces set aside and marked for visitors, tourists and other special purposes between the hours of 7:00 a.m. and 5:00 p.m. on normal working days, unless authorized to do so by the director.

NEW SECTION

WAC 236-12-189 SERVICE AND DELIVERY VEHICLES. Service or delivery vehicles may park in specifically designated areas on the state capitol grounds, provided, a parking permit is obtained before parking in such areas.

NEW SECTION

WAC 236-12-190 PARKING WITHIN DESIGNATED SPACES. No vehicle shall be parked so as to occupy any portion of more than one parking space as designated in the parking area, or so as to occupy any portion of a fire lane or other area in which parking is prohibited. No parking space shall be occupied by more than one vehicle at any given time, except as authorized by the director.

NEW SECTION

WAC 236-12-191 LIABILITY OF STATE. The state assumes no liability for vehicles parked on the state capitol grounds or in state parking facilities. Only a license, not a bailment, is created by the rental of parking spaces or issuance of a permit to park on state property.

PARKING REGULATIONS—PERMITS ((~~PERMITS~~))

AMENDATORY SECTION (Amending Order 85-02, filed 9/5/85)

WAC 236-12-200 AUTHORIZATION FOR ISSUANCE OF PERMITS. ((~~The director may issue parking permits in the parking areas of the capitol grounds designated by him~~)) All parking on state capitol grounds excluding parking in metered areas shall be authorized through the issuance of valid parking permits. These permits shall be issued by the director to state officials, state employees, state agencies for official cars and to such other individuals as ((~~he may~~)) determined by the director to require parking ((~~facilities~~)) to aid in carrying out state business. ((~~The purpose for which parking permits are issued is to facilitate the conduct of government by providing state employees and visitors convenient parking while on the capitol campus for official purposes.~~)) These permits shall not be transferred from one vehicle to another except as authorized by the director. All parking on state capitol grounds shall be for official purposes only. Parking spaces may not be used for other purposes such as the conduct of private business or the storage of personal property. ((~~Repeated use of assigned parking spaces for such purposes may result in the cancellation of parking privilege.~~))

AMENDATORY SECTION (Amending Order 78-3, filed 4/7/78)

WAC 236-12-220 ALLOCATION OF PARKING PERMITS ((~~RENTED PARKING SPACE AND PRIORITIES OF APPLICANTS~~)). ((~~The rented~~)) ((p))Parking permits ((~~spaces available on the state capitol grounds~~)) shall be allocated by the director ((~~among applicants for parking spaces~~)) in such manner as will best effectuate the objectives of these regulations. Unless in ((~~his~~)) the director's opinion the objectives of these regulations would otherwise be better served, the director shall observe the following priorities in the issuance of permits ((~~to applicants~~)):

(1) ((~~Physically handicapped~~)) Disabled state employees and officials

(2) Car pools consisting of three or more persons per vehicle

(3) ((~~Other state employees and officials, in order of date of application, except where the director determines that accomplishment of~~

~~official duties requires assignment of space~~)) Other state employees, state officials, state agencies and nonstate parkers.

AMENDATORY SECTION (Amending Order 78-3, filed 4/7/78)

WAC 236-12-320 RESPONSIBILITY OF PERSON TO WHOM ((~~RENTAL PARKING SPACE OR~~)) PERMIT IS ISSUED. ((~~The~~)) Any person or any governmental or private entity to whom a ((~~rental parking space or~~)) permit is issued pursuant to these regulations shall be responsible for all violations of these regulations involving ((~~the~~)) that person's or entity's vehicle or permit ((~~for which the rental parking space or permit was issued~~)): Provided, however, That such responsibility shall not relieve other persons or entities who violate these regulations.

WAC 236-12-250 Special event permits.
WAC 236-12-290 Parking fees.
WAC 236-12-295 Free parking permits for carpools/vanpools.
WAC 236-12-300 Parking fee payments.

PARKING REGULATIONS—ENFORCEMENT

NEW SECTION

WAC 236-12-350 GENERAL. Parking regulations on state capitol grounds are subject to enforcement between 6 a.m. and 6 p.m., Monday through Friday, excluding holidays.

NEW SECTION

WAC 236-12-351 IMPOUNDMENT WITHOUT PRIOR NOTICE. A vehicle may be impounded without prior notice having been made to notify the owner of the possibility of this action in the following circumstances:

(1) When in the judgment of the campus security patrol the vehicle is obstructing or may impede the flow of traffic; or

(2) When in the judgment of the campus security patrol the vehicle poses an immediate threat to public safety.

NEW SECTION

WAC 236-12-360 PARKING FEES, BARRELLING AND/OR TOWING. Any unauthorized vehicle, as defined in this chapter, shall be subject to parking fees, barrelling and/or towing, as described below:

First occurrence	$8.00 parking fee
Second occurrence within a 12-month period	$8.00 parking fee
Third occurrence within a 12-month period	Vehicle barrelled with $50.00 removal charge and payment of all outstanding parking fees.
Fourth and subsequent occurrences within a 12-month period	Vehicle immediately towed. Registered owner or authorized person must pay towing costs and all outstanding parking fees.

NEW SECTION

WAC 236-12-361 SUSPENSION AND/OR REVOCATION OF PARKING PRIVILEGES. Repeated use of assigned parking spaces for nonofficial purposes or for the storage of personal property and/or the repeated transfer of parking permits from one vehicle to another may result in the suspension or revocation of parking privileges. Fees for parking shall be paid within twenty days of notice or within ten days of final disposition of any appeals. Failure to pay within these periods may result in suspension and/or revocation of any permits issued to the violator and/or removal, suspension and/or revocation from the parking waiting list for parking on state capitol grounds.

NEW SECTION

WAC 236-12-362 PARKING FEE AND BARREL REMOVAL PAYMENTS - METHOD OF PAYMENT. Parking fees and barrel removal payments shall be made to the Office of Parking Services, Department of General Administration, P.O. Box 41000, Olympia, Washington 98504. Payment shall be required regardless of whether a contested hearing is requested. Payment may be made in cash, by check or through payroll deduction. Checks returned for insufficiency of funds shall be subject to a $10 charge. The Office of Parking Services may deny payment by check if prior checks are returned because of insufficiency of funds or stop payment.

NEW SECTION

WAC 236-12-365 NOTICE OF REDEMPTION OF TOWED VEHICLES. (1) Not more than twenty-four hours after impoundment of any vehicle, the impounding towing operator shall mail a notice by first-class mail to the last known registered and legal owners of the vehicle. The notice shall contain the identity of the person or agency authorizing the tow, the name of the impounding tow company, its address and telephone number and the location and time of the tow. The notice also shall include the written notice of the right of redemption and of the opportunity for a hearing to contest the validity of the tow pursuant to RCW 46.55.120. If a vehicle is redeemed prior to the mailing of notice, the notice need not be mailed.

(2) Redemption of towed vehicles shall be in accordance with chapter 46.55 RCW.

NEW SECTION

WAC 236-12-370 HEARING RIGHTS—PARKING FEES, BARRELLING, SUSPENSION AND/OR REVOCATION OF PARKING PRIVILEGES OR REMOVAL, SUSPENSION OR REVOCATION FROM PARKING WAITING LIST. Any person or entity seeking to contest an assessment of parking fees, barrelling, suspension and/or revocation of parking privileges or removal, suspension or revocation from parking waiting list has a right to a hearing to contest the validity of those fees or actions. Such request must be made in writing and received in the office of parking services within twenty days of the date of parking fee notice or effective date of action or such right to a hearing is forfeited. Hearing requests must be submitted to:

Parking Enforcement
Office of Parking Services
Department of General Administration
P.O. Box 41000
Olympia, WA 98504

NEW SECTION

WAC 236-12-371 HEARING PROCEDURE—PARKING FEES, BARRELLING, SUSPENSION AND/OR REVOCATION OF PARKING PRIVILEGES AND REMOVAL, SUSPENSION OR REVOCATION FROM PARKING WAITING LIST. (1) Contested hearings held pursuant to WAC 236-12-370 shall be conducted as brief adjudicative proceedings according to RCW 34.05.482, .485, .488, .491 and .494. (2) Upon receipt of a written request for a hearing, the presiding officer shall provide the contesting party an opportunity to be informed of the agency's view of the matter and an opportunity to explain the contesting party's view of the matter. (3) Within ten days of this opportunity, the presiding officer shall serve upon the contesting party and the agency, a brief written statement of the reasons for the decision. Such statement shall include notice that the contesting party may request an agency administrative review of that decision. The contesting party must request such review either orally or in writing within twenty-one days of service of the written statement. Service is deemed to be completed upon deposit in the U.S. mail as evidenced by the post mark. (4) If no agency review is so requested by the contesting party, the agency may, on its own motion, review the brief written statement of the presiding officer. Action less favorable to the contesting party may not be taken by the reviewing officer without notice to that party and an opportunity to explain that party's view of the matter. (5) If no review is taken by the agency or by the contesting party, then the brief written statement of the presiding officer becomes the final order and no further administrative or judicial review is available. (6) If review is requested, the reviewing officer shall give the contesting party and the agency an opportunity to present their respective views of the matter. Within twenty-one days of receipt of the request for review, the reviewing officer shall issue a final order which includes a brief statement of the reasons for the decision. The final order shall include notice of any judicial review available under the Administrative Procedure Act, chapter 34.05 RCW. (7) Any of the time limits set forth in this hearing process may be waived by the contesting party.

NEW SECTION

WAC 236-12-372 HEARING RIGHTS—TOWING. (1) Any person or entity whose vehicle has been towed pursuant to this chapter, may request a hearing in the district court for the jurisdiction in which the vehicle was towed to contest the validity of the tow or the amount of the tow and storage charges. The tow truck operator shall provide forms for requesting such hearings. All requests for hearings shall be made in writing and on the form provided and must be received by the district court within ten days of the date of redemption of the vehicle. The request for hearing also must be served upon and received by the Office of Parking within the above ten-day period. (2) If the request for a hearing is not received by the district court within the ten-day period, then the right to a hearing is waived and the registered owner is liable for any towing, storage or other tow charges permitted pursuant to 46.55 RCW. (3) The district court hearing procedure shall be as set out in RCW 46.55.120(3).

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 236-12-010 "Director" defined.
WAC 236-12-011 "State capitol grounds" defined.
WAC 236-12-012 "Vehicle" defined.
WAC 236-12-013 "Campus security patrol" defined.
WAC 236-12-014 "Way open to public."
WAC 236-12-040 Parking spaces.
WAC 236-12-050 Rented and reserved parking spaces.
WAC 236-12-060 Tourists and visitors.
WAC 236-12-061 Service and delivery vehicles.
WAC 236-12-120 Parking within designated spaces.
WAC 236-12-130 Impoundment of vehicles.
WAC 236-12-131 Impoundment without prior notice.
WAC 236-12-132 Impoundment of abandoned vehicles.
WAC 236-12-133 Notice and redemption of impounded vehicles, hearing.
WAC 236-12-225 Liability of state.
WAC 236-12-340 Violations, fines.

WSR 92-01-143
PROPOSED RULES
DEPARTMENT OF GENERAL ADMINISTRATION

[Filed December 19, 1991, 4:56 p.m.]

Continuance of WSR 91-22-090.

Title of Rule: WAC 236-12-290 Parking fees; and 236-12-300 Monthly parking fee payments.

Purpose: To increase revenues generated from parking facilities on the state capitol grounds, to encourage employee commutes in high occupancy vehicles, and to amend the authority of the Department of General Administration in the management of parking on the state capitol grounds.

Statutory Authority for Adoption: RCW 46.08.172.

Statute Being Implemented: RCW 46.08.150 and 46.08.172.

Summary: The proposed rule increases parking fees on the state capitol grounds, and redefines categories of users and vehicles for establishing those fees. The Department of General Administration is authorized to establish other permits, create parking areas, and issue a fee schedule for each. Criteria for considering future rate increases are established. Procedures for monthly parking fee collection, and relinquishing of parking permits, are amended as well.

Reasons Supporting Proposal: RCW 46.08.172 directs the director of general administration to establish an equitable and consistent employee parking rental fee on the state capitol grounds, taking into account the market rate of comparable privately-owned rental parking; fees have not been increased since 1969. Changes in fee collection procedures are intended to improve the efficiency of parking administration for facility users and Office of Parking Services staff.

Name of Agency Personnel Responsible for Drafting: Vicki J. Toyohara, Division of Support Services, 218 General Administration Building, Olympia, WA 98504, 753-4243; Implementation: Gary Alexander, Division of Transportation Services, Plaza Garage, Level D, Olympia, WA 98504, 753-2755; and Enforcement: Artis Oliver, Office of Parking Services, 110 West 11th, Olympia, WA 98504, 753-3269.

Name of Proponent: Washington State Department of General Administration, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 236-12-290, this proposed rule established increased parking fees as directed by statute, creates different fees for employee parking, agency parking and other types of parking uses, outlines the Department of General Administration's authority to create parking permits and reserved parking areas and fee schedules, and establishes the factors to be considered when determining future parking rate changes. The purpose is to increase parking fees which have not been changed since 1969, to make parking fee revenues cover a larger portion of parking facility debt service and maintenance and operation costs, and to amend and clarify the procedures by which the Department of General Administration manages parking on the state capitol grounds, including authority to establish additional permits as needed, designate reserved parking areas, and establish fee schedules. The anticipated effects are reduced incidence of long-term parking in metered parking areas, increased use of high-occupancy vehicles and nonmotorized transport for employee commute trips, and less reliance on capitol land grant timber revenue to support parking facility costs; and WAC 236-12-300, payroll deduction becomes the exclusive method by which monthly parking fees are collected from employees. Agencies and nonstate personnel will be billed. Persons holding monthly parking permits must still notify the Office of Parking Services prior to terminating their permits, but personal notice is no longer required. The purpose and the anticipated effect are the same. To simplify the parking facility management process for the Office of Parking Services and for parking facility users.

Proposal Changes the Following Existing Rules: WAC 236-12-290, the following changes are made in regard to parking on the state capitol grounds: Separate fees are established for employee parking permits, agency parking permits, and other types of parking permits based upon parking use; metered and handicapped parking rate fees are designated; the Department of General Administration is authorized to issue additional types of parking permits as needed, and to set their fees by a fee

schedule which will be on file at the Department of General Administration and available upon request; the director of general administration is authorized to create reserved parking spaces and areas, and to establish a fee schedule for such reserved parking (e.g. $20.00 on capitol campus); factors which the director of general administration will consider in determining whether to adjust parking fees on the state capitol grounds are established; and monthly parking fees are increased for employees from $3.00/$5.00/$10.00 to $15.00 and $20.00 depending upon employee use; agency assigned uses and agency service stalls are $30.00; disabled employees are $15.00; motorcycles will be increased from $3.00 and $5.00 to $10.00; disabled visitors will not be charged a parking fee; metered parking fees are increased from $.25 to $.50 per hour; and nonstate personnel (concession vendors, lobbyists, press corps, daycare providers, etc.) uses are $30.00.

WAC 236-12-300, parking fee collections is changed from cash, check or payroll deduction to payroll deduction only for employees; an employee, agency, or other user terminating use of a parking permit shall notify the Office of Parking Services prior to such termination but is no longer required to do so in person; and state agencies and nonstate personnel will be billed by the Office of Parking Services.

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

Hearing Location: Office Building 2 Auditorium, Twelfth and Franklin, Olympia, Washington 98504, on January 24, 1992, at 10:00 a.m.

Submit Written Comments to: K. Wendy Holden, Director, Department of General Administration, 218 General Administration Building, AX-22, Olympia, WA 98504, by January 24, 1992, at 10:00 a.m.

Date of Intended Adoption: January 28, 1992.

December 18, 1991
Gary C. Alexander
Assistant Director

WSR 92-01-144
PROPOSED RULES
DEPARTMENT OF GENERAL ADMINISTRATION
[Filed December 19, 1991, 4:59 p.m.]

Continuance of WSR 91-22-091.

Title of Rule: WAC 236-12-011 State capitol grounds defined; and WAC 236-12-160, 236-12-170, 236-12-171, 236-12-175, and 236-12-180 Skateboarding prohibited on state capitol grounds.

Purpose: To control skateboarding activity on state capitol grounds since such activity threatens and endangers the health, safety and general welfare of pedestrians, motorists and skateboarders. Skateboarding activity also has a destructive impact on physical structures, roadways and pathways on the state capitol grounds. The definition of state capitol grounds is also amended for clarification purposes.

Statutory Authority for Adoption: RCW 46.08.150.

Statute Being Implemented: RCW 46.08.150.

Summary: The proposed rule prohibits skateboarding on the state capitol grounds, as defined in WAC 236-12-011. WAC 236-12-011 is amended as well to include the west capitol campus and grounds owned and otherwise designated as state capitol grounds in the definition.

Reasons Supporting Proposal: Skateboarding activity on state capitol grounds has increased significantly during recent years. Many skateboarders ride their boards in areas with high volume of pedestrian and motor vehicle traffic, and thus endanger and threaten the health, safety and welfare of pedestrians, motorists and skateboarders themselves. Skateboarding in areas of high pedestrian and motorist traffic is dangerous, destructive and an incompatible use of state capitol grounds and facilities.

Name of Agency Personnel Responsible for Drafting: Vicki J. Toyohara, 218 General Administration Building, Mailstop AX-22, Olympia, WA 98504, 753-4243; Implementation: Ronald J. McQueen, Capitol Buildings and Grounds, 218 General Administration Building, Mailstop PA-11, Olympia, WA 98504, 753-5686; and Enforcement: Sergeant Denny Louis, Washington State Patrol Campus Security, 1505 South Cherry Street, Mailstop KC-11, Olympia, WA 98504, 753-2191.

Name of Proponent: Washington State Department of General Administration, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 236-12-011, this proposed rule makes clear that the west capitol campus and grounds owned by the state and otherwise designated as state capitol grounds are included in the definition of this term; and WAC 236-12-160, 236-12-170, 236-12-171, 236-12-175 and 236-12-180, this proposed rule would prohibit skateboarding on the state capitol grounds, as defined in WAC 236-12-011, including but not limited to, the streets, sidewalks, walls, raised structural elevations, east capitol campus plaza, parking structures, lots and ramps, other paved surfaces of the state capitol grounds and any other structure or part thereof. It is the intent of the director, in adopting these skateboard regulations, to acknowledge the dangerous impact that skateboarding on the capitol campus has to the health and safety of state employees, visitors, skateboarders and the general public and the destructive impact it has on physical structures, roadways and pathways on the capitol campus. The anticipated effects include the elimination of damage and destruction to physical structures, roadways and pathways on the capitol campus caused by skateboard activity; the elimination of the potential for serious damage to state properties and structures, and minimizing liability exposure for the state; the protection of health and safety of state employees, visitors, general public and skateboarders themselves, as a result of prohibiting skateboard activities on state capitol grounds.

Proposal Changes the Following Existing Rules: The following changes are made in regard to the definition of "state capitol grounds": The west capitol campus is added and the language is modified to make clear that

grounds owned by the state and otherwise designated as state capitol grounds are included within the meaning of the term "state capitol grounds."

Hearing Location: Capitol High School – Cafeteria, 2707 Conger West, Olympia, WA 98502, on January 28, 1992, at 7:00 p.m. – 9:00 p.m.

Submit Written Comments to: Ronald J. McQueen, Department of General Administration, Division of Capitol Buildings and Grounds, Olympia, Washington 98504, by January 28, 1992, at 5 p.m.

Date of Intended Adoption: January 31, 1992.

December 18, 1991
Ronald J. McQueen
Assistant Director

WSR 92-01-145
PERMANENT RULES
BUILDING CODE COUNCIL
[Filed December 19, 1991, 5:00 p.m., effective July 1, 1992]

Date of Adoption: November 8, 1991.

Purpose: To adopt by reference the 1991 editions of the Uniform Building Code and the Uniform Building Code Standards with amendments. Amendments include final changes to the state regulations for barrier-free facilities, Chapter 31 and Appendix Chapter 31.

Statutory Authority for Adoption: Chapters 70.92 and 19.27 RCW.

Pursuant to notice filed as WSR 91-20-175 on October 2, 1991.

Changes Other than Editing from Proposed to Adopted Version: WAC 51-20-009 Recyclable materials and solid waste storage. This is a new section. WAC 51-20-0419, 51-20-0516, 51-20-0555, 51-20-1216, and 51-20-1251 have been deleted. This section places the regulations for recyclable materials and solid waste storage into one location. The requirements have been rewritten to eliminate the prescriptive requirements for multi-family residential buildings and commercial buildings. The new provisions require that space be provided, but allows local jurisdictions to design their requirements around the collection methods and containers used in their areas. This change was made to reflect the diversity in the types of collection and containers used for solid waste and recyclable materials, throughout the state.

WAC 51-20-1011 Suite concept. Amendments were made to the conditions for a suite as follows: 1. An exception to the maximum size of the suite was added for patient sleeping room suites. 7. Clarification was made, that this item applies to patient sleeping rooms, with visual supervision required. Direct visual supervision was not required, to allow the use of video monitors. 8. Clarification of patient corridor widths in mental health occupancies was made to comply with Department of Health requirements.

Chapter 31

Substantive changes to Chapter 31 as proposed for rulemaking were made in order to satisfy Department of Justice equivalency requirements and to clarify proposed code requirements as follows:

Add the following sections and definitions to Chapter 31:

WAC 51-20-3101 (d) and (e); Definitions of Ground Floor and Path of Travel; 51-20-3104 (a) Exception 1; 51-20-3106 (k) 3. C; 51-20-3106 (k) 5. Exception 1; 51-20-3106 (aa) 2.

Amend the following sections and definitions in Chapter 31:

Definition of Primary Function; WAC 51-20-3103 (a) 1; 51-20-3103 (a) 2. Exception 1; 51-20-3103 (a) 2. A; 51-20-3103 (a) 2. B; 51-20-3103 (a) 8. A. and B; 51-20-3103 (b) 4. B; 51-20-3105 (d) 1; 51-20-3105 (d) 6; 51-20-3105 (d) 7; 51-20-3106 (d) 6; 51-20-3106 (h); 51-20-3106 (q); 51-20-3106 (x); 51-20-3106 (aa) 1; 51-20-3111, Exception 5; 51-20-3114 (a).

WAC 51-20-3802 (e) 3. Division 1. This section was revised to clarify the intent for the provisions to apply to newly constructed buildings built after July 1, 1992. A notation was added on when existing buildings will be considered new construction for the purpose of installing an approved automatic fire-extinguishing system. The aggregate area for a cluster of portable school classrooms to be exempt from these provisions was reduced to 5,000 square feet, to be compatible with fire hydrant requirements. Clarification was made on the allowances of area and height increases and fire resistive construction substitutions with the installation of a sprinkler system in this occupancy.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: The new state regulations for barrier free facilities which comprise Chapter 31 will be submitted to the United States Department of Justice pursuant to the Americans with Disabilities Act, 20 CFR, Part 36.

Effective Date of Rule: July 1, 1992.

November 8, 1991
Gene J. 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 and available from the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California 90601 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 requirements affecting barrier-free access in Sections 3304 (b), 3304 (h), 3306 (g), and 3306 (i) shall not be amended by local governments.

In case of conflict with other provisions of this code, Chapter 31 and requirements affecting barrier-free access in Sections 3304 (b), 3304 (h), 3306 (g), and 3306 (i) shall govern.

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, 1992, unless local amendments have been approved by the state building code council.

NEW SECTION

WAC 51-20-009 RECYCLABLE MATERIALS AND SOLID WASTE STORAGE. (a) For the purposes of this section, the following definition shall apply:

RECYCLED MATERIALS means those solid wastes that are separated for recycling or reuse, such as papers, metals and glass.

(b) All local jurisdictions shall require that space be provided for the storage of recycled materials and solid waste for all new buildings.

EXCEPTION: Group R, Division 3 and Group M Occupancies.

The storage area shall be designed to meet the needs of the occupancy, efficiency of pickup, and shall be available to occupants and haulers.

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.

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.

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

NEW SECTION

WAC 51-20-0300 CHAPTER 3. Permits and Inspections.

NEW SECTION

WAC 51-20-0307 STRUCTURAL OBSERVATION. 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 (LD_{50}) 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 (LD_{50}) 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 (LC_{50}) 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 51–20–0420 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 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 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.

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 51-20-0514 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 51-20-0551 TABLE NO. 5-B—REQUIRED SEPARATION IN BUILDINGS OF MIXED OCCUPANCY[1]

TABLE NO. 5-B—REQUIRED SEPARATION IN BUILDINGS OF MIXED OCCUPANCY[1]
(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	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	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[3]	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[4]	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	

[1]For detailed requirements and exceptions, see Section 503.

Not Permitted in Mixed Occupancies. See Chapter 9.

[3]For special provisions on highly toxic materials, see Fire Code.

[4]For agricultural buildings, see also Appendix Chapter 11.

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.

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 51-20-0700 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. Marine or motor vehicle fuel-dispensing stations including canopies and supports over pumps shall be of noncombustible, fire-retardent-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.

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 noncombustible 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 noncombustible 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.

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-grate 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 noncombustible and nonfire-rated walls. Suites shall comply with all of the following:

1. Suites shall not exceed 10,000 square feet in area except patient sleeping room suites shall not exceed 5,000 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 shall be provided with an approved automatic sprinkler system and supervised automatic smoke-detection system.

7. Each patient sleeping room in the suite shall be located to permit visual supervision by the facility staff.

8. Patient corridors (rated and nonrated) within the suite shall be not less than 8 feet in width except in mental health occupancies corridors shall be not less than 6 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 in each sleeping room and 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 are 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 51-20-1223 DIVISION II. REQUIREMENTS FOR GROUP R, DIVISION 4 AND DIVISION 5 OCCUPANCIES. General. Section 1223. (a) Purpose. The purpose of this division is to provide minimum standards of safety for 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.

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.

(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 nonambulatory, 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, and capable of self-preservation, without the physical assistance of another person.

NONAMBULATORY 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. Buildings or portions of buildings classified as Group R, Division 4 or Division 5 shall meet the same construction, height and allowable area requirements as required for a Group R, Division 1 Occupancy.

(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 shall have installed an approved fully automatic fire-extinguishing system conforming to U.B.C. Standard No. 38-3.

EXCEPTION: In areas where adequate water supply is not available, on the approval of the building official a fully automatic fire-extinguishing system conforming to N.F.P.A. Standard 13-d may be used.

(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.

(D) Be equipped with an approved smoke detector and automatic shutoff in each single system providing heating and cooling air. Automatic shutoffs shall shut down the air-moving equipment when smoke is detected in a circulating airstream or as an alternate, when smoke is detected in rooms served by the system.

Where required, smoke detectors shall be installed in the main circulating-air duct ahead of any fresh air inlet, or installed in each room or space served by the return-air duct. Activation of any detector shall cause the air-moving equipment to automatically shut down.

(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.

(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.

(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.

(g) Exit doors shall be openable from the inside with one motion and without the use of a key or any special knowledge or effort.

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 Article 14 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 51-20-1800 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.

(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 authority having jurisdiction. 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 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	$M_s = ZF_y$
Shear	$V_s = 0.55\ F_y dt$
Axial compression	$P_{sc} = 1.7\ F_a A$
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.

(e) **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_a 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_a, 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., $bt_f\,(d-t_f)F_y > 0.7Z_xF_y$) 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_e/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 $0.8\Sigma M_s$ of the girders framing into the column flanges at the joint. The joint panel zone shear strength may be obtained from the following formula:

$$V = 0.55\ F_y d_c t \left[1 + \frac{3 b_{cf} t_{cf}^2}{d_b d_c t} \right] \qquad (10\text{-}1)$$

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.

t_{cf} = is the thickness of the column flange.

B. Thickness. The panel zone thickness, t_z, shall conform to the following formula:

$$t_z \geq (d_z + w_z)/90 \qquad (10\text{-}2)$$

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 $1.8\ (bt_f)F_{yb}$.

5. Strength ratio. At any moment frame joint, the following relationships shall be satisfied:

$$\Sigma Z_c\ (F_{yc} - f_a)/\Sigma Z_b F_{yb} > 1.0 \qquad (10\text{-}3a)$$

or

$$\Sigma Z_c\ (F_{yc} - f_a)/1.25\Sigma M_{pt} > 1.0 \qquad (10\text{-}3b)$$

WHERE:

$f_a > 0$

M_{pt} = the sum of beam moments when panel zone shear strength reaches the value specified in Formula (10-1).

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_a 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 ($f_a + f_{bx} + f_{by}$) 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_a, 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_{by}, shall include the effects of the bracing force specified in Section 2710 (g) 7 A and P Δ.

l/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_s 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:

$$F_{as} = BF_a \qquad (10\text{-}4)$$

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:

$$B = 1/[1 + Kl/r]/2C_c)] \qquad (10\text{-}5)$$

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:

$$\frac{A_e}{A_g} \geq \frac{1.2\ \alpha F^*}{F_u} \qquad (10\text{-}6)$$

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 $Z(F_y - f_a)$. Where f_a is less than $0.15F_y$, f_a 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 $0.75t_w$ 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 $0.45\ F_y dt$.

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 $38t_w - d/5$.

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 $A_s F_y$. Fillet welds connecting the stiffener to the flanges shall develop a stiffener force of $A_s F_y/4$, where $A_s = bt$ 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_s, or the reduced flexural strength, M_s, 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 $0.01 F_y b_f t_f d$.

(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 l/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 $1\frac{1}{2}$ 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.

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
GENERAL

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.

(d) Alternate Methods. The application of Section 105 to this chapter shall be limited to the extent that alternate methods of construction, designs, or technologies shall provide substantially equivalent or greater accessibility.

(e) Modifications. Where full compliance with this chapter is impractical due to unique characteristics of the terrain, the building official may grant modifications in accordance with Section 106, provided that any portion of the building or structure that can be made accessible shall be made accessible to the greatest extent practical.

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.

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 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 unobstructed floor or ground space (see Section 3106 (b)).

COMMON USE AREAS are rooms, spaces or elements inside or outside a building that are made available for use by occupants of and visitors to 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 greater accessibility than a Type B dwelling unit. (Type A dwelling units constructed in accordance with this chapter also meet the design standards for Type B dwelling units.)

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.

GROUND FLOOR is any occupiable floor less than one story above or below grade with direct access to grade. A building may have more than one ground floor.

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 an impairment, including a mobility, sensory or cognitive impairment, which results in a functional limitation in access to and using 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 a 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.

PRIMARY FUNCTION is a major function for which the facility is intended.

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.

TEXT TELEPHONE is machinery or equipment that employs interactive graphic (i.e., typed) communications through the transmission of coded signals across the standard telephone network. Text telephones include telecommunications display devices or telecommunications devices for the deaf (TDD's), or computers.

VEHICULAR WAY is a route intended for vehicular traffic, such as a roadway, driveway, or parking lot, located on a site.

PART II
NEW CONSTRUCTION

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, observation galleries used primarily for security purposes, elevator penthouses, nonoccupiable spaces accessed only by ladders, catwalks, crawl spaces, very narrow passage ways or freight elevators, piping and equipment catwalks and machinery, mechanical and electrical equipment rooms.

2. In other than Group R Occupancies; Group B, Division 2 retail Occupancies; terminals, depots and other stations used for transportation; buildings owned or operated by a governmental agency; 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 as required by Section 3105 equivalent to those located on the nonaccessible levels.

3. Temporary structures, sites and equipment directly associated with the construction process such as construction site trailers, scaffolding, bridging or material hoists are not required to be accessible.

2. Group A Occupancies. A. General. All Group A Occupancies shall be accessible as provided in this chapter.

EXCEPTION: In the assembly area of dining and drinking establishments or religious facilities which are located 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.

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 and shall be located in places with unobstructed sight lines. Wheelchair spaces shall be reasonably distributed throughout the seating plan and located on an accessible route of travel.

In addition, one percent, but not less than one, of all fixed seats shall be aisle seats with no armrests, or removable or folding armrests on the aisle side. Each such seat shall be identified by a sign complying with Section 3106 (p) 1. A.

B. Assistive Listening Devices. Assistive listening systems complying with Section 3106 (u) 3 shall be installed in assembly areas where audible communications are integral to the use of the space including stadiums,

theaters, auditoriums, lecture halls, and similar areas; where fixed seats are provided; as follows:

1. Areas with an occupant load of 50 or more.

2. Areas where an audio-amplification system is installed.

Receivers for 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 devices. In other assembly areas, where permanently installed assistive-listening systems are not provided, electrical outlets shall be provided at a rate of not less than 4 percent of the total occupant load.

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. Assembly spaces in Group B Occupancies shall comply with Section 3103 (a) 2. B.

4. Group E Occupancies. All Group E Occupancies shall be accessible as provided in this chapter. Assembly spaces in Group E Occupancies 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.

E. In Group I, Division 3 jail, prison and similar Occupancies, at least 1 in every 100 rooms or cells, including associated toilet rooms and bathrooms.

In Group I, Division 1.1 and 2 Occupancies, 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. Group M, Division 1 Occupancies shall be accessible.

EXCEPTIONS: 1. Private garages, carports and sheds are not required to be accessible if they are accessory to dwelling units which are not required to be accessible.

2. In Group M, Division 1 agricultural buildings, access need only be provided to paved work areas and areas open to the general public.

8. Group R Occupancies. A. General. All Group R Occupancies shall be accessible as provided in this chapter. Public- and common-use areas and facilities such as recreational facilities, laundry facilities, garbage and recycling collection areas, mailbox locations, lobbies, foyers and management offices, shall be accessible.

B. Number of Dwelling Units. In all Group R, Division 1 apartment buildings the total number of Type A dwelling 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.

2. Dwelling units in Group R, Division 1 apartment buildings which are located on floors other than the ground floor where no elevator is provided within the building need not comply with the standards for Type B dwelling units, provided:

A. Where the ground floor is not a Group R Occupancy, the first level of Group R Occupancy, including dwelling units, shall be accessible; and

B. The number of Type A dwelling units provided shall not be reduced below the number required by Table No. 31-B.

3. Dwelling units with two or more stories in a nonelevator building need not comply with standards for Type B dwelling units.

4. For sites where multiple, nonelevator buildings are planned for a single site and where portions of the site have grades prior to development which exceed 10 percent, the building official may approve the following modifications:

A. Number of Dwelling Units:

(i) The number of Type B dwelling units provided may be reduced to a percentage of the ground floor units which is equal to the percentage of the entire site having grades prior to development, which are 10 percent or less; but in no case shall the number of Type B dwelling units be less than 20 percent of the ground floor dwelling units on the entire site; and

(ii) The number of Type A dwelling units provided shall not be reduced below the number required by Table No. 31-B; and

B. Both Type A and B dwelling units may be located in the building or buildings located on the portion of the site where the grade prior to development has slopes of 10 percent or less; and

C. Common-use facilities accessory to buildings not required to contain either Type A or B dwelling units in accordance with Item A, above, need not be accessible unless there are no other similar facilities provided on the site.

See also Appendix Chapter 31, Division II.

C. Hotels and Lodging Houses. In all hotels and lodging houses, accessible guest rooms, including associated bathing, shower and toilet facilities, shall be provided in accordance with Table No. 31-C. In addition, sleeping rooms or suites for persons with hearing impairments shall be provided in accordance with Table No. 31-D.

In addition, public-use and common-use areas of all hotels and lodging houses shall be accessible.

EXCEPTION: Group R, Division 3 lodging houses that are occupied by the owner or proprietor of the lodging house.

Required sleeping rooms for persons with hearing impairments shall have visible alarms complying with Section 3106 (o). Such rooms shall have installed telephones complying with Section 3106 (n) 3., and an electrical

outlet installed within 48 inches of the telephone connection. Such rooms shall have devices separate from the visible alarm system which provide visible notification of incoming telephone calls and door bell actuation.

Where provided in accessible guest rooms the following facilities shall be accessible: dining areas; kitchens; kitchenettes; wet bars; patios; balconies; terraces; or similar facilities.

D. Proportional Distribution. Accessible dwelling 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. Accessible hotel and motel units shall be apportioned among the various classes of sleeping accommodations.

E. Congregate Residences. In congregate residences with multi-bed rooms or spaces, a percentage equal to the minimum number of accessible rooms required by Table No. 31-C shall be accessible in accordance with Section 3106 (z).

EXCEPTION: Congregate residences with 10 or fewer occupants need not be accessible.

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-F.

(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 and the public way. Except within an accessible dwelling unit, the accessible route of travel to areas of primary function may serve but 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. At least 50% of all public entries, or a number equal to the number of exits required by Section 3303 (a), whichever is greater, shall be accessible. One of the accessible public entries shall be the primary entry to a building. At least one accessible entry must be a ground floor entrance. Public entries do not include loading or service entries.

EXCEPTION: In Group R, Division 1 apartment buildings only the primary entry need be accessible, provided that the primary entry provides an accessible route of travel to all dwelling units required to be accessible.

Where a building is designed not to have common or primary entries, the primary entry to each individual dwelling unit required to be accessible, and each individual tenant space, shall be accessible.

4. Signs. A. International Symbol of Access. The following elements and spaces of accessible facilities shall be identified by the International Symbol of Access:

1. Accessible parking spaces

2. Accessible entrances when not all entrances are accessible (inaccessible entrances shall have directional signage to indicate the route to the nearest accessible entrance)

EXCEPTION: Individual entries into dwelling units.

3. Accessible passenger loading zone(s)

4. Accessible toilet and bathing facilities when not all are accessible

EXCEPTION: Toilet and bathing facilities within 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 Accessibility. Signage shall indicate the direction to accessible entries and facilities.

A list of accessible rooms shall be permanently posted for staff use at each hotel/motel reception or check-in desk.

B. Other Signs. Where provided, permanent signs which identify rooms and spaces shall comply with Sections 3106 (p) 2, 3, and 5. Where provided, other signs which provide direction to or information about the building or portion of a building shall comply with Section 3106 (p) 3 and 4.

EXCEPTION: Building directories and all temporary signs.

In hotels and lodging houses, a list of accessible guest rooms shall be posted permanently in a location not visible to the general public, for staff use at each reception or check-in desk.

In assembly areas, a sign notifying the general public of the availability of accessible seating and assistive listening systems shall be provided at ticket offices or similar locations.

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.

EXCEPTION: Areas of evacuation assistance are not required in buildings where an approved, automatic fire-extinguishing system is installed in accordance with U.B.C. Standard No. 38-1, provided that quick-response sprinkler heads are used where allowed by the standard; and that a written fire- and life-safety emergency plan which specifically addresses the evacuation of persons with disabilities is approved by the building official and the fire chief.

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.

C. A portion of a one-hour fire-resistive corridor complying with Sections 3305 (g) and (h) located immediately adjacent to an exit enclosure.

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.

EXCEPTION: The building official may reduce the minimum number of 30-inch by 48-inch areas to one for each area for evacuation assistance on floors where the occupant load is less than 200.

3. Stairway Width. Each stairway adjacent to an area for evacuation assistance shall have a minimum clear width of 48 inches.

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.

(c) Accessible Exits. All exterior exits which are located adjacent to accessible areas and within 6 inches of grade shall be accessible.

(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. In dwelling units where both a bathtub and shower are provided in the same room, only one need be accessible.

2. Toilet Facilities. Toilet facilities located within accessible dwelling units, guest rooms and congregate residences shall comply with Sections 3106 (k) and 3106 (aa).

In each toilet facility in other occupancies, at least one wheelchair accessible toilet stall with an accessible

water closet shall be provided. In addition, when there are 6 or more water closets within a toilet facility, at least one other accessible toilet stall complying with Section 3106 (k) 4. also shall be installed.

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. Adaptable Fixtures in Dwelling Units. See Section 3106 (aa) 2. for adaptable fixtures in dwelling units.

B. Kitchen Counters. Cabinets or shelving may be installed beneath the counter space required by Section 3106 (l) 2. provided such cabinetry or shelving is not permanent and is easily removable.

C. Lavatories. Cabinets or shelving may be installed beneath bathroom lavatories provided such cabinetry or shelving is not permanent and is easily removable.

(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. Other than within an individual dwelling unit, when an elevator is provided but not required, it shall be accessible.

EXCEPTIONS: 1. In Group R, Division 1 apartment 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 fewer than three stories an elevator is not required where ramps, grade-level entrances or accessible horizontal exits from an adjacent building, are 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 lodging houses less than 3 stories in height, an elevator is not required provided that accessible guest rooms are provided on the ground floor.

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 may be used in lieu of an elevator under one of the following conditions subject to approval by the building official:

1. To provide an accessible route of travel to a performing area in a Group A Occupancy; or,

2. To provide unobstructed sight lines and distribution for wheelchair viewing positions in Group A Occupancies; or,

3. To provide access to spaces with an occupant load of less than 5; or,

4. To provide access where existing site constraints or other constraints make use of a ramp or elevator infeasible.

All platform lifts used in lieu of an elevator shall be capable of independent operation and shall comply with chapter 296-81 of the Washington Administrative Code.

(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 complying with Section 3106 (m) and at least one fountain shall be mounted at a standard height.

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 and at least one telephone per floor shall be designed to allow forward reach complying with Section 3106.

Where any bank of public telephones consists of 3 or more telephones, at least one telephone in each bank shall be equipped with a shelf and an electrical outlet complying with Section 3106 (n) 7.

All accessible telephones and at least 25 percent of all other public telephones, but in no case less than one, shall be provided with volume controls in accordance with Section 3106 (n) and shall be dispersed among the public telephones provided in the building.

Where four or more public pay telephones are provided at a building site, and at least one is in an interior location, at least one interior telephone shall be a text telephone in accordance with Section 3106 (n).

Where interior public pay phones are provided in transportation facilities; assembly and similar areas including stadiums and arenas, convention centers, hotels with convention facilities, or covered malls; or in or adjacent to hospital emergency, recovery, or waiting rooms; at least one interior text telephone shall be provided.

3. Kitchens. Kitchens within accessible dwelling units shall be designed in accordance with Section 3106.

Kitchens, kitchenettes or wet bars in other than dwelling units 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.

5. Fixed or Built-in Seating or Tables. Where fixed or built-in seating or tables are provided at least 5 percent, but no fewer than two, shall be accessible. Accessible fixed or built-in seating or tables shall comply with Section 3106 (s). In eating and drinking establishments, such seating or tables shall be distributed throughout the facility.

6. Storage, Shelving and Display Units. In other than Group R, Division 1 apartment buildings, 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.

7. Customer Service Facilities. A. Dressing, and Fitting Rooms. Where dressing or fitting rooms are provided for use by the general public, patients, customers or employees, 5 percent, but not less than one in each group of rooms serving distinct and different functions shall be accessible in accordance with Section 3106 (x).

B. Counters and Windows. Where customer sales and service counters or windows are provided a portion of the counter or at least one window, shall be accessible in accordance with Section 3106 (x).

C. Shelving and Display. Self-service shelves or display units in retail occupancies shall be located on an accessible route in accordance with Section 3103 (b) 2.

D. Check-out Aisles. Accessible check-out aisles shall be installed in accordance with Table No. 31-E and Section 3106 (x).

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, observation galleries used primarily for security purposes, elevator penthouses, nonoccupiable spaces accessed only by ladders, catwalks, crawl spaces, very narrow passage ways or freight elevators, 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 are not required in Group R, Division 1 apartment buildings.

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.

2. Wheelchair Turning Spaces. Wheelchair turning spaces shall be designed and constructed to satisfy one of the following requirements:

A. A turning space not less than 60 inches in diameter; or,

B. A turning space at T-shaped intersections or within a room, where the minimum width is not less than 36 inches. Each segment of the T shall be clear of obstructions not less than 24 inches in each direction.

3. Unobstructed Floor Space. A floor space, including the vertical space above such floor space, which is free of any physical obstruction including door swings, to a height of 29 inches. Where a pair of doors occurs, the swing of the inactive leaf may be considered to be unobstructed floor space. Unobstructed floor space may include toe spaces that are a minimum of 9 inches in height and not more than 6 inches in depth.

4. 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 which comply with the requirements for unobstructed floor space may be included in the clear floor or ground space.

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.

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 3106 (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. For exterior accessible routes of travel, the minimum clear width shall be 44 inches.

EXCEPTION: The minimum width for single wheelchair passage may be 32 inches for a maximum distance of 24 inches.

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 the grade or floor below. Any portion of the edge of an accessible route of travel which is more than 1/2 inch above adjacent grade or floor 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.

EXCEPTIONS: 1. Where curbs, walls, or shoulder slopes abut the accessible route of travel, a protective railing is not required. Where provided:
A. Curbs shall be not less than 2 inches in height above the surface of the accessible route of travel.
B. Shoulder slopes shall be at the same grade as the edge of the accessible route of travel; 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.
2. For routes of travel adjoining vehicular ways or parking areas, protective railings are not required provided the difference in grade is less than 3 inches.

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). For Type B dwelling units, see also Section 3106 (aa).

(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 one direction. Where grates have elongated openings, they shall be placed so that the long dimension is perpendicular to the dominant direction of travel. 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. No ramp shall change direction between landings, except ramps with an inside radius of 30 feet or greater.

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 36 inches for interior ramps and 44 inches for exterior ramps.

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. Handrails shall be continuous provided that they shall not be required at any point of access along the ramp, nor at any curb ramp. Handrails shall extend at least 12 inches beyond the top and bottom of any ramp segment.

EXCEPTION: Ramps having a rise less than or equal to 6 inches or a run less than or equal to 72 inches need not have handrails.

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.

EXCEPTION: Stairways in Group R, Division 1 apartment buildings may have open risers.

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.

7. Vision Panels. Where vision panels are provided in a door, the bottom of the glass shall be not more than 40 inches above the floor.

(k) Bathrooms, Toilet Rooms, Bathing Facilities and Shower Rooms. 1. General. Bathrooms, toilet rooms, bathing facilities and shower rooms shall be designed in accordance with this section. For dwelling units, see also Section 3106 (aa).

2. 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.

3. Wheelchair Accessible Toilet Stalls. A. Dimensions. Wheelchair accessible 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.

C. Door Hardware. Doors of accessible toilet stalls shall comply with Section 3106 (c).

EXCEPTION: Toe clearance is not required in a stall with a depth greater than 60 inches.

4. Ambulatory Accessible Toilet Stalls. Ambulatory accessible toilet stalls shall be at least 36 inches in width, with an outward swinging, self–closing door. Grab bars shall be installed on each side of the toilet stall and shall comply with Sections 3106 (k) 4. C. and 3106 (k) 9.

5. 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 18 inches on one side and 42 inches on the other side. In other than stalls, a clear floor space not less than 32 inches measured perpendicular to the wall on which the water closet is mounted, shall be provided in front of the water closet.

EXCEPTION: A lavatory may be located within the clear floor space required for a water closet provided that knee and toe clearances for the lavatory comply with subsection 7 below and:
A. In Type B dwelling units the edge of the lavatory shall be located not less than 15 inches from the centerline of the water closet; or
B. In all other occupancies the edge of the lavatory shall be located not less than 18 inches from the centerline 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 and Receptacles. Toilet paper and other dispensers or receptacles shall be installed within easy reach of the water closet, and shall not interfere with grab bar utilization.

6. 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.

7. 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.

8. 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.

9. 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.

10. Shower Stalls. A. Configuration. Shower stalls shall have one of the following configurations:

(i) Transfer shower stalls shall be 36 inches by 36 inches, nominal, and shall have a seat; or,

(ii) Roll-in shower stalls shall be not less than 30 inches in depth by 60 inches in length.

B. Clear Floor Space. A clear floor space not less than 48 inches in length shall be provided adjacent to shower stalls. For roll-in shower stalls, 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 roll-in shower.

C. Seats. In transfer shower stalls, a 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.

In roll-in shower stalls, a fold down seat complying with the dimensional requirements of this subsection, may be installed.

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.

For transfer shower stalls, 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.

For roll-in shower stalls, 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 transfer shower stalls, 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 roll-in shower stalls 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.

11. 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 specifications:

(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 to allow a forward approach.

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 shall be provided in front of telephones. Bases, enclosures and fixed seats shall not project into the clear floor space.

Where parallel approach is provided, any shelf or enclosure shall not project further than 10 inches beyond the face of the telephone.

Where a forward approach is provided, any shelf shall not project further than 20 inches beyond the face of the telephone; any enclosure panels shall be a minimum 30 inches apart, and where less than 36 inches apart, shall project no more than 24 inches beyond the face of the phone.

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.

3. Equipment for Persons with Hearing Impairments. Telephones shall be equipped with volume controls and shall be hearing aid compatible. Volume controls shall be capable of increasing volume not less than 12 dbA or more than 18 dbA above normal.

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.

6. Text Telephones. Text telephones shall be permanently affixed within, or adjacent to the telephone enclosure. Where an acoustic coupler is used, the telephone cord shall be sufficiently long to allow connection of the text telephone and the telephone receiver.

7. Shelf and Electrical Outlet. Shelves and an electrical outlet shall be located within or adjacent to the telephone enclosure. The shelf shall be not less than 10

inches by 10 inches in dimension, with a vertical clearance above the shelf of not less than 6 inches. The telephone handset shall be capable of being placed flush on the surface of the shelf.

(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.

EXCEPTION: Dwelling units in Group R, Division 1 apartment buildings.

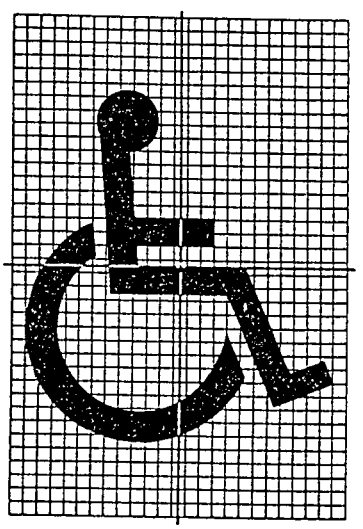
Visible alarms shall be located not less than 80 inches above floor level, or 6 inches below the ceiling, whichever is lower, and at an interval of not less than 50 feet horizontal, in rooms, corridors and hallways.

In rooms or spaces exceeding 100 feet in horizontal dimension, with no obstructions exceeding 6 feet in height above the finished floor, visible alarms may be placed around the perimeter at intervals not to exceed 100 feet horizontally.

Guidelines for visible alarm type, color, intensity and flash rate are found in Appendix Chapter 31, Division V.

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. Text Telephones. Text Telephones required by Section 3105 (d) 2. shall be identified by the International Text Telephone symbol as shown below:

C. Assistive Listening Systems. Permanently installed assistive listening systems that are required by Section 3103 (a) 2. B. shall be identified by the International Symbol of Access for Hearing Loss as shown below:

D. Volume Control Telephones. Telephones required by Section 3105 (d) 2. to have volume controls shall be identified by a handset containing a depiction of a telephone handset with radiating sound waves.

2. Mounting Location and Height. Signs shall be installed on the wall adjacent to the latch side of the door. Signs shall be centered at 60 inches above the finished floor. 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. Finish and Color. Characters and symbols shall have a high contrast with their background. The character and background of interior signs shall be eggshell, matte, or other nonglare finish.

All interior and exterior signs depicting the International Symbol of Access shall be white on a blue background.

4. Character Proportion and Height. Letters and numbers on signs shall have a width-to-height ratio between 3:5 and 1:1 and a stroke-width-to-height ratio between 1:5 and 1:10.

Characters and numbers on signs shall be sized according to the viewing distance from which they are to be read. The minimum character height for signs that are suspended or projected overhead is 3 inches for upper case letters. Lower case letters are permitted.

5. Raised and Brailled Characters and Pictorial Symbol Signs (Pictograms). Letters and numerals shall be raised not less than 1/32 inch; shall be upper case, simple typeface; 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. Where provided, 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.

(q) Detectable Warnings. 1. Walking Surfaces. Detectable warnings on walking surfaces shall consist of raised truncated domes having 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, and shall contrast visually with adjoining surfaces.

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.

(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, and Sinks. 1. Clear Floor Space. Seating spaces at tables, and sinks 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, and sinks 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, and sinks 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 (s).

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) Patient Bedrooms. 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 on each side of the bed.

(x) Customer Service Facilities. 1. Dressing and Fitting Rooms. A. Clear Floor Space. Dressing and fitting rooms shall have a clear floor space complying with Section 3106 (b).

EXCEPTION: Dressing and fitting rooms that are entered through a curtained opening need not comply with Section 3106 (b) 2.

B. Doors. All doors to accessible dressing and fitting rooms shall comply with Section 3106 (j).

C. Benches. Every accessible dressing or fitting room shall have a bench installed adjacent to the longest wall in the room. The bench shall be not less than 24 inches in width and 48 inches in length, and shall be mounted not less than 17 inches nor more than 19 inches above the finished floor.

Clear floor space shall be provided adjacent to the bench to allow for parallel transfer, and the structural strength of the bench shall comply with Section 3106 (k) 9. C.

Where benches are installed in dressing and fitting rooms adjacent to showers, swimming pools, or other wet locations, water shall not accumulate upon the surface of

the bench and the bench shall have a slip-resistant surface.

D. Mirrors. Where provided, mirrors in accessible dressing and fitting rooms shall be not less than 18 inches in width by 54 inches in height and shall be mounted opposite the bench.

2. Counters and Windows. Where counters are required to be accessible, the accessible portion shall be not less than 36 inches in length and not more than 36 inches in height above the finished floor.

Where accessible windows are required, they shall be no more than 36 inches in height above the finished floor.

EXCEPTION: An auxiliary counter with a maximum height of 36 inches is installed in close proximity to the main counter.

3. Check-out Aisles. The width of accessible check-out aisles shall comply with Section 3106 (t). Counters in accessible check-out aisles shall be not more than 38 inches in height, and the top of the raised edge of the counter shall not exceed 40 inches in height above the finished floor.

Accessible check-out aisles shall be identified by the International Symbol of Access in accordance with Section 3106 (p) 1.

(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 (s).

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, along both sides of each bed.

EXCEPTION: In rooms with two beds, only one 36 inch-wide maneuvering space need be provided between the two beds.

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. Where fixed or built-in storage is provided 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. A clear space at least 30 inches by 48 inches that allows parallel approach by a person in a wheelchair is provided at the range or cook top and sink, and either a parallel or forward approach is provided at all other appliances; and,
B. In all other kitchens clearance between all opposing counters, base cabinets, countertops, appliances and walls shall be not less than 40 inches; and,
C. 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.
2. Bathrooms in Type B dwelling units need not comply with Section 3106 (k) 1 provided that sufficient maneuvering space which is not less than 30 inches by 48 inches is provided within the bathroom. Doors may swing into the clear floor space provided at any fixture, but shall not encroach on the required maneuvering space.
3. Doors in Type B dwelling units other than the primary entry door, need not comply with Section 3106 (j) 4. A.
4. Mezzanines in Type A or B dwelling units need not be accessible.
5. Raised or 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, and are not located in the kitchen or bathroom.
6. Counter surfaces in Type B dwelling units need not comply with Section 3106 (l) 2.
7. Within an individual dwelling unit in an elevatored building, access to other levels is not required if the accessible level complies with all requirements for accessible dwelling units and contains a bathroom.
8. In Type B dwelling units, exterior deck, patio, or balcony surfaces may be no more than 4 inches below the floor level of the interior surface if the exterior surface is constructed of an impervious material such as concrete, brick or flagstone.
9. Vanities or lavatories in Type A and B dwelling units shall comply may be located in the clear floor spaces as permitted in Section 3106 (k) 5. A.
10. Seats for bathtubs or showers are not required in Type B dwelling units.
11. In Type B dwelling units the clear floor space for bathtubs or showers may be reduced to not less than 30 inches in width by 48 inches in length.

2. Adaptable Fixtures in Dwelling Units. A. Grab Bars. Grab bars may be omitted in bathing and toilet facilities within Type A or B dwelling units, provided that all structural reinforcements for grab bar installation are provided in the appropriate locations in the adjoining walls.

B. Kitchen Counters. Cabinets or shelving may be installed beneath the counter space required by Section 3106 (l) 2., provided that such cabinetry or shelving is not permanent, and is easily removable.

C. Lavatories. Cabinets or shelving may be installed beneath bathroom lavatories provided that such cabinetry or shelving is not permanent, and is easily removable.

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-F. In addition, one in every eight accessible parking spaces, but in no case less than one, shall comply with the van parking space requirements in Section 3107 (b).

For Group I, Division 1.1, 1.2 and 2 medical care Occupancies specializing in the treatment of persons with mobility impairments, 20 percent of parking spaces provided accessory to such occupancies shall be accessible.

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.

Van accessible parking spaces shall have an adjacent access aisle not less than 96 inches in width.

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 III
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.

PATH OF TRAVEL means a continuous, unobstructed way of pedestrian passage by means of which an altered area may be approached, entered, and exited, and which connects the altered area with an exterior approach (including sidewalks, streets, and parking areas), an entry to the facility, and other parts of the facility. For the purposes of this part, the term path of travel also

includes restrooms, telephones, and water fountains serving the altered area.

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 II 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 I Occupancies. Where patient rooms are added to an existing Group I Occupancy, a percentage of the additional rooms equal to the requirement of Section 3103 (a) 6., but in no case more than the total number of rooms required by Section 3103 (a) 6. shall comply with Section 3106 (w). Where toilet or bath facilities are part of the accessible rooms, they shall comply with Section 3106 (k).

5. Group R, Division 1 Apartment Buildings. Additions of 3 or fewer dwelling units in Group R, Division 1 apartment buildings need not comply with Part I of this chapter.

Where an addition affects the access to or use of an area of primary function, to the maximum extent feasible, the path of travel to the area of primary function shall be made accessible.

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 accessibility 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 II of this chapter. Where an alteration is to an area of primary function, to the maximum extent feasible, the path of travel to the altered area shall be made accessible. See also Appendix Chapter 31 Division II.

Exceptions: 1. Accessible route of travel need not be provided to altered elements, spaces or common areas which are not areas of primary function.
2. Areas of evacuation assistance need not be added to an altered building.

3. Installation of Stairs or Escalators. Where 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, amount to an alteration of a room or space in 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.

D. Where alterations would increase the number of public pay phones to four, with at least one on the interior; or where the existing facility has four or more public pay phones and one or more is altered; at least one interior text telephone shall be provided in accordance with Section 3106 (n).

E. Where a building has an accessible entry, altered entries need not be made accessible unless they provide access to areas of primary function.

F. Where sleeping rooms are altered in an existing Group R, Division 1 hotel or motel, at least 1 sleeping room that complies with Section 3106 (z) shall be provided for each 25 sleeping rooms or fraction thereof. In addition, at least 1 sleeping room for each 25 sleeping rooms or fraction thereof shall have telephones, visible alarms, and visible notification devices in accordance with Section 3103 (a) 8. C. (ii).

G. Where patient rooms are altered in an existing Group I Occupancy, a percentage of the altered rooms equal to the requirement of Section 3103 (a) 6., but in no case more than the total number of rooms required by Section 3103 (a) 6. shall comply with Section 3106 (w). Where toilet or bath facilities are part of the accessible rooms, they shall comply with Section 3106 (k).

(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 II 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. Platform Lifts. Upon the approval of the building official, platform lifts may be used in lieu of elevators in alterations, in locations in addition to those permitted in Part II of this chapter, if installation of an elevator is technically infeasible.

Platform lifts shall comply with chapter 296-81 WAC.

6. 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.

7. 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.

8. 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.

9. Dressing Rooms. Where it is technically infeasible to meet the requirements of Part I of this chapter, one dressing room for each sex, or a unisex dressing room, on each level shall be accessible.

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, after consultation with the appropriate historic preservation officer, 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 entry 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 entry which is unlocked during business hours may be used provided directional signs are located at the main entry and the accessible entry has a notification system. 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 entry to all publicly used spaces, on at least the level of the accessible entry, 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 building official in accordance with Section 204, 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. For the path of travel, the cost of compliance with this part would exceed 20% of the total project cost, inclusive of the cost of eliminating barriers, within a 36-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
4 to 25	1
26 to 50	2
51 to 300	4
301 to 500	6
over 500	6 plus 1 for each 100 over 500

NEW SECTION

WAC 51-20-3152 SECTION 3152.

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

NEW SECTION

WAC 51-20-3153 SECTION 3153.

TABLE NO. 31-C-NUMBER OF ACCESSIBLE ROOMS AND ROLL-IN SHOWERS

TOTAL NUMBER OF ROOMS[1]	MINIMUM REQUIRED ACCESSIBLE ROOMS[1]	ROOMS WITH ROLL-IN SHOWERS
1-25	1	
26-50	2	
51-75	3	1
76-100	4	1
101-150	5	2
151-200	6	2
201-300	7	3
301-400	8	4
401-500	9	4 plus 1 for every 100 rooms or fraction thereof, over 400.
501-1000	2% of total	
Over 1000	20 plus 1 for every 100 rooms or fraction thereof, over 1000	

[1]. For congregate residences the numbers in these columns shall apply to beds rather than rooms.

NEW SECTION

WAC 51-20-3154 SECTION 3154.

TABLE NO. 31-D-NUMBER OF ACCESSIBLE ROOMS FOR PERSONS WITH HEARING IMPAIRMENTS

TOTAL NUMBER OF ROOMS	MINIMUM REQUIRED NUMBER
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
501-1000	2% of total rooms
Over 1000	20 plus 1 for every 100 rooms, or fraction thereof, over 1000.

NEW SECTION

WAC 51-20-3155 SECTION 3155.

TABLE NO. 31-E
REQUIRED CHECK-OUT AISLES

Total Check-out Aisles Units on Site	Minimum Number of Accessible Check-out Aisles
1-4	1
5-8	2
9-15	3
Over 15	3 plus 20% of additional aisles

NEW SECTION

WAC 51-20-3156 SECTION 3156.

TABLE NO. 31-F-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 51-20-3300 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, and interior swinging 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:
A. Such doors have a minimum width of 6 feet 6 inches.
B. At least one conforming exit door is located adjacent to each revolving door.
C. The revolving door shall not be considered to provide any exit width.

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 furthermost 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 (l) 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 storied 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.

(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.

(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.

TABLE NO. 33-A

MINIMUM EGRESS REQUIREMENTS[1]

	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	50	7
	Waiting Area	50	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)	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 REQUIREMENTS[1]--(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. Kitchen--commercial	30	200
17. Laboratories (B-2)		
Instructional and teaching laboratories at schools, colleges and universities	10	50
All other B-2 laboratories	10	100
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 approved automatic fire-extinguishing system shall be installed in all newly constructed buildings classified as E-1 Occupancies constructed after July 1, 1992.

NOTE: For the purpose of this section, structural additions exceeding 60% of the appraised value of such building or structure, or alterations and repairs to any portion of a building or structure within a twelve-month period that exceeds 100% of the appraised value of such building or structure shall be considered new construction. In the case of structural additions, separation walls shall define separate buildings.

EXCEPTION: Portable school classrooms, provided:
A. Aggregate area of clusters of portable school classrooms does not exceed 5,000 square feet; and
B. Clusters of portable school classrooms separated as required in Chapter 5 of the Building Code.

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 area and height increases and substitution for one hour construction as allowed by the Building 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	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 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, is a stage wherein curtains, drops, leg drops, scenery, lighting devices or other stage effects are retractable horizontally or vertically, or suspended overhead.

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.

(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.

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 through 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.

(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.

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 51-20-93100 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 unites 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 unites 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 (a) 1., 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.

(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 ALTERNATE GUIDELINES FOR DETECTABLE WARNINGS

NEW SECTION

WAC 51-20-93117 SECTION 3117. (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 IV
U.S. ARCHITECTURAL AND BARRIERS COMPLIANCE BOARD AMERICANS WITH DISABILITIES ACT ALTERNATE GUIDELINES FOR AUDIBLE ALARMS

NEW SECTION

WAC 51-20-93118 SECTION 3118. (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 V
U.S. ARCHITECTURAL AND BARRIERS COMPLIANCE BOARD AMERICANS WITH DISABILITIES ACT ALTERNATE GUIDELINES FOR VISIBLE ALARM

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 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 VI
U.S. ARCHITECTURAL AND BARRIERS COMPLIANCE BOARD AMERICANS WITH DISABILITIES ACT ALTERNATE GUIDELINES FOR VISUAL CONTRAST

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 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:

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.

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:

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.

UNIFORM BUILDING CODE STANDARD NO. 31-1

Building and Facility Access Specifications. U.B.C. No. 31-1 is deleted in its entirety.

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

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
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	ASTM D 3309

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	ASTM D 3309

KEY TO TABLE

Symbols:

AMD = Amendment of existing section
A/R = Amending and recodifying a section
DECOD = Decodification of an existing section
NEW = New section not previously codified
OBJEC = Notice of objection by Joint Administrative Rules Review Committee
PREP = Preproposal comments
RE-AD = Readoption of existing section
RECOD = Recodification of previously codified section
REP = Repeal of existing section
RESCIND = Rescind previous emergency rule
REVIEW = Review of previously adopted rule

Suffixes:

-P = Proposed action
-C = Continuance of previous proposal
-E = Emergency action
-S = Supplemental notice
-W = Withdrawal of proposed action
No suffix means permanent action

This table covers the current calendar year through this issue of the Register and should be used to locate rules amended, adopted, or repealed subsequent to the publication date of the latest WAC or Supplement.

WAC # shows the section number under which an agency rule is or will be codified in the Washington Administrative Code.

WSR # shows the issue of the Washington State Register where the document may be found; the last three digits show the sequence of the document within the issue.

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1-08-320	REP-P	91-06-067
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1-08-580	REP-P	91-06-067
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16-08-050	REP	91-23-051
16-08-051	NEW-P	91-20-177
16-08-051	NEW	91-23-051
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16-08-090	REP-P	91-20-177
16-08-090	REP	91-23-051
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16-08-100	REP-P	91-20-177
16-08-100	REP	91-23-051
16-08-101	NEW-P	91-20-177
16-08-101	NEW	91-23-051
16-08-110	REP-P	91-20-177
16-08-110	REP	91-23-051
16-08-111	NEW-P	91-20-177
16-08-111	NEW	91-23-051
16-08-120	REP-P	91-20-177
16-08-120	REP	91-23-051
16-08-121	NEW-P	91-20-177
16-08-121	NEW	91-23-051
16-08-130	REP-P	91-20-177
16-08-130	REP	91-23-051
16-08-131	NEW-P	91-20-177
16-08-131	NEW	91-23-051
16-08-140	REP-P	91-20-177
16-08-140	REP	91-23-051
16-08-141	NEW-P	91-20-177
16-08-141	NEW	91-23-051
16-08-150	REP-P	91-20-177
16-08-150	REP	91-23-051
16-08-151	NEW-P	91-20-177
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16-08-170	REP	91-23-051
16-08-171	NEW-P	91-20-177
16-08-171	NEW	91-23-051
16-08-180	REP-P	91-20-177
16-08-180	REP	91-23-051
16-08-190	REP-P	91-20-177
16-08-190	REP	91-23-051
16-08-200	REP-P	91-20-177
16-08-200	REP	91-23-051
16-08-210	REP-P	91-20-177
16-08-210	REP	91-23-051
16-08-220	REP-P	91-20-177
16-08-220	REP	91-23-051
16-08-230	REP-P	91-20-177
16-08-230	REP	91-23-051
16-08-240	REP-P	91-20-177
16-08-240	REP	91-23-051
16-08-250	REP-P	91-20-177
16-08-250	REP	91-23-051
16-08-260	REP-P	91-20-177
16-08-260	REP	91-23-051
16-08-270	REP-P	91-20-177
16-08-270	REP	91-23-051
16-08-280	REP-P	91-20-177
16-08-280	REP	91-23-051
16-08-290	REP-P	91-20-177
16-08-290	REP	91-23-051
16-08-300	REP-P	91-20-177
16-08-300	REP	91-23-051
16-08-310	REP-P	91-20-177
16-08-310	REP	91-23-051
16-08-320	REP-P	91-20-177
16-08-320	REP	91-23-051
16-08-330	REP-P	91-20-177
16-08-330	REP	91-23-051
16-08-340	REP-P	91-20-177
16-08-340	REP	91-23-051
16-08-350	REP-P	91-20-177
16-08-350	REP	91-23-051
16-08-360	REP-P	91-20-177
16-08-360	REP	91-23-051
16-08-370	REP-P	91-20-177
16-08-370	REP	91-23-051
16-08-380	REP-P	91-20-177
16-08-380	REP	91-23-051
16-08-390	REP-P	91-20-177
16-08-390	REP	91-23-051
16-08-400	REP-P	91-20-177
16-08-400	REP	91-23-051
16-08-410	REP-P	91-20-177
16-08-410	REP	91-23-051
16-08-420	REP-P	91-20-177
16-08-420	REP	91-23-051
16-08-430	REP-P	91-20-177
16-08-430	REP	91-23-051
16-08-440	REP-P	91-20-177
16-08-440	REP	91-23-051
16-08-450	REP-P	91-20-177
16-08-450	REP	91-23-051
16-08-460	REP-P	91-20-177
16-08-460	REP	91-23-051
16-08-470	REP-P	91-20-177
16-08-470	REP	91-23-051
16-08-480	REP-P	91-20-177
16-08-480	REP	91-23-051
16-08-490	REP-P	91-20-177
16-08-490	REP	91-23-051
16-08-500	REP-P	91-20-177
16-08-500	REP	91-23-051
16-08-510	REP-P	91-20-177
16-08-510	REP	91-23-051
16-08-520	REP-P	91-20-177
16-08-520	REP	91-23-051
16-08-530	REP-P	91-20-177
16-08-530	REP	91-23-051
16-08-540	REP-P	91-20-177
16-08-540	REP	91-23-051
16-08-550	REP-P	91-20-177
16-08-550	REP	91-23-051
16-08-560	REP-P	91-20-177
16-08-560	REP	91-23-051
16-08-570	REP-P	91-20-177
16-08-570	REP	91-23-051
16-08-580	REP-P	91-20-177
16-08-580	REP	91-23-051
16-08-590	REP-P	91-20-177
16-08-590	REP	91-23-051
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16-22-011	NEW	91-16-005
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16-22-015	NEW	91-16-005
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16-23-012	NEW	91-16-005
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16-23-014	NEW	91-16-005
16-80-005	NEW-P	91-05-076
16-80-005	NEW	91-08-027
16-80-007	NEW-P	91-05-076
16-80-007	NEW	91-08-027
16-80-010	NEW-P	91-05-076
16-80-010	NEW	91-08-027
16-80-015	NEW-P	91-05-076
16-80-015	NEW	91-08-027
16-80-020	NEW-P	91-05-076
16-80-020	NEW	91-08-027
16-80-025	NEW-P	91-05-076
16-80-025	NEW	91-08-027
16-80-030	NEW-P	91-05-076
16-80-030	NEW	91-08-027
16-80-035	NEW-P	91-05-076
16-80-035	NEW	91-08-027
16-80-040	NEW-P	91-05-076
16-80-040	NEW	91-08-027
16-80-045	NEW-P	91-05-076
16-80-045	NEW	91-08-027
16-80-047	NEW-P	91-05-076
16-80-047	NEW	91-08-027
16-80-050	NEW-P	91-05-076
16-80-050	NEW	91-08-027
16-104-310	NEW-P	91-21-125
16-104-310	NEW	92-01-091
16-104-320	NEW-P	91-21-125
16-104-320	NEW	92-01-091
16-104-330	NEW-P	91-21-125
16-104-330	NEW	92-01-091
16-104-340	NEW-P	91-21-125
16-104-340	NEW	92-01-091
16-104-350	NEW-P	91-21-125
16-104-350	NEW	92-01-091
16-104-360	NEW-P	91-21-125
16-104-360	NEW	92-01-091
16-104-370	NEW-P	91-21-125
16-104-370	NEW	92-01-091
16-122-001	NEW-P	91-13-106
16-122-001	NEW	91-16-005
16-124-011	NEW-P	91-13-106
16-124-011	NEW	91-16-005
16-126-001	NEW-P	91-13-106
16-126-001	NEW	91-16-005
16-146-100	NEW-P	91-13-106
16-146-100	NEW	91-16-005
16-146-110	NEW-P	91-13-106
16-146-110	NEW	91-16-005
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16-154-040	NEW	91-09-028
16-154-050	NEW-P	91-05-006
16-154-050	NEW	91-09-028
16-154-060	NEW-P	91-05-006
16-154-060	NEW	91-09-028
16-154-070	NEW-P	91-05-006
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16-154-080	NEW-P	91-05-006
16-154-080	NEW	91-09-028
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16-154-100	NEW-P	91-05-006
16-154-100	NEW	91-09-028
16-154-110	NEW-P	91-05-006
16-154-110	NEW	91-09-028
16-154-120	NEW-P	91-05-006
16-154-120	NEW	91-09-028
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16-156-020	AMD	91-09-028
16-156-035	AMD-P	91-05-006
16-156-035	AMD	91-09-028
16-156-060	AMD-P	91-05-006
16-156-060	AMD	91-09-028

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16-160-020	NEW	91-05-007
16-160-030	NEW	91-05-007
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16-160-050	NEW	91-05-007
16-160-060	NEW	91-05-007
16-160-060	AMD-P	91-15-067
16-160-060	AMD	91-20-013
16-160-070	NEW	91-05-007
16-160-090	NEW	91-05-007
16-160-100	NEW	91-05-007
16-212-125	NEW-P	91-13-106
16-212-125	NEW	91-16-005
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16-212-126	NEW	91-16-005
16-212-127	NEW-P	91-13-106
16-212-127	NEW	91-16-005
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16-212-128	NEW	91-16-005
16-228-020	NEW-P	91-13-106
16-228-020	NEW	91-16-005
16-228-164	AMD-P	91-02-106
16-228-164	AMD	91-06-019
16-230-110	REP-P	91-02-106
16-230-110	REP	91-06-019
16-230-115	REP-P	91-02-106
16-230-115	REP	91-06-019
16-230-120	REP-P	91-02-106
16-230-120	REP	91-06-019
16-230-150	AMD-P	91-04-078
16-230-150	AMD	91-08-058
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16-230-160	AMD	91-08-058
16-230-170	AMD-P	91-04-078
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16-230-190	AMD-P	91-04-078
16-230-190	AMD	91-08-058
16-230-400	AMD-P	91-02-106
16-230-400	AMD	91-06-019
16-230-410	AMD-P	91-02-106
16-230-410	AMD	91-06-019
16-230-440	AMD-P	91-02-106
16-230-440	AMD	91-06-019
16-230-450	AMD-P	91-02-106
16-230-450	AMD	91-06-019
16-230-460	AMD-P	91-02-106
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16-230-475	REP	91-06-019
16-230-605	AMD-P	91-02-106
16-230-605	AMD	91-06-019
16-230-610	AMD-P	91-02-106
16-230-610	AMD	91-06-019
16-230-615	AMD-P	91-02-106
16-230-615	AMD	91-06-019
16-230-625	AMD-P	91-02-106
16-230-625	AMD	91-06-019
16-230-670	AMD-P	91-02-106
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16-231-001	AMD	91-06-019
16-231-033	REP-P	91-02-106
16-231-033	REP	91-06-019
16-231-100	AMD-P	91-02-106
16-231-100	AMD	91-06-019
16-231-148	REP-P	91-02-106
16-231-148	REP	91-06-019
16-231-200	AMD-P	91-02-106
16-231-200	AMD	91-06-019
16-231-205	AMD-P	91-02-106
16-231-205	AMD	91-06-019
16-231-210	AMD-P	91-02-106
16-231-210	AMD	91-06-019
16-231-235	AMD-P	91-02-106
16-231-235	AMD	91-06-019
16-231-238	REP-P	91-02-106
16-231-238	REP	91-06-019
16-231-300	AMD-P	91-02-106
16-231-300	AMD	91-06-019
16-231-305	AMD-P	91-02-106
16-231-305	AMD	91-06-019
16-231-310	AMD-P	91-02-106
16-231-310	AMD	91-06-019
16-231-330	AMD-P	91-02-106
16-231-330	AMD	91-06-019
16-231-340	AMD-P	91-02-106
16-231-340	AMD	91-06-019
16-231-343	REP-P	91-02-106
16-231-343	REP	91-06-019
16-231-400	AMD-P	91-02-106
16-231-400	AMD	91-06-019
16-231-405	AMD-P	91-02-106
16-231-405	AMD	91-06-019
16-231-410	AMD-P	91-02-106
16-231-410	AMD	91-06-019
16-231-420	AMD-P	91-02-106
16-231-420	AMD	91-06-019
16-231-425	AMD-P	91-02-106
16-231-425	AMD	91-06-019
16-231-500	AMD-P	91-02-106
16-231-500	AMD	91-06-019
16-231-505	AMD-P	91-02-106
16-231-505	AMD	91-06-019
16-231-510	AMD-P	91-02-106
16-231-510	AMD	91-06-019
16-231-525	AMD-P	91-02-106
16-231-525	AMD	91-06-019
16-231-530	AMD-P	91-02-106
16-231-530	AMD	91-06-019
16-231-600	AMD-P	91-02-106
16-231-600	AMD	91-06-019
16-231-605	AMD-P	91-02-106
16-231-605	AMD	91-06-019
16-231-610	AMD-P	91-02-106
16-231-610	AMD	91-06-019
16-231-615	AMD-P	91-02-106
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16-231-620	AMD-P	91-02-106
16-231-620	AMD	91-06-019
16-231-700	AMD-P	91-02-106
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16-231-705	AMD-P	91-02-106
16-231-705	AMD	91-06-019
16-231-715	AMD-P	91-02-106
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16-231-720	AMD-P	91-02-106
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16-231-800	AMD-P	91-02-106
16-231-800	AMD	91-06-019
16-231-805	AMD-P	91-02-106
16-231-805	AMD	91-06-019
16-231-825	AMD-P	91-02-106
16-231-825	AMD	91-06-019
16-231-840	AMD-P	91-02-106
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16-231-900	AMD-P	91-02-106
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16-231-905	AMD-P	91-02-106
16-231-905	AMD	91-06-019
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16-231-935	AMD	91-06-019
16-231-938	REP-P	91-02-106
16-231-938	REP	91-06-019
16-231-950	REP-P	91-02-106
16-231-950	REP	91-06-019
16-232-001	AMD-P	91-02-106
16-232-001	AMD	91-06-019
16-232-100	AMD-P	91-02-106
16-232-100	AMD	91-06-019
16-232-105	AMD-P	91-02-106
16-232-105	AMD	91-06-019
16-232-110	AMD-P	91-02-106
16-232-110	AMD	91-06-019
16-232-120	AMD-P	91-02-106
16-232-120	AMD	91-06-019
16-232-200	AMD-P	91-02-106
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16-232-305	AMD-P	91-02-106
16-232-305	AMD	91-06-019
16-232-315	AMD-P	91-02-106
16-232-315	AMD	91-06-019
16-232-950	REP-P	91-02-106
16-232-950	REP	91-06-019
16-304-039	NEW-P	91-15-099
16-304-039	NEW	91-21-043
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16-304-050	AMD-P	91-15-099
16-304-050	AMD	91-21-043
16-316-280	AMD-P	91-04-066
16-316-280	AMD	91-08-017
16-316-285	AMD-P	91-04-066
16-316-285	AMD	91-08-017
16-316-290	AMD-P	91-04-066
16-316-290	AMD	91-08-017
16-316-620	AMD-P	91-10-082
16-316-620	AMD	91-14-001
16-316-622	AMD-P	91-10-082
16-316-622	AMD	91-14-001
16-316-715	AMD-P	91-10-082
16-316-715	AMD	91-14-001
16-316-800	AMD-P	91-10-082
16-316-800	AMD	91-14-001
16-316-820	AMD-P	91-10-082
16-316-820	AMD	91-14-001
16-316-970	NEW-P	91-10-082
16-316-970	NEW	91-13-087
16-316-975	NEW-P	91-10-082
16-316-975	NEW	91-13-087
16-316-980	NEW-P	91-10-082
16-316-980	NEW	91-13-087
16-316-985	NEW-P	91-10-082
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16-316-990	NEW-P	91-10-082
16-316-990	NEW	91-13-087
16-316-995	NEW-P	91-10-082
16-316-995	NEW	91-13-087
16-316-997	NEW-P	91-10-082
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16-324-605	AMD-P	91-06-061
16-324-605	AMD	91-10-029
16-333-200	NEW-P	91-04-068
16-333-200	NEW	91-08-015
16-333-205	NEW-P	91-04-068
16-333-205	NEW	91-08-015
16-333-210	NEW-P	91-04-068
16-333-210	NEW	91-08-015
16-333-215	NEW-P	91-04-068
16-333-215	NEW	91-08-015
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16-333-220	NEW	91-08-015

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16-333-235	NEW-P	91-04-068
16-333-235	NEW	91-08-015
16-333-240	NEW-P	91-04-068
16-333-240	NEW	91-08-015
16-333-245	NEW-P	91-04-068
16-333-245	NEW	91-08-015
16-354-005	AMD-P	91-04-067
16-354-005	AMD	91-08-016
16-354-010	AMD-P	91-04-067
16-354-010	AMD	91-08-016
16-354-020	AMD-P	91-04-067
16-354-020	AMD	91-08-016
16-354-030	AMD-P	91-04-067
16-354-030	AMD	91-08-016
16-354-040	AMD-P	91-04-067
16-354-040	AMD	91-08-016
16-354-070	AMD-P	91-04-067
16-354-070	AMD	91-08-016
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16-461-006	NEW-P	92-01-121
16-461-010	AMD-P	92-01-121
16-470-010	AMD-P	91-15-100
16-470-010	AMD-W	91-20-020
16-470-010	AMD-P	91-20-081
16-470-010	AMD-W	92-01-013
16-470-015	AMD-P	91-15-100
16-470-015	AMD-W	91-20-020
16-470-015	AMD-P	91-20-081
16-470-015	AMD-W	92-01-013
16-470-100	AMD	91-03-115
16-470-500	AMD-P	91-15-100
16-470-500	AMD-W	91-20-020
16-470-510	AMD-P	91-15-100
16-470-510	AMD-W	91-20-020
16-470-520	AMD-P	91-15-100
16-470-520	AMD-W	91-20-020
16-470-530	AMD-P	91-15-100
16-470-530	AMD-W	91-20-020
16-470-533	NEW-P	91-15-100
16-470-533	NEW-W	91-20-020
16-470-535	NEW-P	91-15-100
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16-470-600	AMD-P	91-20-081
16-470-600	AMD-W	92-01-013
16-470-605	AMD-P	91-20-081
16-470-605	AMD-W	92-01-013
16-470-610	AMD-P	91-20-081
16-470-610	AMD-W	92-01-013
16-470-615	AMD-P	91-20-081
16-470-615	AMD-W	92-01-013
16-470-620	REP-P	91-20-081
16-470-620	REP-W	92-01-013
16-470-625	AMD-P	91-20-081
16-470-625	AMD-W	92-01-013
16-470-630	REP-P	91-20-081
16-470-630	REP-W	92-01-013
16-470-635	AMD-P	91-20-081
16-470-635	AMD-W	92-01-013
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16-481-020	AMD	91-21-042
16-481-025	NEW-P	91-15-098
16-481-025	NEW	91-21-042
16-481-030	AMD-P	91-15-098
16-481-030	AMD	91-21-042
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16-481-040	REP	91-21-042
16-481-050	AMD-P	91-15-098
16-481-050	AMD	91-21-042
16-481-060	AMD-P	91-15-098
16-481-060	AMD	91-21-042
16-481-070	AMD-P	91-15-098
16-481-070	AMD	91-21-042
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16-481-075	NEW	91-21-042
16-482-001	AMD-P	91-03-105
16-482-001	AMD	91-07-016
16-482-005	NEW-P	91-03-105
16-482-005	NEW	91-07-016
16-482-006	NEW-P	91-03-105
16-482-006	NEW	91-07-016
16-482-007	NEW-P	91-03-105
16-482-007	NEW	91-07-016
16-482-010	AMD-P	91-03-105
16-482-010	AMD	91-07-016
16-482-015	NEW-P	91-03-105
16-482-015	NEW	91-07-016
16-482-016	NEW-P	91-03-105
16-482-016	NEW	91-07-016
16-482-017	NEW-P	91-03-105
16-482-017	NEW	91-07-016
16-482-020	AMD-P	91-03-105
16-482-020	AMD	91-07-016
16-482-030	REP-P	91-03-105
16-482-030	REP	91-07-016
16-482-040	REP-P	91-03-105
16-482-040	REP	91-07-016
16-483	PREP	91-10-013
16-483-001	AMD-P	91-15-098
16-483-001	AMD	91-21-042
16-483-005	NEW-P	91-15-098
16-483-005	NEW	91-21-042
16-483-010	AMD-P	91-15-098
16-483-010	AMD	91-21-042
16-483-020	AMD-P	91-15-098
16-483-020	AMD	91-21-042
16-483-030	AMD-P	91-15-098
16-483-030	AMD	91-21-042
16-483-040	AMD-P	91-15-098
16-483-040	AMD	91-21-042
16-483-050	AMD-P	91-15-098
16-483-050	AMD	91-21-042
16-483-060	AMD-P	91-15-098
16-483-060	AMD	91-21-042
16-483-070	REP-P	91-15-098
16-483-070	REP	91-21-042
16-484-020	REP-P	91-07-037
16-484-020	REP	91-11-053
16-484-022	REP-P	91-07-037
16-484-022	REP	91-11-053
16-484-030	REP-P	91-07-037
16-484-030	REP	91-11-053
16-484-040	REP-P	91-07-037
16-484-040	REP	91-11-053
16-484-050	REP-P	91-07-037
16-484-050	REP	91-11-053
16-484-080	REP-P	91-07-037
16-484-080	REP	91-11-053
16-484-090	REP-P	91-07-037
16-484-090	REP	91-11-053
16-484-100	REP-P	91-07-037
16-484-100	REP	91-11-053
16-484-200	NEW-E	91-06-035
16-484-200	NEW-P	91-10-095
16-484-200	NEW	91-13-026
16-484-205	NEW-E	91-06-035
16-484-205	NEW-P	91-10-095
16-484-205	NEW	91-13-026
16-484-210	NEW-E	91-06-035
16-484-210	NEW-P	91-10-095
16-484-210	NEW	91-13-026
16-484-220	NEW-E	91-06-035
16-484-220	NEW-P	91-10-095
16-484-220	NEW	91-13-026
16-484-230	NEW-E	91-06-035
16-484-230	NEW-P	91-10-095
16-484-230	NEW	91-13-026
16-484-240	NEW-E	91-06-035
16-484-240	NEW-P	91-10-095
16-484-240	NEW	91-13-026
16-484-250	NEW-E	91-06-035
16-484-250	NEW-P	91-10-095
16-484-250	NEW	91-13-026
16-484-260	NEW-E	91-06-035
16-484-260	NEW-P	91-10-095
16-484-260	NEW	91-13-026
16-486-001	REP-P	91-07-036
16-486-001	REP	91-11-054
16-486-010	REP-P	91-07-036
16-486-010	REP	91-11-054
16-486-015	REP-P	91-07-036
16-486-015	REP	91-11-054
16-486-020	REP-P	91-07-036
16-486-020	REP	91-11-054
16-486-025	REP-P	91-07-036
16-486-025	REP	91-11-054
16-486-030	REP-P	91-07-036
16-486-030	REP	91-11-054
16-486-035	REP-P	91-07-036
16-486-035	REP	91-11-054
16-486-040	REP-P	91-07-036
16-486-040	REP	91-11-054
16-486-045	REP-P	91-07-036
16-486-045	REP	91-11-054
16-487-005	NEW-P	91-15-097
16-487-005	NEW	91-21-041
16-487-010	AMD-P	91-15-097
16-487-010	AMD	91-21-041
16-487-015	NEW-P	91-15-097
16-487-015	NEW	91-21-041
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16-487-017	NEW	91-21-041
16-487-020	AMD-P	91-15-097
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16-487-040	AMD	91-21-041
16-487-050	AMD-P	91-15-097
16-487-050	AMD	91-21-041
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16-487-060	AMD	91-21-041
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16-487-100	NEW	91-21-041
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16-487-110	NEW	91-21-041
16-487-120	NEW-P	91-15-097
16-487-120	NEW	91-21-041
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16-487-150	NEW-P	91-15-097
16-487-150	NEW	91-21-041
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16-487-220	NEW	91-21-041
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16-487-240	NEW-P	91-15-097
16-487-240	NEW	91-21-041
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16-487-300	NEW-P	91-15-097
16-487-300	NEW	91-21-041
16-487-310	NEW-P	91-15-097
16-487-310	NEW	91-21-041
16-487-320	NEW-P	91-15-097
16-487-320	NEW	91-21-041
16-487-330	NEW-P	91-15-097
16-487-330	NEW	91-21-041
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16-494-010	AMD-P	91-04-066
16-494-010	AMD	91-08-017
16-494-012	NEW-P	91-04-066
16-494-012	NEW	91-08-017
16-494-013	NEW-P	91-04-066
16-494-013	NEW	91-08-017
16-494-015	REP-P	91-04-066
16-494-015	REP	91-08-017
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16-494-020	AMD	91-08-017
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16-494-062	AMD-P	91-04-066
16-494-062	AMD	91-08-017
16-494-063	NEW-P	91-04-066
16-494-063	NEW	91-08-017
16-494-064	NEW-P	91-04-066
16-494-064	NEW	91-08-017
16-495-004	AMD-P	91-10-082
16-495-004	AMD	91-13-087
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16-495-010	AMD	91-13-087
16-495-020	AMD-P	91-10-082
16-495-020	AMD	91-13-087
16-495-030	AMD-P	91-10-082
16-495-030	AMD	91-13-087
16-495-040	AMD-P	91-10-082
16-495-040	AMD	91-13-087
16-495-050	AMD-P	91-10-082
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16-495-060	AMD-P	91-10-082
16-495-060	AMD	91-13-087
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16-495-085	REP	91-13-087
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16-495-090	AMD	91-13-087
16-495-095	AMD-P	91-10-082
16-495-095	AMD	91-13-087
16-495-100	AMD-P	91-10-082
16-495-100	AMD	91-13-087
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16-495-105	AMD	91-13-087
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16-497-005	NEW	91-08-016
16-497-020	AMD-P	91-04-067
16-497-020	AMD	91-08-016
16-497-030	AMD-P	91-04-067
16-497-030	AMD	91-08-016
16-497-040	AMD-P	91-04-067
16-497-040	AMD	91-08-016
16-497-050	AMD-P	91-04-067
16-497-050	AMD	91-08-016
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16-528-170	NEW	91-05-065
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16-557-010	NEW	91-09-003
16-557-020	NEW-E	91-08-021
16-557-020	NEW	91-09-003
16-557-030	NEW-E	91-08-021
16-557-030	NEW	91-09-003
16-557-040	NEW-E	91-08-021
16-557-040	NEW	91-09-003
16-557-041	NEW-E	91-08-021
16-557-041	NEW	91-09-003
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16-557-050	NEW	91-09-003
16-557-060	NEW-E	91-08-021
16-557-060	NEW	91-09-003
16-557-070	NEW-E	91-08-021
16-557-070	NEW	91-09-003
16-557-080	NEW-E	91-08-021
16-557-080	NEW	91-09-003
16-560-06001	AMD-P	91-13-105
16-560-06001	AMD-C	91-20-077
16-560-06001	AMD	92-01-009
16-603-010	NEW-P	91-04-076
16-603-010	NEW-C	91-09-042
16-603-010	AMD	91-13-018
16-604-010	AMD-P	92-01-111
16-604-015	NEW-P	92-01-111
16-605A-005	NEW-P	91-13-106
16-605A-005	NEW	91-16-005
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16-674-030	NEW-P	91-13-106
16-674-030	NEW	91-16-005
16-674-040	NEW-P	91-13-106
16-674-040	NEW	91-16-005
16-674-050	NEW-P	91-13-106
16-674-050	NEW	91-16-005
16-694-020	NEW-P	91-13-106
16-694-020	NEW	91-16-005
16-694-021	NEW-P	91-13-106
16-694-021	NEW	91-16-005
16-750-001	RE-AD-P	91-20-145
16-750-001	RE-AD	91-24-072
16-750-003	RE-AD-P	91-20-145
16-750-003	RE-AD	91-24-072
16-750-004	RE-AD-P	91-20-145
16-750-004	RE-AD	91-24-072
16-750-005	AMD-P	91-20-145
16-750-005	AMD	91-24-072
16-750-011	AMD-P	91-20-145
16-750-011	AMD	91-24-072
16-750-015	RE-AD-P	91-20-145
16-750-015	RE-AD	91-24-072
16-752-300	AMD	91-03-045
16-752-305	AMD	91-03-045
16-752-310	RE-AD	91-03-045
16-752-315	AMD	91-03-045
16-752-320	RE-AD	91-03-045
16-752-325	REP	91-03-045
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36-12-010	AMD	91-11-038
36-12-011	AMD-P	91-05-032
36-12-011	AMD	91-11-038
36-12-020	AMD-P	91-05-032
36-12-020	AMD	91-11-038
36-12-030	AMD-P	91-05-032
36-12-030	AMD	91-11-038
36-12-040	AMD-P	91-05-032
36-12-040	AMD	91-11-038
36-12-050	AMD-P	91-05-032
36-12-050	AMD	91-11-038
36-12-060	AMD-P	91-05-032
36-12-060	AMD	91-11-038
36-12-070	AMD-P	91-05-032
36-12-070	AMD	91-11-038
36-12-080	AMD-P	91-05-032
36-12-080	AMD	91-11-038
36-12-090	REP-P	91-05-032
36-12-090	REP	91-11-038
36-12-100	AMD-P	91-05-032
36-12-100	AMD	91-11-038
36-12-110	AMD-P	91-05-032
36-12-110	AMD	91-11-038
36-12-120	AMD-P	91-05-032
36-12-120	AMD	91-11-038
36-12-120	AMD-P	91-11-101
36-12-120	AMD	91-14-063
36-12-130	AMD-P	91-05-032
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36-12-150	AMD-P	91-05-032
36-12-150	AMD	91-11-038
36-12-160	AMD-P	91-05-032
36-12-160	AMD	91-11-038
36-12-170	AMD-P	91-05-032
36-12-170	AMD	91-11-038
36-12-180	AMD-P	91-05-032
36-12-180	AMD	91-11-038
36-12-190	AMD-P	91-05-032
36-12-190	AMD	91-11-038
36-12-195	NEW-P	91-05-032
36-12-195	NEW	91-11-038
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36-12-230	REP-P	91-05-032
36-12-230	REP	91-11-038
36-12-240	AMD-P	91-05-032
36-12-240	AMD	91-11-038
36-12-250	AMD-P	91-05-032
36-12-250	AMD	91-11-038
36-12-260	AMD-P	91-05-032
36-12-260	AMD	91-11-038
36-12-270	AMD-P	91-05-032
36-12-270	AMD	91-11-038
36-12-280	AMD-P	91-05-032
36-12-280	AMD	91-11-038
36-12-290	AMD-P	91-05-032
36-12-290	AMD	91-11-038
36-12-300	AMD-P	91-05-032
36-12-300	AMD	91-11-038
36-12-310	AMD-P	91-05-032
36-12-310	AMD	91-11-038
36-12-320	AMD-P	91-05-032
36-12-320	AMD	91-11-038
36-12-330	AMD-P	91-05-032
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36-12-365	NEW-P	91-05-032
36-12-365	NEW	91-11-038
36-12-367	NEW-P	91-05-032
36-12-367	NEW	91-11-038
36-12-370	AMD-P	91-05-032
36-12-370	AMD	91-11-038
36-12-380	REP-P	91-05-032
36-12-380	REP	91-11-038
36-12-385	NEW-P	91-05-032
36-12-385	NEW	91-11-038
36-12-390	REP-P	91-05-032
36-12-390	REP	91-11-038
36-12-400	AMD-P	91-05-032
36-12-400	AMD	91-11-038
36-12-410	AMD-P	91-05-032
36-12-410	AMD	91-11-038
36-12-415	NEW-P	91-05-032
36-12-415	NEW	91-11-038
36-12-420	REP-P	91-05-032
36-12-420	REP	91-11-038
36-12-425	NEW-P	91-05-032
36-12-425	NEW	91-11-038
36-12-430	REP-P	91-05-032
36-12-430	REP	91-11-038
36-12-435	NEW-P	91-05-032
36-12-435	NEW	91-11-038
36-12-440	REP-P	91-05-032
36-12-440	REP	91-11-038
36-12-445	NEW-P	91-05-032
36-12-445	NEW	91-11-038
36-12-450	AMD-P	91-05-032
36-12-450	AMD	91-11-038
36-12-460	REP-P	91-05-032
36-12-460	REP	91-11-038
36-12-470	REP-P	91-05-032
36-12-470	REP	91-11-038
36-12-480	REP-P	91-05-032
36-12-480	REP	91-11-038
44-10-010	AMD-P	91-22-080
44-10-020	NEW-P	91-22-080
44-10-060	AMD-P	91-22-080
44-10-205	NEW-P	91-22-080
50-12-045	AMD-P	91-15-101
50-12-045	AMD	91-18-055
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50-14-020	NEW-P	92-01-093
50-14-030	NEW-P	92-01-093
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50-14-060	NEW-P	92-01-093
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50-14-080	NEW-P	92-01-093
50-14-090	NEW-P	92-01-093
50-14-100	NEW-P	92-01-093
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50-14-130	NEW-P	92-01-093
50-14-140	NEW-P	92-01-093
50-14-150	NEW-P	92-01-093
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50-20	AMD	91-22-035
50-20-001	REP-P	91-18-079
50-20-001	REP	91-22-035
50-20-010	REP-P	91-18-079
50-20-010	REP	91-22-035
50-20-020	REP-P	91-18-079
50-20-020	REP	91-22-035
50-20-030	REP-P	91-18-079
50-20-030	REP	91-22-035
50-20-040	REP-P	91-18-079
50-20-040	REP	91-22-035
50-20-050	REP-P	91-18-079
50-20-050	REP	91-22-035
50-20-055	REP-P	91-18-079
50-20-055	REP	91-22-035
50-20-060	REP-P	91-18-079
50-20-060	REP	91-22-035
50-20-070	REP-P	91-18-079
50-20-070	REP	91-22-035
50-20-080	REP-P	91-18-079
50-20-080	REP	91-22-035
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50-20-090	REP	91-22-035
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50-20-100	NEW	91-22-035
50-20-110	NEW-P	91-18-079
50-20-110	NEW	91-22-035
50-20-120	NEW-P	91-18-079
50-20-120	NEW	91-22-035
50-20-130	NEW-P	91-18-079
50-20-130	NEW	91-22-035
50-20-140	NEW-P	91-18-079
50-20-140	NEW	91-22-035
50-20-150	NEW-P	91-18-079
50-20-150	NEW	91-22-035
50-20-160	NEW-P	91-18-079
50-20-160	NEW	91-22-035
50-20-170	NEW-P	91-18-079
50-20-170	NEW	91-22-035
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50-30-040	NEW-P	91-20-176
50-30-040	NEW-E	91-23-074
50-30-050	NEW-P	91-20-176
50-30-050	NEW-E	91-23-074
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50-30-070	NEW-P	91-20-176
50-30-070	NEW-E	91-23-074
50-30-080	NEW-P	91-20-176
50-30-080	NEW-E	91-23-074
50-30-090	NEW-P	91-20-176
50-30-090	NEW-E	91-23-074
50-30-100	NEW-P	91-20-176
50-30-100	NEW-E	91-23-074
50-30-110	NEW-P	91-20-176
50-30-110	NEW-E	91-23-074
50-44-005	NEW-P	91-15-102
50-44-005	NEW	91-18-054
50-44-020	AMD-P	91-15-102
50-44-020	AMD	91-18-054
50-44-030	AMD-P	91-15-102
50-44-030	AMD	91-18-054
50-44-050	AMD-P	91-15-102
50-44-050	AMD	91-18-054
50-44-060	NEW-P	91-15-102
50-44-060	NEW	91-18-054
51-10	REP-P	91-16-110
51-10	REP	92-01-130
51-11-0502	AMD-P	91-16-111
51-11-0502	AMD	92-01-140
51-11-0503	AMD-P	91-16-111
51-11-0503	AMD	92-01-140
51-11-0504	AMD-P	91-16-111
51-11-0504	AMD	92-01-140
51-11-0505	AMD-P	91-16-111
51-11-0505	AMD	92-01-140
51-11-0525	NEW-P	91-16-111
51-11-0525	NEW	92-01-140
51-11-0526	NEW-P	91-16-111
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51-11-0527	NEW-P	91-16-111
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51-11-0528	NEW-P	91-16-111
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51-11-0529	NEW-P	91-16-111
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51-11-0530	NEW-P	91-16-111
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51-11-0531	NEW-P	91-16-111
51-11-0531	NEW	92-01-140
51-11-0532	NEW-P	91-16-111
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51-11-0534	NEW-P	91-16-111
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51-11-0537	NEW-P	91-16-111
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51-11-0541	NEW-P	91-16-111
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51-11-0542	NEW-P	91-16-111
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51-11-0600	NEW	91-06-065
51-11-0608	AMD-P	91-16-111
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51-11-0625	NEW-P	91-16-111
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51-11-0626	NEW-P	91-16-111
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51-11-0627	NEW-P	91-16-111
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51-11-0628	NEW-P	91-16-111
51-11-0628	NEW	92-01-140
51-11-0629	NEW-P	91-16-111
51-11-0629	NEW	92-01-140
51-11-0630	NEW-P	91-16-111
51-11-0630	NEW	92-01-140
51-11-0631	NEW-P	91-16-111
51-11-0631	NEW	92-01-140
51-11-1000	AMD-P	91-16-111
51-11-1000	AMD	92-01-140
51-13-502	AMD-P	91-07-047
51-13-502	AMD	91-12-045
51-16	AMD-S	91-20-174
51-16	AMD	92-01-069
51-16-010	REP-P	91-16-112
51-16-010	AMD-S	91-20-174
51-16-010	AMD	92-01-069
51-16-020	REP-P	91-16-112
51-16-020	AMD-S	91-20-174
51-16-020	AMD	92-01-069
51-16-030	REP-P	91-16-112
51-16-030	AMD-S	91-20-174
51-16-030	AMD	92-01-069
51-16-040	REP-P	91-16-112
51-16-040	REP-S	91-20-174
51-16-040	REP	92-01-069
51-16-050	REP-P	91-16-112
51-16-050	REP-P	91-20-174
51-16-050	REP	92-01-069
51-16-060	REP-P	91-16-112
51-16-060	REP-S	91-20-174
51-16-060	REP	92-01-069
51-16-070	REP-P	91-16-112
51-16-070	REP-S	91-20-174
51-16-070	REP	92-01-069

Table of WAC Sections Affected

WAC #		WSR #
51-16-080	REP-P	91-16-112
51-16-080	AMD-S	91-20-174
51-16-080	AMD	92-01-069
51-16-100	REP-P	91-16-112
51-16-100	REP	92-01-069
51-16-100	REP-S	91-20-174
51-18-010	REP-P	91-20-160
51-18-010	REP	92-01-068
51-18-020	REP-P	91-20-160
51-18-020	REP	92-01-068
51-18-030	REP-P	91-20-160
51-18-030	REP	92-01-068
51-18-040	REP-P	91-20-160
51-18-040	REP	92-01-068
51-18-050	REP-P	91-20-160
51-18-050	REP	92-01-068
51-19-470	NEW-W	91-06-064
51-20-001	NEW-P	91-16-113
51-20-001	NEW-S	91-20-175
51-20-001	NEW	92-01-145
51-20-002	NEW-P	91-16-113
51-20-002	NEW-S	91-20-175
51-20-002	NEW	92-01-145
51-20-003	NEW-P	91-16-113
51-20-003	NEW-S	91-20-175
51-20-003	NEW	92-01-145
51-20-004	NEW-P	91-16-113
51-20-004	NEW-S	91-20-175
51-20-004	NEW	92-01-145
51-20-005	NEW-P	91-16-113
51-20-005	NEW-S	91-20-175
51-20-005	NEW	92-01-145
51-20-007	NEW-P	91-16-113
51-20-007	NEW-S	91-20-175
51-20-007	NEW	92-01-145
51-20-008	NEW-P	91-16-113
51-20-008	NEW-S	91-20-175
51-20-008	NEW	92-01-145
51-20-009	NEW-P	91-16-113
51-20-009	NEW	92-01-145
51-20-0100	NEW-P	91-16-113
51-20-0100	NEW-S	91-20-175
51-20-0100	NEW	92-01-145
51-20-0104	NEW-P	91-16-113
51-20-0104	NEW-S	91-20-175
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51-20-0300	NEW-S	91-20-175
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51-20-0400	NEW	92-01-145
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51-20-0404	NEW-S	91-20-175
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51-20-1000	NEW-P	91-16-113
51-20-1000	NEW-S	91-20-175
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51-20-1011	NEW-S	91-20-175
51-20-1011	NEW	92-01-145
51-20-1200	NEW-P	91-16-113
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51-20-1251	NEW-P	91-16-113
51-20-1251	NEW-S	91-20-175
51-20-1800	NEW-P	91-16-113
51-20-1800	NEW-S	91-20-175
51-20-1800	NEW	92-01-145
51-20-1807	NEW-P	91-16-113
51-20-1807	NEW-S	91-20-175
51-20-1807	NEW	92-01-145
51-20-2300	NEW-P	91-16-113
51-20-2300	NEW-S	91-20-175
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51-20-3007	NEW-S	91-20-175
51-20-3007	NEW	92-01-145
51-20-3100	NEW-P	91-16-113
51-20-3100	NEW-S	91-20-175
51-20-3100	NEW	92-01-145
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51-20-3104	NEW	92-01-145
51-20-3105	NEW-P	91-16-113
51-20-3105	NEW-S	91-20-175
51-20-3105	NEW	92-01-145

WAC #		WSR #
51-20-3106	NEW-P	91-16-113
51-20-3106	NEW-S	91-20-175
51-20-3106	NEW	92-01-145
51-20-3107	NEW-P	91-16-113
51-20-3107	NEW-S	91-20-175
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51-20-3114	NEW-S	91-20-175
51-20-3114	NEW	92-01-145
51-20-3151	NEW-P	91-16-113
51-20-3151	NEW-S	91-20-175
51-20-3151	NEW	92-01-145
51-20-3152	NEW-P	91-16-113
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51-20-3305	NEW-S	91-20-175
51-20-3306	NEW-P	91-16-113
51-20-3306	NEW-S	91-20-175
51-20-3306	NEW	92-01-145
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51-20-3315	NEW-S	91-20-175
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51-20-93117	NEW-S	91-20-175
51-20-93117	NEW	92-01-145
51-20-93118	NEW-P	91-16-113
51-20-93118	NEW-S	91-20-175
51-20-93118	NEW	92-01-145
51-20-93119	NEW-P	91-16-113
51-20-93119	NEW-S	91-20-175
51-20-93119	NEW	92-01-145
51-20-93120	NEW-P	91-16-113
51-20-93120	NEW-S	91-20-175
51-20-93120	NEW	92-01-145
51-20-93121	NEW-P	91-16-113
51-21-001	NEW-P	91-16-113
51-21-001	NEW	92-01-145
51-21-002	NEW-P	91-16-113
51-21-002	NEW	92-01-145
51-21-003	NEW-P	91-16-113
51-21-003	NEW	92-01-145
51-21-007	NEW-P	91-16-113
51-21-007	NEW	92-01-145
51-21-008	NEW-P	91-16-113
51-21-008	NEW	92-01-145
51-21-31010	NEW-P	91-16-113
51-21-31010	NEW	92-01-145
51-21-38030	NEW-P	91-16-113
51-21-38030	NEW	92-01-145
51-21-38038	NEW-P	91-16-113
51-21-38038	NEW	92-01-145
51-21-38039	NEW-P	91-16-113
51-21-38039	NEW	92-01-145
51-22-001	NEW-P	91-16-114
51-22-001	NEW	92-01-064
51-22-002	NEW-P	91-16-114
51-22-002	NEW	92-01-064
51-22-003	NEW-P	91-16-114
51-22-003	NEW	92-01-064
51-22-004	NEW-P	91-16-114
51-22-004	NEW	92-01-064
51-22-005	NEW-P	91-16-114
51-22-005	NEW	92-01-064
51-22-007	NEW-P	91-16-114
51-22-007	NEW	92-01-064
51-22-008	NEW-P	91-16-114
51-22-008	NEW	92-01-064
51-22-0400	NEW-P	91-16-114
51-22-0400	NEW	92-01-064
51-22-0423	NEW-P	91-16-114
51-22-0423	NEW	92-01-064
51-22-0500	NEW-P	91-16-114
51-22-0500	NEW	92-01-064
51-22-0504	NEW-P	91-16-114
51-22-0504	NEW	92-01-064
51-22-0800	NEW-P	91-16-114
51-22-0800	NEW	92-01-064
51-22-0807	NEW-P	91-16-114
51-22-0807	NEW	92-01-064
51-22-1000	NEW-P	91-16-114
51-22-1000	NEW	92-01-064
51-22-1002	NEW-P	91-16-114
51-22-1002	NEW	92-01-064
51-22-1100	NEW-P	91-16-114
51-22-1100	NEW	92-01-064
51-22-1104	NEW-P	91-16-114
51-22-1104	NEW	92-01-064
51-22-1500	NEW-P	91-16-114
51-22-1500	NEW	92-01-064
51-22-1508	NEW-P	91-16-114
51-22-1508	NEW	92-01-064
51-22-1900	NEW-P	91-16-114
51-22-1900	NEW	92-01-064
51-22-1903	NEW-P	91-16-114
51-22-1903	NEW	92-01-064
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51-24-001	NEW	92-01-065
51-24-002	NEW-P	91-16-115
51-24-002	NEW	92-01-065
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51-24-003	NEW	92-01-065
51-24-007	NEW-P	91-16-115
51-24-007	NEW	92-01-065
51-24-008	NEW-P	91-16-115
51-24-008	NEW	92-01-065
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51-24-04123	NEW	92-01-065
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51-24-09000	NEW	92-01-065
51-24-09105	NEW-P	91-16-115
51-24-09105	NEW	92-01-065
51-24-09107	NEW-P	91-16-115
51-24-09107	NEW	92-01-065
51-24-09110	NEW-P	91-16-115
51-24-09110	NEW	92-01-065
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51-24-09117	NEW	92-01-065
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51-24-10000	NEW	92-01-065
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51-24-25000	NEW	92-01-065
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51-24-25107	NEW	92-01-065
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51-24-45211	NEW	92-01-065
51-24-79000	NEW-P	91-16-115
51-24-79000	NEW	92-01-065
51-24-79601	NEW-P	91-16-115
51-24-79601	NEW	92-01-065
51-24-79603	NEW-P	91-16-115
51-24-79603	NEW	92-01-065
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51-24-80000	NEW	92-01-065
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51-24-80103	NEW	92-01-065
51-24-80108	NEW-P	91-16-115
51-24-80108	NEW	92-01-065
51-24-80109	NEW-P	91-16-115
51-24-80109	NEW	92-01-065
51-24-80110	NEW-P	91-16-115
51-24-80110	NEW	92-01-065
51-24-80111	NEW-P	91-16-115
51-24-80111	NEW	92-01-065
51-24-80113	NEW-P	91-16-115
51-24-80113	NEW	92-01-065
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51-24-99510	NEW	92-01-065
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51-25-002	NEW	92-01-065
51-25-003	NEW-P	91-16-115
51-25-003	NEW	92-01-065
51-25-007	NEW-P	91-16-115
51-25-007	NEW	92-01-065
51-25-008	NEW-P	91-16-115
51-25-008	NEW	92-01-065
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51-26-001	NEW	92-01-066
51-26-002	NEW-P	91-16-116
51-26-002	NEW	92-01-066
51-26-003	NEW-P	91-16-116
51-26-003	NEW	92-01-066
51-26-004	NEW-P	91-16-116
51-26-004	NEW	92-01-066
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51-26-008	NEW	92-01-066
51-26-0300	NEW-P	91-16-116
51-26-0300	NEW	92-01-066
51-26-0310	NEW-P	91-16-116
51-26-0310	NEW	92-01-066
51-26-0315	NEW-P	91-16-116
51-26-0315	NEW	92-01-066
51-26-0400	NEW-P	91-16-116
51-26-0400	NEW	92-01-066
51-26-0401	NEW-P	91-16-116
51-26-0401	NEW	92-01-066
51-26-0500	NEW-P	91-16-116
51-26-0500	NEW	92-01-066
51-26-0503	NEW-P	91-16-116
51-26-0503	NEW	92-01-066
51-26-1000	NEW-P	91-16-116
51-26-1000	NEW	92-01-066
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51-26-1800	NEW	92-01-066
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51-26-1802	NEW-P	91-16-116
51-26-1802	NEW	92-01-066
51-26-1803	NEW-P	91-16-116
51-26-1803	NEW	92-01-066
51-26-1804	NEW-P	91-16-116
51-26-1804	NEW	92-01-066
51-26-1805	NEW-P	91-16-116
51-26-1805	NEW	92-01-066
51-26-2200	NEW-P	91-16-116
51-26-2200	NEW	92-01-066
51-26-2300	NEW-P	91-16-116
51-26-2300	NEW	92-01-066
51-26-2301	NEW-P	91-16-116
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51-27-002	NEW	92-01-067
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51-27-008	NEW-P	91-16-117
51-27-008	NEW	92-01-067
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67-25-005	AMD	91-20-010
67-25-030	AMD-P	91-16-085
67-25-030	AMD	91-20-010
82-06-010	NEW-P	91-15-053
82-06-010	NEW	91-18-028
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82-50-021	AMD	91-20-061
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106-08-010	AMD	91-22-037
106-08-020	NEW-P	91-19-016
106-08-020	NEW	91-22-037
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106-08-030	NEW	91-22-037
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106-72-530	AMD-E	91-22-060
106-72-540	AMD-P	91-22-058
106-72-540	AMD-E	91-22-060
106-72-550	AMD-P	91-22-058
106-72-550	AMD-E	91-22-060
106-72-560	AMD-P	91-22-058
106-72-560	AMD-E	91-22-060
106-72-570	AMD-P	91-22-058
106-72-570	AMD-E	91-22-060
106-72-580	AMD-P	91-22-058
106-72-580	AMD-E	91-22-060
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106-72-600	AMD-E	91-22-060
106-116-501	AMD-P	91-19-017
106-116-501	AMD	91-22-038
106-116-901	AMD-P	91-19-017
106-116-901	AMD	91-22-038
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106-120-005	AMD	91-04-054
106-120-023	AMD	91-04-054
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113-10-060	DECOD	91-05-095
113-10-070	DECOD	91-05-095
113-10-090	DECOD	91-05-095
113-10-100	DECOD	91-05-095
113-10-110	DECOD	91-05-095
113-12-010	DECOD	91-05-095
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113-12-101	DECOD	91-05-095
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113-12-180	DECOD	91-05-095
113-12-190	DECOD	91-05-095
113-12-195	DECOD	91-05-095
113-12-197	DECOD	91-05-095
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113-12-210	DECOD	91-05-095
113-12-220	DECOD	91-05-095
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113-12-320	DECOD	91-05-095
113-12-330	DECOD	91-05-095
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131-16-005	AMD-P	91-09-036
131-16-005	AMD-E	91-12-030
131-16-005	AMD	91-13-048
131-16-010	AMD-P	91-09-036
131-16-010	AMD-E	91-12-030
131-16-010	AMD	91-13-048
131-16-011	AMD-P	91-09-036
131-16-011	AMD-E	91-12-030
131-16-011	AMD	91-13-048
131-16-015	AMD-P	91-09-036
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131-16-020	REP	91-13-048
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131-16-021	NEW-P	91-09-036
131-16-021	NEW-E	91-12-030
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131-16-030	REP-E	91-12-030
131-16-030	REP	91-13-048
131-16-031	NEW-P	91-09-036
131-16-031	NEW-E	91-12-030
131-16-031	NEW	91-13-048
131-16-040	AMD-P	91-09-036
131-16-040	AMD-E	91-12-030
131-16-040	AMD	91-13-048
131-16-050	AMD-P	91-09-036
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131-16-050	AMD	91-13-048
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131-16-055	NEW	91-13-048
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131-16-060	AMD-E	91-12-030
131-16-060	AMD	91-13-048
131-16-061	AMD-P	91-09-036
131-16-061	AMD-E	91-12-030
131-16-061	AMD	91-13-048
131-16-062	NEW-P	91-09-036
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131-16-062	NEW	91-13-048
131-16-065	AMD-P	91-09-036
131-16-065	AMD-E	91-12-030
131-16-065	AMD	91-13-048
131-16-066	AMD-P	91-09-036
131-16-066	AMD-E	91-12-030
131-16-066	AMD	91-13-048
131-16-069	REP-P	91-09-036
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131-16-080	AMD-P	91-15-094
131-16-080	AMD	91-21-009
131-16-091	AMD-P	91-15-094
131-16-091	AMD	91-21-009
131-16-092	AMD-P	91-15-094
131-16-092	AMD	91-21-009
131-16-093	AMD-P	91-15-094
131-16-093	AMD	91-21-009
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132B-108-060	NEW-P	92-01-056
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132B-133-010	NEW-P	92-01-057
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132H-160-220	REP	91-20-038
132H-160-230	REP-P	91-15-020
132H-160-230	REP-P	91-15-050
132H-160-230	REP-W	91-15-058
132H-160-230	REP	91-20-038
132H-160-240	REP-P	91-15-020
132H-160-240	REP-P	91-15-050
132H-160-240	REP-W	91-15-058
132H-160-240	REP	91-20-038
132H-160-250	REP-P	91-15-020
132H-160-250	REP-P	91-15-050
132H-160-250	REP-W	91-15-058
132H-160-250	REP	91-20-038
132H-160-260	AMD-P	91-15-020
132H-160-260	AMD-P	91-15-050
132H-160-260	AMD-W	91-15-058
132H-160-260	AMD	91-20-038
132H-160-290	REP-P	91-15-020
132H-160-290	REP-P	91-15-050
132H-160-290	REP-W	91-15-058
132H-160-290	REP	91-20-038
132H-160-300	REP-P	91-15-020
132H-160-300	REP-P	91-15-050
132H-160-300	REP-W	91-15-058
132H-160-300	REP	91-20-038
132H-160-310	REP-P	91-15-020
132H-160-310	REP-P	91-15-050
132H-160-310	REP-W	91-15-058
132H-160-310	REP	91-20-038
132H-160-410	REP-P	91-15-020
132H-160-410	REP-P	91-15-050
132H-160-410	REP-W	91-15-058
132H-160-410	REP	91-20-038
132H-160-420	REP-P	91-15-020
132H-160-420	REP-P	91-15-050
132H-160-420	REP-W	91-15-058
132H-160-420	REP	91-20-038
132H-160-450	REP-P	91-15-020
132H-160-450	REP-P	91-15-050
132H-160-450	REP-W	91-15-058
132H-160-450	REP	91-20-038
132H-160-460	REP-P	91-15-020
132H-160-460	REP-P	91-15-050
132H-160-460	REP-W	91-15-058
132H-160-460	REP	91-20-038
132H-160-470	REP-P	91-15-020
132H-160-470	REP-P	91-15-050
132H-160-470	REP-W	91-15-058
132H-160-470	REP	91-20-038
132H-160-490	REP-P	91-15-020
132H-160-490	REP-P	91-15-050
132H-160-490	REP-W	91-15-058
132H-160-490	REP	91-20-038
132H-160-510	REP-P	91-15-020
132H-160-510	REP-P	91-15-050
132H-160-510	REP-W	91-15-058
132H-160-510	REP	91-20-038
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132K-12-001	REP-C	92-01-085
132K-12-010	REP-P	91-22-109
132K-12-010	REP-C	92-01-085
132K-12-020	REP-P	91-22-109
132K-12-020	REP-C	92-01-085
132K-12-030	REP-P	91-22-109
132K-12-030	REP-C	92-01-085
132K-12-040	REP-P	91-22-109
132K-12-040	REP-C	92-01-085
132K-12-050	REP-P	91-22-109
132K-12-050	REP-C	92-01-085
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132K-12-080	REP-C	92-01-085
132K-12-090	REP-P	91-22-109
132K-12-090	REP-C	92-01-085
132K-12-100	REP-P	91-22-109
132K-12-100	REP-C	92-01-085
132K-12-110	REP-P	91-22-109
132K-12-110	REP-C	92-01-085
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132K-12-310	REP-P	91-22-109
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132K-12-440	REP-C	92-01-085
132K-12-450	REP-P	91-22-109
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132K-12-560	REP-P	91-22-109
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132K-12-670	REP-P	91-22-109
132K-12-670	REP-C	92-01-085
132K-12-680	REP-P	91-22-109
132K-12-680	REP-C	92-01-085
132K-12-690	REP-P	91-22-109
132K-12-690	REP-C	92-01-085
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132K-12-700	REP-C	92-01-085
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132K-12-725	REP-P	91-22-109
132K-12-725	REP-C	92-01-085
132K-12-730	REP-P	91-22-109
132K-12-730	REP-C	92-01-085
132K-12-740	REP-P	91-22-109
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132K-12-770	REP-P	91-22-109
132K-12-770	REP-C	92-01-085
132K-12-780	REP-P	91-22-109
132K-12-780	REP-C	92-01-085
132K-12-790	REP-P	91-22-109
132K-12-790	REP-C	92-01-085
132K-12-800	REP-P	91-22-109
132K-12-800	REP-C	92-01-085
132K-12-810	REP-P	91-22-109
132K-12-810	REP-C	92-01-085
132K-12-820	REP-P	91-22-109
132K-12-820	REP-C	92-01-085
132K-12-830	REP-P	91-22-109
132K-12-830	REP-C	92-01-085
132K-12-840	REP-P	91-22-109
132K-12-840	REP-C	92-01-085
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132K-16-110	NEW	91-09-027
132K-16-120	NEW-E	91-03-084
132K-16-120	NEW-P	91-03-150
132K-16-120	NEW	91-09-027
132K-16-130	NEW-E	91-03-084
132K-16-130	NEW-P	91-03-150
132K-16-130	NEW	91-09-027
132K-16-140	NEW-E	91-03-084
132K-16-140	NEW-P	91-03-150
132K-16-140	NEW	91-09-027
132K-16-150	NEW-E	91-03-084
132K-16-150	NEW-P	91-03-150
132K-16-150	NEW	91-09-027
132K-16-160	NEW-E	91-03-084
132K-16-160	NEW-P	91-03-150
132K-16-160	NEW	91-09-027
132K-16-170	NEW-E	91-03-084
132K-16-170	NEW-P	91-03-150
132K-16-170	NEW	91-09-027
132K-16-180	NEW-E	91-03-084
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132K-16-190	NEW-E	91-03-084
132K-16-190	NEW-P	91-03-150
132K-16-190	NEW	91-09-027
132K-16-200	NEW-E	91-03-084
132K-16-200	NEW-P	91-03-150
132K-16-200	NEW	91-09-027
132K-16-210	NEW-E	91-03-084
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132K-16-240	NEW-E	91-03-084
132K-16-240	NEW-P	91-03-150
132K-16-240	NEW	91-09-027
132K-16-250	NEW-E	91-03-084
132K-16-250	NEW-P	91-03-150
132K-16-250	NEW	91-09-027
132K-16-260	NEW-E	91-03-084
132K-16-260	NEW-P	91-03-150
132K-16-260	NEW	91-09-027
132K-16-270	NEW-E	91-03-084
132K-16-270	NEW-P	91-03-150
132K-16-270	NEW	91-09-027
132K-16-280	NEW-E	91-03-084
132K-16-280	NEW-P	91-03-150
132K-16-280	NEW	91-09-027
132K-16-290	NEW-E	91-03-084
132K-16-290	NEW-P	91-03-150
132K-16-290	NEW	91-09-027
132K-16-300	NEW-E	91-03-084
132K-16-300	NEW-P	91-03-150
132K-16-300	NEW	91-09-027
132K-16-310	NEW-E	91-03-084
132K-16-310	NEW-P	91-03-150
132K-16-310	NEW	91-09-027
132K-16-320	NEW-E	91-03-084
132K-16-320	NEW-P	91-03-150
132K-16-320	NEW	91-09-027
132K-16-330	NEW-E	91-03-084
132K-16-330	NEW-P	91-03-150
132K-16-330	NEW	91-09-027
132K-16-340	NEW-E	91-03-084
132K-16-340	NEW-P	91-03-150
132K-16-340	NEW	91-09-027
132K-16-350	NEW-E	91-03-084
132K-16-350	NEW-P	91-03-150
132K-16-350	NEW	91-09-027
132K-16-360	NEW-E	91-03-084
132K-16-360	NEW-P	91-03-150
132K-16-360	NEW	91-09-027
132K-16-370	NEW-E	91-03-084
132K-16-370	NEW-P	91-03-150
132K-16-370	NEW	91-09-027
132K-16-380	NEW-E	91-03-084
132K-16-380	NEW-P	91-03-150
132K-16-380	NEW	91-09-027
132K-16-390	NEW-E	91-03-084
132K-16-390	NEW-P	91-03-150
132K-16-390	NEW	91-09-027
132K-16-400	NEW-E	91-03-084
132K-16-400	NEW-P	91-03-150
132K-16-400	NEW	91-09-027
132K-16-410	NEW-E	91-03-084
132K-16-410	NEW-P	91-03-150
132K-16-410	NEW	91-09-027
132K-16-420	NEW-E	91-03-084
132K-16-420	NEW-P	91-03-150
132K-16-420	NEW	91-09-027
132K-16-430	NEW-E	91-03-084
132K-16-430	NEW-P	91-03-150
132K-16-430	NEW	91-09-027
132K-16-440	NEW-E	91-03-084
132K-16-440	NEW-P	91-03-150
132K-16-440	NEW	91-09-027
132K-16-450	NEW-E	91-03-084
132K-16-450	NEW-P	91-03-150
132K-16-450	NEW	91-09-027
132K-16-460	NEW-E	91-03-084
132K-16-460	NEW-P	91-03-150
132K-16-460	NEW	91-09-027
132K-16-470	NEW-E	91-03-084
132K-16-470	NEW-P	91-03-150
132K-16-470	NEW	91-09-027
132K-16-480	NEW-E	91-03-084
132K-16-480	NEW-P	91-03-150
132K-16-480	NEW	91-09-027
132K-16-490	NEW-E	91-03-084
132K-16-490	NEW-P	91-03-150
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132K-16-500	NEW-E	91-03-084
132K-16-500	NEW-P	91-03-150
132K-16-500	NEW-W	91-17-052
132K-16-510	NEW-E	91-03-084
132K-16-510	NEW-P	91-03-150
132K-16-510	NEW-W	91-17-052
132K-16-520	NEW-E	91-03-084
132K-16-520	NEW-P	91-03-150
132K-16-520	NEW-W	91-17-052
132K-16-530	NEW-E	91-03-084
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132K-16-530	NEW-W	91-17-052
132K-16-540	NEW-E	91-03-084
132K-16-540	NEW-P	91-03-150
132K-16-540	NEW-W	91-17-052
132K-16-550	NEW-E	91-03-084
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132N-128-010	REP	91-23-004
132N-128-020	REP-P	91-19-054
132N-128-020	REP	91-23-004
132N-128-030	REP-P	91-19-054
132N-128-030	REP	91-23-004
132N-128-040	REP-P	91-19-054
132N-128-040	REP	91-23-004
132N-128-050	REP-P	91-19-054
132N-128-050	REP	91-23-004
132N-128-060	REP-P	91-19-054
132N-128-060	REP	91-23-004
132N-128-070	REP-P	91-19-054
132N-128-070	REP	91-23-004
132N-128-080	REP-P	91-19-054
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132N-128-085	REP	91-23-004
132N-128-090	REP-P	91-19-054
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132N-128-100	REP-P	91-19-054
132N-128-100	REP	91-23-004
132N-128-110	REP-P	91-19-054
132N-128-110	REP	91-23-004
132N-128-112	REP-P	91-19-054
132N-128-112	REP	91-23-004
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132N-128-114	REP	91-23-004
132N-128-116	REP-P	91-19-054
132N-128-116	REP	91-23-004
132N-128-118	REP-P	91-19-054
132N-128-118	REP	91-23-004
132N-128-120	REP-P	91-19-054
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132N-156-530	AMD	91-21-022
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132N-168-020	REP-P	91-15-072
132N-168-020	REP	91-19-018
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132Q-03-005	NEW	91-17-075
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132Q-03-010	NEW	91-17-075
132Q-03-020	NEW-P	91-14-057
132Q-03-020	NEW	91-17-075
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132Q-108-020	NEW	91-17-076
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173-201-045	REP-P	91-11-089
173-201-045	REP-W	91-23-092
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173-201-080	REP-P	91-09-056
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173-203-010	NEW-W	91-23-092
173-203-020	NEW-P	91-09-056
173-203-020	NEW-W	91-10-048
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173-203-060	NEW-P	91-09-056
173-203-060	NEW-W	91-10-048
173-203-060	NEW-P	91-11-089
173-203-060	NEW-W	91-23-092
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173-203-070	NEW-P	91-11-089
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173-203-160	NEW-P	91-09-056
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173-204-110	NEW	91-08-019
173-204-120	NEW	91-08-019
173-204-130	NEW	91-08-019
173-204-200	NEW	91-08-019
173-204-300	NEW	91-08-019
173-204-310	NEW	91-08-019
173-204-315	NEW	91-08-019
173-204-320	NEW	91-08-019
173-204-330	NEW	91-08-019
173-204-340	NEW	91-08-019
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173-204-530	NEW	91-08-019
173-204-540	NEW	91-08-019
173-204-550	NEW	91-08-019
173-204-560	NEW	91-08-019
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173-204-620	NEW	91-08-019
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173-224-030	AMD-P	91-19-083
173-224-040	AMD-P	91-03-080
173-224-040	AMD-W	91-11-047
173-224-040	AMD-P	91-19-083
173-224-050	AMD-P	91-03-080
173-224-050	AMD-W	91-11-047
173-224-050	AMD-P	91-19-083
173-224-090	AMD-P	91-03-080
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173-224-090	AMD-P	91-19-083
173-224-100	AMD-P	91-19-083
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173-270-010	NEW	91-11-091
173-270-020	NEW-P	91-04-091
173-270-020	NEW	91-11-091
173-270-030	NEW-P	91-04-091
173-270-030	NEW	91-11-091
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173-270-050	NEW-P	91-04-091
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173-270-070	NEW-P	91-04-091
173-270-070	NEW	91-11-091
173-270-080	NEW-P	91-04-091
173-270-080	NEW	91-11-091
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173-307-030	AMD	91-20-131
173-307-040	NEW	91-08-041
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173-307-060	AMD-P	91-14-099
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173-307-070	NEW	91-08-041
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173-307-070	AMD	91-20-131
173-307-080	NEW	91-08-041
173-307-080	AMD-P	91-14-099
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173-403-141	REP	91-05-064
173-403-145	REP	91-05-064
173-403-150	REP	91-05-064
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180-78-125	REP	92-01-127
180-78-145	AMD-P	91-20-152
180-78-145	AMD	92-01-127
180-78-165	AMD-P	91-20-152
180-78-170	AMD-P	91-20-152
180-78-170	AMD	92-01-127
180-78-196	NEW-P	91-20-152
180-78-196	NEW	92-01-127
180-78-200	NEW-P	91-20-152
180-78-201	NEW-P	91-20-152
180-78-201	NEW	92-01-127

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180-79-075	AMD-P	92-01-126
180-79-080	AMD	91-04-016
180-79-080	AMD-P	92-01-126
180-79-086	AMD-P	92-01-126
180-79-115	AMD-P	92-01-126
180-79-120	AMD-P	92-01-126
180-79-123	NEW-P	92-01-126
180-79-129	REP-P	92-01-126
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180-79-136	AMD-P	92-01-126
180-79-230	AMD	91-05-056
180-79-230	AMD-P	92-01-126
180-79-236	NEW	91-05-056
180-79-241	NEW	91-05-056
180-79-310	REP-P	92-01-126
180-79-311	NEW-P	92-01-126
180-79-333	NEW-P	92-01-126
180-79-379	NEW-P	92-01-126
180-85-005	AMD	91-04-016
180-85-045	AMD	91-04-016
180-85-045	AMD-P	92-01-126
180-85-077	NEW-P	92-01-126
180-85-115	AMD-P	92-01-126
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180-86-012	REP	92-01-127
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180-86-097	REP	92-01-127
180-86-100	AMD-P	91-05-024
180-86-100	AMD	91-08-056
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180-96-055	AMD	91-24-032
180-96-060	AMD-P	91-20-150
180-96-060	AMD	91-24-032
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182-08-111	REP-P	91-11-094
182-08-111	REP	91-20-163
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182-08-220	AMD	91-20-163
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182-12-111	AMD-P	91-20-146
182-12-115	AMD-P	91-11-096
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182-12-115	AMD-E	91-23-098
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182-12-127	REP	91-11-010
182-12-130	AMD-P	91-11-095
182-12-130	AMD	91-14-084
182-12-210	REP-P	91-04-086
182-12-210	REP	91-11-010
182-12-215	NEW-P	91-04-086
182-12-215	NEW	91-11-010
182-16-010	NEW-P	91-04-087
182-16-010	NEW	91-14-025
182-16-020	NEW-P	91-04-087
182-16-020	NEW	91-14-025
182-16-030	NEW-P	91-04-087
182-16-030	NEW	91-14-025
182-16-040	NEW-P	91-04-087
182-16-040	NEW	91-14-025
182-16-050	NEW-P	91-04-087
182-16-050	NEW	91-14-025
182-18-005	NEW-P	91-05-079
182-18-005	NEW	91-17-043
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182-18-010	NEW	91-17-043
182-18-020	NEW-P	91-05-079
182-18-020	NEW	91-17-043
182-18-030	NEW-P	91-05-079
182-18-030	NEW	91-17-043
182-18-040	NEW-P	91-05-079
182-18-040	NEW	91-17-043
182-18-050	NEW-P	91-05-079
182-18-050	NEW	91-17-043
182-18-060	NEW-P	91-05-079
182-18-060	NEW	91-17-043
182-18-070	NEW-P	91-05-079
182-18-070	NEW	91-17-043
182-18-080	NEW-P	91-05-079
182-18-080	NEW	91-17-043
182-18-090	NEW-P	91-05-079
182-18-090	NEW	91-17-043
182-18-100	NEW-P	91-05-079
182-18-100	NEW	91-17-043
182-18-110	NEW-P	91-05-079
182-18-110	NEW	91-17-043
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182-18-120	NEW	91-17-043
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182-18-130	NEW	91-17-043
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182-18-160	NEW	91-17-043
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192-12-300	AMD-P	91-11-051
192-12-300	AMD-E	91-11-052
192-12-300	AMD	91-19-007
192-12-305	REP-E	91-03-054
192-12-305	AMD-P	91-11-051
192-12-305	AMD-E	91-11-052
192-12-305	AMD	91-19-007
192-12-310	REP-E	91-03-054
192-12-310	AMD-P	91-11-051
192-12-310	AMD	91-19-007
192-12-320	AMD-E	91-03-054
192-12-320	AMD-P	91-11-051
192-12-320	AMD-E	91-11-052
192-12-320	AMD	91-19-007
192-12-330	AMD-E	91-03-054
192-12-330	AMD-P	91-11-051
192-12-330	AMD-E	91-11-052
192-12-330	AMD	91-19-007
192-12-370	NEW-E	91-03-054
192-12-370	NEW-P	91-11-051
192-12-370	NEW-E	91-11-052
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192-12-380	NEW	91-24-056
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192-32-001	NEW	91-20-012
192-32-010	NEW-P	91-14-115
192-32-010	NEW-E	91-14-116
192-32-010	NEW	91-20-012
192-32-015	NEW-P	91-14-115
192-32-015	NEW-E	91-14-116
192-32-015	NEW	91-20-012
192-32-025	NEW-P	91-14-115
192-32-025	NEW-E	91-14-116
192-32-025	NEW	91-20-012
192-32-035	NEW-P	91-14-115
192-32-035	NEW-E	91-14-116
192-32-035	NEW	91-20-012
192-32-040	NEW-P	91-14-115
192-32-040	NEW-E	91-14-116
192-32-040	NEW	91-20-012
192-32-045	NEW-P	91-14-115
192-32-045	NEW-E	91-14-116
192-32-045	NEW	91-20-012
192-32-050	NEW-P	91-14-115
192-32-050	NEW-E	91-14-116
192-32-050	NEW	91-20-012
192-32-055	NEW-P	91-14-115
192-32-055	NEW-E	91-14-116
192-32-055	NEW	91-20-012
192-32-065	NEW-P	91-14-115
192-32-065	NEW-E	91-14-116
192-32-065	NEW	91-20-012
192-32-075	NEW-P	91-14-115
192-32-075	NEW-E	91-14-116
192-32-075	NEW	91-20-012
192-32-085	NEW-P	91-14-115
192-32-085	NEW-E	91-14-116
192-32-085	NEW	91-20-012
192-32-095	NEW-P	91-14-115
192-32-095	NEW-E	91-14-116
192-32-095	NEW	91-20-012
192-32-105	NEW-P	91-14-115
192-32-105	NEW-E	91-14-116
192-32-105	NEW	91-20-012
192-32-115	NEW-P	91-14-115
192-32-115	NEW-E	91-14-116
192-32-115	NEW	91-20-012
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194-20-010	NEW	92-01-120
194-20-020	NEW-P	91-22-098
194-20-020	NEW	92-01-120
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194-20-030	NEW	92-01-120
194-20-040	NEW-P	91-22-098
194-20-040	NEW	92-01-120
194-20-050	NEW-P	91-22-098
194-20-050	NEW	92-01-120
194-20-060	NEW-P	91-22-098
194-20-060	NEW	92-01-120
194-20-070	NEW-P	91-22-098
194-20-070	NEW	92-01-120
194-20-080	NEW-P	91-22-098
194-20-080	NEW	92-01-120
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196-12-020	AMD	92-01-101
196-12-050	AMD-P	91-21-065
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196-16-031	AMD-P	91-20-138
196-16-031	AMD	91-23-111
196-24-030	AMD-P	91-20-138
196-24-030	AMD	91-23-111
196-24-050	AMD-P	91-21-065
196-24-050	AMD-W	92-01-100
196-24-060	AMD-P	91-07-064
196-24-060	AMD	91-11-075
196-24-080	AMD-P	91-20-138
196-24-080	AMD	91-23-111
196-24-095	AMD-P	91-05-078
196-24-095	AMD-C	91-06-018
196-24-095	AMD	91-11-099
196-24-097	NEW-P	91-05-078
196-24-097	NEW-C	91-06-018
196-24-097	NEW-W	91-11-098
196-24-097	NEW-P	91-21-064
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196-26-020	AMD	91-10-046
196-26-020	AMD-P	91-19-091
196-26-020	AMD	91-22-017
196-26-030	AMD-P	91-07-065
196-26-030	AMD	91-10-046
196-26-030	AMD-P	91-19-091
196-26-030	AMD	91-22-017
204-10-040	AMD-P	91-16-100
204-10-040	AMD	91-22-056
204-24-030	AMD-P	91-24-004
204-24-040	AMD-P	91-24-004
204-24-050	AMD-P	91-10-053
204-24-050	AMD	91-14-004
204-24-050	AMD-P	91-24-004
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212-54-015	REP-E	91-06-021
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212-54-020	REP-E	91-06-021
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212-54-030	REP	91-11-001
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212-54-055	REP-E	91-06-021
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212-54-060	REP-E	91-06-021
212-54-060	REP	91-11-001
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212-54-065	REP-E	91-06-021
212-54-065	REP	91-11-001
212-54-070	REP-P	91-06-020
212-54-070	REP-E	91-06-021
212-54-070	REP	91-11-001
212-54-075	REP-P	91-06-020
212-54-075	REP-E	91-06-021
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212-54-095	REP-E	91-06-021
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212-54-100	REP-P	91-06-020
212-54-100	REP-E	91-06-021
212-54-100	REP	91-11-001
212-55-001	REP-P	91-06-020
212-55-001	REP-E	91-06-021
212-55-001	REP	91-11-001
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212-55-005	REP-E	91-06-021
212-55-005	REP	91-11-001
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212-55-010	REP-E	91-06-021
212-55-010	REP	91-11-001
212-55-015	REP-P	91-06-020
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212-55-025	REP	91-11-001
212-55-030	REP-P	91-06-020
212-55-030	REP-E	91-06-021
212-55-030	REP	91-11-001
212-55-035	REP-P	91-06-020
212-55-035	REP-E	91-06-021
212-55-035	REP	91-11-001
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212-55-040	REP-E	91-06-021
212-55-040	REP	91-11-001
212-55-045	REP-P	91-06-020
212-55-045	REP-E	91-06-021
212-55-045	REP	91-11-001
212-55-050	REP-P	91-06-020
212-55-050	REP-E	91-06-021
212-55-050	REP	91-11-001
212-55-055	REP-P	91-06-020
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212-55-055	REP	91-11-001
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212-55-060	REP-E	91-06-021
212-55-060	REP	91-11-001
212-55-065	REP-P	91-06-020
212-55-065	REP-E	91-06-021
212-55-065	REP	91-11-001
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212-55-075	REP-E	91-06-021
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212-55-080	REP-E	91-06-021
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212-55-085	REP-E	91-06-021
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212-56A-001	NEW-E	91-06-021
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212-56A-015	NEW	91-11-001
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212-56A-020	NEW-E	91-06-021
212-56A-020	NEW	91-11-001
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212-56A-030	NEW-E	91-06-021
212-56A-030	NEW	91-11-001
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212-56A-035	NEW-E	91-06-021
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212-56A-045	NEW-E	91-06-021
212-56A-045	NEW	91-11-001
212-56A-050	NEW-P	91-06-020
212-56A-050	NEW-E	91-06-021
212-56A-050	NEW	91-11-001
212-56A-055	NEW-P	91-06-020
212-56A-055	NEW-E	91-06-021
212-56A-055	NEW	91-11-001
212-56A-060	NEW-P	91-06-020
212-56A-060	NEW-E	91-06-021
212-56A-060	NEW	91-11-001
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212-56A-065	NEW-E	91-06-021
212-56A-065	NEW	91-11-001
212-56A-070	NEW-P	91-06-020
212-56A-070	NEW-E	91-06-021
212-56A-070	NEW	91-11-001
212-56A-075	NEW-P	91-06-020
212-56A-075	NEW-E	91-06-021
212-56A-075	NEW	91-11-001
212-56A-080	NEW-P	91-06-020
212-56A-080	NEW-E	91-06-021
212-56A-080	NEW	91-11-001
212-56A-085	NEW-P	91-06-020
212-56A-085	NEW-E	91-06-021
212-56A-085	NEW	91-11-001
212-56A-090	NEW-P	91-06-020
212-56A-090	NEW-E	91-06-021
212-56A-090	NEW	91-11-001
212-56A-095	NEW-P	91-06-020
212-56A-095	NEW-E	91-06-021
212-56A-095	NEW	91-11-001
212-56A-100	NEW-P	91-06-020
212-56A-100	NEW-E	91-06-021
212-56A-100	NEW	91-11-001
212-56A-105	NEW-P	91-06-020
212-56A-105	NEW-E	91-06-021
212-56A-105	NEW	91-11-001
212-56A-110	NEW-P	91-06-020
212-56A-110	NEW-E	91-06-021
212-56A-110	NEW	91-11-001
212-56A-115	NEW-P	91-06-020
212-56A-115	NEW-E	91-06-021
212-56A-115	NEW	91-11-001
212-56A-120	NEW-P	91-06-020
212-56A-120	NEW-E	91-06-021
212-56A-120	NEW	91-11-001
212-56A-125	NEW-P	91-06-020
212-56A-125	NEW-E	91-06-021
212-56A-125	NEW	91-11-001
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212-56A-130	NEW-E	91-06-021
212-56A-130	NEW	91-11-001
212-56A-135	NEW-P	91-06-020
212-56A-135	NEW-E	91-06-021
212-56A-135	NEW	91-11-001
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212-80-005	NEW	91-14-086
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212-80-010	NEW	91-14-086
212-80-015	NEW-P	91-10-083
212-80-015	NEW-E	91-10-084
212-80-015	NEW	91-14-086
212-80-020	NEW-P	91-10-083
212-80-020	NEW-E	91-10-084
212-80-020	NEW	91-14-086
212-80-025	NEW-P	91-10-083
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212-80-030	NEW	91-14-086
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212-80-035	NEW-E	91-10-084
212-80-035	NEW	91-14-086

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212-80-050	NEW-E	91-10-084
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246-244-180	AMD-P	91-11-081
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246-271-080	AMD-P	91-21-130
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246-430-040	NEW-P	91-15-005
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246-800-130	AMD-P	91-22-028
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246-806-080	RECOD	91-05-026
246-806-090	RECOD	91-05-026
246-806-100	RECOD	91-05-026
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246-807-170	RECOD	91-05-095
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246-839-330	RECOD	91-07-049
246-839-330	AMD-P	91-19-019
246-839-330	AMD	91-23-077
246-839-340	RECOD	91-07-049
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246-839-565	AMD-P	91-19-019
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246-839-575	RECOD	91-07-049
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246-839-700	AMD	91-23-077
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246-839-870	NEW	91-07-067
246-839-880	NEW	91-07-067
246-839-890	NEW	91-07-067
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246-841-490	RECOD	91-07-049
246-841-490	AMD-P	91-19-019
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246-841-510	RECOD	91-07-049
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246-851-280	RECOD	91-06-025
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246-857-300	RECOD-P	91-14-033
246-857-300	RECOD	91-18-057
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246-889-030	RECOD-P	91-14-033
246-889-030	RECOD	91-18-057
246-889-040	RECOD-P	91-14-033

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246-905	RECOD-W	91-06-037
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246-905-030	RECOD	91-18-057
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246-915-050	AMD	91-05-094
246-915-080	AMD	91-05-094
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246-915-150	AMD	91-05-094
246-915-150	AMD-P	91-20-164
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250-44-130	AMD	91-14-009
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250-67-020	REP-P	91-20-141
250-67-030	REP-P	91-20-141
250-67-040	REP-P	91-20-141
250-67-050	REP-P	91-20-141
250-67-060	REP-P	91-20-141
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250-68-010	REP-P	91-20-141
250-68-020	REP-P	91-20-141
250-68-030	REP-P	91-20-141
250-68-035	REP-P	91-20-141
250-68-040	REP-P	91-20-141
250-68-050	REP-P	91-20-141
250-68-060	REP-P	91-20-141
250-68-070	REP-P	91-20-141
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250-75-020	REP-P	91-20-141
250-75-030	REP-P	91-20-141
250-75-040	REP-P	91-20-141
250-75-050	REP-P	91-20-141
250-75-060	REP-P	91-20-141
250-75-070	REP-P	91-20-141
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250-76-010	NEW-P	91-22-097
250-76-020	NEW-W	91-11-073
250-76-020	NEW-P	91-22-097
250-76-030	NEW-W	91-11-073
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250-76-060	NEW-P	91-22-097
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250-77-010	NEW	91-12-005
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250-77-040	NEW	91-12-005
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250-77-045	NEW	91-12-005
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250-78-030	NEW-E	91-15-073
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250-78-030	NEW	91-20-020
250-78-040	NEW-E	91-15-073
250-78-040	NEW-P	91-16-088
250-78-040	NEW	91-20-020
250-78-050	NEW-E	91-15-073
250-78-050	NEW-P	91-16-088
250-78-050	NEW	91-20-020
250-78-060	NEW-E	91-15-073
250-78-060	NEW-P	91-16-088
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251-01-320	REP-C	92-01-028
251-01-320	REP-W	92-01-081
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275-26-500	REP	91-17-005
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275-26-520	REP	91-17-005
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275-26-530	REP	91-17-005
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296-24-32003	AMD	91-24-017
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296-24-33011	AMD	91-24-017
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296-24-33013	AMD-C	91-20-069
296-24-33013	AMD	91-24-017
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296-24-33015	AMD	91-24-017
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296-24-33017	AMD-C	91-20-069
296-24-33017	AMD	91-24-017
296-24-37005	AMD-P	91-17-068
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296-24-37005	AMD	91-24-017
296-24-37019	AMD-P	91-17-068
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296-24-450	AMD	91-03-044
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296-24-51009	AMD	91-24-017
296-24-65501	AMD-P	91-17-068
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296-24-68211	AMD-P	91-17-068
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296-24-68211	AMD	91-24-017
296-24-68503	AMD-P	91-17-068
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296-24-68503	AMD	91-24-017
296-24-68505	AMD-P	91-17-068
296-24-68505	AMD-C	91-20-069
296-24-68505	AMD	91-24-017
296-24-69001	AMD-P	91-17-068
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296-24-76555	AMD	91-03-044
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296-24-90005	AMD	91-24-017
296-24-95601	AMD-P	91-17-068
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296-24-95601	AMD	91-24-017
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296-24-95607	AMD-P	91-17-068
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296-27-16001	AMD-P	91-17-068
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296-27-16007	AMD	91-24-017
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296-45-65026	AMD	91-24-017
296-52-417	AMD	91-03-044
296-52-465	AMD	91-03-044
296-52-489	AMD	91-03-044
296-52-493	AMD	91-03-044
296-52-497	AMD	91-03-044
296-56-60001	AMD-P	91-17-068
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296-56-60001	AMD	91-24-017
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296-56-60073	AMD	91-11-070
296-56-60229	AMD-P	91-04-077
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296-62-07105	AMD	91-24-017
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296-62-07314	AMD	91-03-044
296-62-07329	AMD	91-03-044
296-62-07344	AMD-P	91-17-068
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296-62-07344	AMD	91-24-017
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296-62-07385	AMD	91-24-017
296-62-07515	AMD-P	91-04-077
296-62-07515	AMD	91-11-070
296-62-07521	AMD-P	91-17-068
296-62-07521	AMD-C	91-20-069
296-62-07521	AMD	91-24-017
296-62-07540	AMD-P	91-04-077
296-62-07540	AMD	91-11-070
296-62-07544	AMD-P	91-04-077
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296-62-07715	AMD	91-03-044
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296-62-07721	AMD	91-03-044
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296-62-07731	AMD	91-03-044
296-62-07733	AMD	91-03-044
296-62-07755	NEW	91-03-044
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296-62-100	AMD	91-24-017
296-62-11011	AMD-P	91-04-077
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296-62-3140	AMD-P	91-17-068
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296-63-011	AMD-P	91-17-068
296-63-011	AMD-C	91-20-069
296-63-011	AMD	91-24-017
296-78-515	AMD-P	91-17-068
296-78-515	AMD-C	91-20-069
296-78-515	AMD	91-24-017
296-78-730	AMD-P	91-17-068
296-78-730	AMD-C	91-20-069
296-78-730	AMD	91-24-017

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296-79-250	AMD-P	91-17-068
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296-79-250	AMD	91-24-017
296-79-300	AMD-P	91-17-068
296-79-300	AMD-C	91-20-069
296-79-300	AMD	91-24-017
296-81-008	AMD-P	91-10-091
296-81-008	AMD-W	91-22-019
296-81-010	REP-P	91-10-091
296-81-010	REP-W	91-22-019
296-81-020	REP-P	91-10-091
296-81-020	REP-W	91-22-019
296-81-030	REP-P	91-10-091
296-81-030	REP-W	91-22-019
296-81-040	REP-P	91-10-091
296-81-040	REP-W	91-22-019
296-81-050	REP-P	91-10-091
296-81-050	REP-W	91-22-019
296-81-060	REP-P	91-10-091
296-81-060	REP-W	91-22-019
296-81-070	REP-P	91-10-091
296-81-070	REP-W	91-22-019
296-81-080	REP-P	91-10-091
296-81-080	REP-W	91-22-019
296-81-090	REP-P	91-10-091
296-81-090	REP-W	91-22-019
296-81-100	REP-P	91-10-091
296-81-100	REP-W	91-22-019
296-81-110	REP-P	91-10-091
296-81-110	REP-W	91-22-019
296-81-120	REP-P	91-10-091
296-81-120	REP-W	91-22-019
296-81-130	REP-P	91-10-091
296-81-130	REP-W	91-22-019
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296-81-140	REP-W	91-22-019
296-81-150	REP-P	91-10-091
296-81-150	REP-W	91-22-019
296-81-160	REP-P	91-10-091
296-81-160	REP-W	91-22-019
296-81-170	REP-P	91-10-091
296-81-170	REP-W	91-22-019
296-81-180	REP-P	91-10-091
296-81-180	REP-W	91-22-019
296-81-190	REP-P	91-10-091
296-81-190	REP-W	91-22-019
296-81-220	REP-P	91-10-091
296-81-220	REP-W	91-22-019
296-81-240	AMD-P	91-10-091
296-81-240	AMD-W	91-22-019
296-81-260	REP-P	91-10-091
296-81-260	REP-W	91-22-019
296-81-270	REP-P	91-10-091
296-81-270	REP-W	91-22-019
296-81-275	AMD-P	91-10-091
296-81-275	AMD-W	91-22-019
296-81-280	NEW-P	91-10-091
296-81-280	NEW-W	91-22-019
296-81-290	NEW-P	91-10-091
296-81-290	NEW-W	91-22-019
296-81-370	AMD-P	91-10-091
296-81-370	AMD-W	91-22-019
296-95-101	NEW-P	91-10-091
296-95-101	NEW-W	91-22-019
296-95-110	NEW-P	91-10-091
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296-95-152	NEW-P	91-10-091
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296-95-163	NEW-W	91-22-019
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296-95-166	NEW-P	91-10-091
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296-95-236	NEW-P	91-10-091
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296-95-255	NEW-P	91-10-091
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296-95-256	NEW-P	91-10-091
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296-95-262	NEW-P	91-10-091
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296-95-287	NEW-P	91-10-091
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296-95-288	NEW-P	91-10-091
296-95-288	NEW-W	91-22-019
296-95-289	NEW-P	91-10-091
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296-95-290	NEW-P	91-10-091
296-95-290	NEW-W	91-22-019

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296-95-304	NEW-P	91-10-091
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296-95-307	NEW-P	91-10-091
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296-95-309	NEW-W	91-22-019
296-95-311	NEW-P	91-10-091
296-95-311	NEW-W	91-22-019
296-95-313	NEW-P	91-10-091
296-95-313	NEW-W	91-22-019
296-95-316	NEW-P	91-10-091
296-95-316	NEW-W	91-22-019
296-95-318	NEW-P	91-10-091
296-95-318	NEW-W	91-22-019
296-95-321	NEW-P	91-10-091
296-95-321	NEW-W	91-22-019
296-95-322	NEW-P	91-10-091
296-95-322	NEW-W	91-22-019
296-95-323	NEW-P	91-10-091
296-95-323	NEW-W	91-22-019
296-95-324	NEW-P	91-10-091
296-95-324	NEW-W	91-22-019
296-95-325	NEW-P	91-10-091
296-95-325	NEW-W	91-22-019
296-95-326	NEW-P	91-10-091
296-95-326	NEW-W	91-22-019
296-95-328	NEW-P	91-10-091
296-95-328	NEW-W	91-22-019
296-95-330	NEW-P	91-10-091
296-95-330	NEW-W	91-22-019
296-95-332	NEW-P	91-10-091
296-95-332	NEW-W	91-22-019
296-95-334	NEW-P	91-10-091
296-95-334	NEW-W	91-22-019
296-95-336	NEW-P	91-10-091
296-95-336	NEW-W	91-22-019
296-95-338	NEW-P	91-10-091
296-95-338	NEW-W	91-22-019
296-95-340	NEW-P	91-10-091
296-95-340	NEW-W	91-22-019
296-95-342	NEW-P	91-10-091
296-95-342	NEW-W	91-22-019
296-95-344	NEW-P	91-10-091
296-95-344	NEW-W	91-22-019
296-95-400	NEW-P	91-10-091
296-95-400	NEW-W	91-22-019
296-95-405	NEW-P	91-10-091
296-95-405	NEW-W	91-22-019
296-95-408	NEW-P	91-10-091
296-95-408	NEW-W	91-22-019
296-95-410	NEW-P	91-10-091
296-95-410	NEW-W	91-22-019
296-95-412	NEW-P	91-10-091
296-95-412	NEW-W	91-22-019
296-95-414	NEW-P	91-10-091
296-95-414	NEW-W	91-22-019
296-95-416	NEW-P	91-10-091
296-95-416	NEW-W	91-22-019
296-95-418	NEW-P	91-10-091
296-95-418	NEW-W	91-22-019
296-95-420	NEW-P	91-10-091
296-95-420	NEW-W	91-22-019
296-95-422	NEW-P	91-10-091
296-95-422	NEW-W	91-22-019
296-95-424	NEW-P	91-10-091
296-95-424	NEW-W	91-22-019
296-95-427	NEW-P	91-10-091
296-95-427	NEW-W	91-22-019
296-95-429	NEW-P	91-10-091
296-95-429	NEW-W	91-22-019
296-95-431	NEW-P	91-10-091
296-95-431	NEW-W	91-22-019
296-95-432	NEW-P	91-10-091
296-95-432	NEW-W	91-22-019
296-95-434	NEW-P	91-10-091
296-95-434	NEW-W	91-22-019
296-95-436	NEW-P	91-10-091
296-95-436	NEW-W	91-22-019
296-95-438	NEW-P	91-10-091
296-95-438	NEW-W	91-22-019
296-95-440	NEW-P	91-10-091
296-95-440	NEW-W	91-22-019
296-95-442	NEW-P	91-10-091
296-95-442	NEW-W	91-22-019
296-95-444	NEW-P	91-10-091
296-95-444	NEW-W	91-22-019
296-95-446	NEW-P	91-10-091
296-95-446	NEW-W	91-22-019
296-95-448	NEW-P	91-10-091
296-95-448	NEW-W	91-22-019
296-95-450	NEW-P	91-10-091
296-95-450	NEW-W	91-22-019
296-95-500	NEW-P	91-10-091
296-95-500	NEW-W	91-22-019
296-95-510	NEW-P	91-10-091
296-95-510	NEW-W	91-22-019
296-95-540	NEW-P	91-10-091
296-95-540	NEW-W	91-22-019
296-95-600	NEW-P	91-10-091
296-95-600	NEW-W	91-22-019
296-95-610	NEW-P	91-10-091
296-95-610	NEW-W	91-22-019
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296-95-630	NEW-W	91-22-019
296-95-700	NEW-P	91-10-091
296-95-700	NEW-W	91-22-019
296-95-710	NEW-P	91-10-091
296-95-710	NEW-W	91-22-019
296-95-800	NEW-P	91-10-091
296-95-800	NEW-W	91-22-019
296-95-810	NEW-P	91-10-091
296-95-810	NEW-W	91-22-019
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296-115-005	AMD	91-03-044
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296-115-005	AMD-C	91-20-069
296-115-005	AMD	91-24-017
296-115-010	AMD	91-03-044
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296-127-011	AMD-C	91-20-068
296-127-011	AMD	92-01-104
296-127-013	AMD-W	91-10-092
296-127-013	AMD-P	91-14-104
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296-127-013	AMD	92-01-104
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296-127-018	NEW-C	91-20-068
296-127-018	NEW	92-01-104
296-127-019	AMD-W	91-10-092
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296-127-019	AMD-C	91-20-068
296-127-019	AMD	92-01-104
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296-127-020	AMD-C	91-20-068
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296-127-990	NEW-P	91-14-104
296-127-990	NEW-C	91-20-068
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296-155-24510	NEW	91-03-044
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296-155-483	NEW	91-24-017
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296-155-500	AMD	91-03-044
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296-155-500	AMD-C	91-20-069
296-155-500	AMD	91-24-017
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296-155-505	AMD-C	91-20-069
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296-155-50505	AMD-C	91-20-069
296-155-50505	AMD	91-24-017
296-155-510	AMD-P	91-17-068
296-155-510	AMD-C	91-20-069
296-155-510	AMD	91-24-017
296-155-525	AMD	91-03-044
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296-155-950	AMD	91-03-044
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296-306-025	AMD-C	91-20-069
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296-306-320	AMD	91-11-070
296-306-400	AMD-P	91-17-068
296-306-400	AMD-C	91-20-069
296-306-400	AMD	91-24-017
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308-14-090	AMD-P	91-15-065
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308-17-010	NEW	91-22-111
308-17-020	NEW-P	91-19-085
308-17-020	NEW	91-22-111
308-17-030	NEW-P	91-19-085
308-17-030	NEW	91-22-111
308-17-100	NEW-P	91-19-085
308-17-100	NEW	91-22-111
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308-17-110	NEW-P	91-19-085
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308-17-120	NEW-P	91-19-085
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308-17-150	NEW-P	91-19-085
308-17-150	NEW	91-22-111
308-17-160	NEW-P	91-19-085
308-17-160	NEW	91-22-111
308-17-165	NEW-P	91-19-085
308-17-165	NEW	91-22-111
308-17-170	NEW-P	91-19-085
308-17-170	NEW	91-22-111
308-17-200	NEW-P	91-19-085
308-17-200	NEW-W	91-22-110
308-17-205	NEW-P	91-19-085
308-17-205	NEW	91-22-111
308-17-210	NEW-P	91-19-085
308-17-210	NEW	91-22-111
308-17-220	NEW-P	91-19-085
308-17-220	NEW	91-22-111
308-17-230	NEW-P	91-19-085
308-17-230	NEW	91-22-111
308-17-240	NEW-P	91-19-085
308-17-240	NEW	91-22-111
308-17-300	NEW-P	91-19-085
308-17-300	NEW	91-22-111
308-17-310	NEW-P	91-19-085
308-17-310	NEW	91-22-111
308-17-320	NEW-P	91-19-085
308-17-320	NEW	91-22-111
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308-18-020	NEW-P	91-19-084
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308-18-100	NEW-P	91-19-084
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308-18-120	NEW	91-22-112
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308-18-200	NEW	91-22-112
308-18-205	NEW-P	91-19-084
308-18-205	NEW	91-22-112
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308-18-210	NEW	91-22-112
308-18-220	NEW-P	91-19-084
308-18-220	NEW	91-22-112
308-18-230	NEW-P	91-19-084
308-18-230	NEW	91-22-112
308-18-240	NEW-P	91-19-084
308-18-240	NEW	91-22-112
308-18-300	NEW-P	91-19-084
308-18-300	NEW	91-22-112
308-18-310	NEW-P	91-19-084
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308-20-010	AMD-P	91-22-094
308-20-010	AMD-E	91-22-095
308-20-020	AMD-P	91-05-080
308-20-020	AMD	91-11-042
308-20-020	AMD-P	91-22-094
308-20-020	AMD-E	91-22-095
308-20-030	AMD-P	91-05-080
308-20-030	AMD	91-11-042
308-20-030	AMD-P	91-22-094
308-20-030	AMD-E	91-22-095
308-20-040	AMD-P	91-05-080
308-20-040	AMD	91-11-042
308-20-040	AMD-P	91-22-094
308-20-040	AMD-E	91-22-095
308-20-050	AMD-P	91-05-080
308-20-050	AMD	91-11-042
308-20-050	AMD-P	91-22-094
308-20-050	AMD-E	91-22-095
308-20-060	AMD-P	91-22-094
308-20-060	AMD-E	91-22-095
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308-20-080	AMD-E	91-22-095
308-20-090	AMD-P	91-05-080
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308-20-090	AMD-P	91-22-094
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308-20-105	AMD-P	91-22-094
308-20-105	AMD-E	91-22-095
308-20-107	AMD-P	91-22-094
308-20-107	AMD-E	91-22-095
308-20-109	AMD-P	91-22-094
308-20-109	AMD-E	91-22-095
308-20-110	AMD-P	91-05-080
308-20-110	AMD	91-11-042
308-20-110	AMD-P	91-22-094
308-20-110	AMD-E	91-22-095
308-20-120	AMD-P	91-22-094
308-20-120	AMD-E	91-22-095
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308-20-140	AMD-E	91-22-095
308-20-150	AMD-P	91-22-094
308-20-150	AMD-E	91-22-095
308-20-155	AMD-P	91-22-094
308-20-155	AMD-E	91-22-095
308-20-171	AMD-P	91-22-094
308-20-171	AMD-E	91-22-095
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308-20-172	NEW-E	91-22-095
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308-20-180	AMD-E	91-22-095
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308-31-260	DECOD	91-03-095
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308-31-270	DECOD	91-03-095
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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
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308-50-150	DECOD-P	91-07-058
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308-50-160	DECOD	91-11-031
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308-53-075	DECOD	91-06-025
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308-53-085	DECOD	91-06-025
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308-53-265	DECOD	91-06-025
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308-53-275	DECOD	91-06-025
308-53-280	DECOD	91-06-025
308-53-320	DECOD	91-06-025
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308-54-250	DECOD	91-06-060
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308-66-160	AMD-P	91-14-097
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308-96A-057	NEW	91-15-006
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308-96A-065	AMD	91-15-006
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308-96A-071	NEW	91-15-006
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308-96A-075	AMD	91-04-025
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308-96A-275	AMD-P	91-22-088
308-96A-300	AMD-P	91-22-088
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308-96A-325	AMD-P	91-23-062
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308-120-185	DECOD	91-07-049
308-120-186	DECOD	91-07-049
308-120-270	DECOD	91-07-049
308-120-275	DECOD	91-07-048
308-120-300	DECOD	91-07-049
308-120-305	DECOD	91-07-049
308-120-315	DECOD	91-07-049
308-120-325	DECOD	91-07-049
308-120-335	DECOD	91-07-049
308-120-338	DECOD	91-07-049
308-120-345	DECOD	91-07-049
308-120-360	DECOD	91-07-049
308-120-365	REP	91-07-049
308-120-400	DECOD	91-07-049
308-120-410	DECOD	91-07-049
308-120-420	DECOD	91-07-049
308-120-430	DECOD	91-07-049
308-120-440	DECOD	91-07-049
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308-120-505	DECOD	91-07-049
308-120-506	DECOD	91-07-049
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308-120-540	DECOD	91-07-049
308-120-545	DECOD	91-07-049
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308-120-555	DECOD	91-07-049
308-120-560	DECOD	91-07-049
308-120-565	DECOD	91-07-049
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308-120-575	DECOD	91-07-049
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308-120-710	DECOD	91-07-049
308-120-720	DECOD	91-07-049
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308-120-740	DECOD	91-07-049
308-120-750	DECOD	91-07-049
308-120-760	DECOD	91-07-049
308-120-770	DECOD	91-07-049
308-120-780	DECOD	91-07-049
308-120-800	DECOD	91-07-049
308-120-810	DECOD	91-07-049
308-121-110	DECOD	91-07-049
308-121-120	DECOD	91-07-049
308-121-130	DECOD	91-07-049
308-121-140	DECOD	91-07-049
308-121-145	DECOD	91-07-049
308-121-150	DECOD	91-07-049
308-121-155	DECOD	91-07-049
308-121-160	DECOD	91-07-049
308-121-165	DECOD	91-07-049
308-121-170	DECOD	91-07-049
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308-122-215	DECOD	91-04-020
308-122-220	DECOD	91-04-020
308-122-225	DECOD	91-04-020
308-122-230	DECOD	91-04-020
308-122-235	DECOD	91-04-020
308-122-275	DECOD	91-05-028
308-122-280	DECOD	91-04-020
308-122-350	DECOD	91-04-020
308-122-360	DECOD	91-04-020
308-122-360	AMD	91-04-021
308-122-370	DECOD	91-04-020
308-122-380	REP	91-04-021
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308-122-400	REP	91-04-021
308-122-400	DECOD-W	91-12-035
308-122-410	REP	91-04-021
308-122-410	DECOD-W	91-12-035
308-122-420	REP	91-04-021
308-122-420	DECOD-W	91-12-035
308-122-430	DECOD	91-04-020
308-122-440	DECOD	91-04-020
308-122-450	DECOD	91-04-020
308-122-500	REP	91-04-021
308-122-500	DECOD-W	91-12-035
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308-122-510	DECOD	91-04-020
308-122-515	DECOD	91-04-020
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308-122-520	DECOD	91-04-020
308-122-520	AMD	91-04-021
308-122-525	DECOD	91-04-020
308-122-530	DECOD	91-04-020
308-122-535	DECOD	91-04-020
308-122-540	DECOD	91-04-020
308-122-545	DECOD	91-04-020
308-122-600	DECOD	91-04-020
308-122-610	DECOD	91-04-020
308-122-620	DECOD	91-04-020
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308-124A-570	NEW	91-23-006
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308-124A-600	NEW	91-23-006
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308-125-035	NEW-P	91-20-137
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308-125-170	NEW	91-04-074
308-125-180	NEW	91-04-074
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314-16-125	AMD	92-01-105
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315-06-095	NEW	91-20-062
315-06-120	AMD	91-03-036
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315-06-125	AMD	91-20-062
315-10-080	NEW-P	91-16-084
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315-11-211	REP	91-03-034
315-11-212	REP	91-03-034
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315-11-231	REP	91-03-034
315-11-232	REP	91-03-034
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315-11-241	REP	91-03-034
315-11-242	REP	91-03-034
315-11-250	REP	91-03-034
315-11-251	REP	91-03-034
315-11-252	REP	91-03-034
315-11-260	REP	91-03-034
315-11-261	REP	91-03-034
315-11-262	REP	91-03-034
315-11-270	REP	91-03-034
315-11-271	REP	91-03-034
315-11-272	REP	91-03-034
315-11-280	REP	91-03-034
315-11-281	REP	91-03-034
315-11-282	REP	91-03-034
315-11-290	REP	91-03-034
315-11-291	REP	91-03-034
315-11-292	REP	91-03-034
315-11-300	REP	91-03-034
315-11-301	REP	91-03-034
315-11-302	REP	91-03-034
315-11-310	REP	91-03-034
315-11-311	REP	91-03-034
315-11-312	REP	91-03-034
315-11-320	REP	91-03-034
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315-11-322	REP	91-03-034
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315-11-331	REP	91-03-034
315-11-332	REP	91-03-034
315-11-340	REP	91-03-034
315-11-341	REP	91-03-034
315-11-342	REP	91-03-034
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315-11-351	REP	91-03-034
315-11-352	REP	91-03-034
315-11-360	REP	91-03-034
315-11-361	REP	91-03-034
315-11-362	REP	91-03-034
315-11-370	REP	91-03-034
315-11-371	REP	91-03-034
315-11-372	REP	91-03-034
315-11-380	REP	91-03-034
315-11-381	REP	91-03-034
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315-11-611	AMD	91-06-074
315-11-612	NEW	91-03-036
315-11-620	NEW-P	91-03-112
315-11-620	NEW	91-06-074
315-11-621	NEW-P	91-03-112
315-11-621	NEW	91-06-074
315-11-622	NEW-P	91-03-112
315-11-622	NEW	91-06-074
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315-11-632	AMD-P	91-12-069
315-11-632	AMD	91-15-037
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315-11-642	NEW	91-11-033
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315-11-660	AMD-P	91-16-084
315-11-660	AMD	91-20-062
315-11-661	NEW-P	91-07-070
315-11-661	NEW	91-11-033
315-11-661	AMD-P	91-16-084
315-11-661	AMD	91-20-062
315-11-662	NEW-P	91-07-070
315-11-662	NEW	91-11-033
315-11-662	AMD-P	91-16-084
315-11-662	AMD	91-20-062
315-11-670	NEW-P	91-12-069
315-11-670	NEW	91-15-037
315-11-671	NEW-P	91-12-069
315-11-671	NEW	91-15-037
315-11-672	NEW-P	91-12-069
315-11-672	NEW	91-15-037
315-11-680	NEW-P	91-12-069
315-11-680	NEW	91-15-037
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315-11-681	NEW	91-15-037
315-11-682	NEW-P	91-12-069
315-11-682	NEW	91-15-037
315-11-690	NEW-P	91-16-084
315-11-690	NEW	91-20-062
315-11-691	NEW-P	91-16-084
315-11-691	NEW	91-20-062
315-11-691	AMD-P	91-24-100
315-11-692	NEW-P	91-16-084
315-11-692	NEW	91-20-062
315-11-700	NEW-P	91-16-084
315-11-700	NEW	91-20-062
315-11-700	REP-P	91-20-155
315-11-700	REP	91-23-027
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315-11-701	NEW	91-20-062
315-11-701	REP-P	91-20-155
315-11-701	REP	91-23-027
315-11-702	NEW-P	91-16-084
315-11-702	NEW	91-20-062
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315-11-703	NEW	91-23-028
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315-11-710	NEW-P	91-19-108
315-11-710	NEW-W	91-22-036
315-11-710	NEW-P	91-24-100
315-11-711	NEW-P	91-19-108
315-11-711	NEW-W	91-22-036
315-11-711	NEW-P	91-24-100
315-11-712	NEW-P	91-19-108
315-11-712	NEW-W	91-22-036
315-11-712	NEW-P	91-24-100
315-11-720	NEW-P	91-19-108
315-11-720	NEW	91-22-113
315-11-721	NEW-P	91-19-108
315-11-721	NEW	91-22-113
315-11-722	NEW-P	91-19-108
315-11-722	NEW	91-22-113
315-11-730	NEW-P	91-24-100
315-11-731	NEW-P	91-24-100
315-11-732	NEW-P	91-24-100
315-11-740	NEW-P	91-24-100
315-11-741	NEW-P	91-24-100
315-11-742	NEW-P	91-24-100
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315-33A-010	NEW	91-20-062
315-33A-020	NEW-P	91-16-084
315-33A-020	NEW	91-20-062
315-33A-030	NEW-P	91-16-084
315-33A-030	NEW	91-20-062
315-33A-040	NEW-P	91-16-084
315-33A-040	NEW	91-20-062
315-33A-050	NEW-P	91-16-084
315-33A-050	NEW	91-20-062
315-33A-060	NEW-P	91-16-084
315-33A-060	NEW	91-20-062
315-33A-070	NEW-P	91-16-084
315-33A-070	NEW	91-20-062
315-40-010	NEW-P	91-24-100
315-40-020	NEW-P	91-24-100
315-40-030	NEW-P	91-24-100
315-40-040	NEW-P	91-24-100
315-40-050	NEW-P	91-24-100
315-40-060	NEW-P	91-24-100
315-40-070	NEW-P	91-24-100
315-40-080	NEW-P	91-24-100
315-41-50100	NEW-P	91-24-100
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315-41-50210	NEW-P	91-24-100
315-41-50220	NEW-P	91-24-100
315-41-50300	NEW-P	91-24-100
315-41-50310	NEW-P	91-24-100
315-41-50320	NEW-P	91-24-100
317-10-010	NEW-P	91-14-111
317-10-010	NEW	91-22-086
317-10-020	NEW-P	91-14-111
317-10-020	NEW	91-22-086
317-10-030	NEW-P	91-14-111
317-10-030	NEW	91-22-086
317-10-035	NEW-P	91-14-111
317-10-035	NEW	91-22-086
317-10-040	NEW-P	91-14-111
317-10-040	NEW	91-22-086
317-10-045	NEW-P	91-14-111
317-10-045	NEW	91-22-086
317-10-050	NEW-P	91-14-111
317-10-050	NEW	91-22-086
317-10-060	NEW-P	91-14-111
317-10-060	NEW	91-22-086
317-10-065	NEW-P	91-14-111
317-10-065	NEW	91-22-086
317-10-070	NEW-P	91-14-111
317-10-070	NEW	91-22-086
317-10-075	NEW-P	91-14-111
317-10-075	NEW	91-22-086
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317-10-080	NEW	91-22-086
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317-10-085	NEW	91-22-086
317-10-090	NEW	91-22-086
317-10-092	NEW	91-22-086
317-10-094	NEW	91-22-086
317-10-096	NEW	91-22-086
317-10-098	NEW-P	91-14-111
317-10-098	NEW	91-22-086
318-04-020	AMD-P	91-16-086
318-04-020	AMD	91-19-073
318-04-030	AMD-P	91-16-086
318-04-030	AMD	91-19-073
318-05-010	NEW-P	91-16-086
318-05-010	NEW-W	91-21-020
318-05-020	NEW-P	91-16-086
318-05-020	NEW-W	91-21-020
318-05-030	NEW-P	91-16-086
318-05-030	NEW-W	91-21-020
318-05-040	NEW-P	91-16-086
318-05-040	NEW-W	91-21-020
318-05-050	NEW-P	91-16-086
326-30-03904	NEW-E	91-12-051
326-30-03904	NEW-P	91-14-105
326-30-03904	NEW	91-18-041
332-08-005	NEW-P	91-08-066
332-08-005	NEW	91-13-059
332-08-010	REP-P	91-08-066
332-08-010	REP	91-13-059
332-08-015	NEW-P	91-08-066
332-08-015	NEW	91-13-059
332-08-020	REP-P	91-08-066
332-08-020	REP	91-13-059
332-08-025	NEW-P	91-08-066
332-08-025	NEW	91-13-059
332-08-040	REP-P	91-08-066
332-08-040	REP	91-13-059
332-08-050	REP-P	91-08-066
332-08-050	REP	91-13-059
332-08-060	REP-P	91-08-066
332-08-060	REP	91-13-059
332-08-070	REP-P	91-08-066
332-08-070	REP	91-13-059
332-08-080	REP-P	91-08-066
332-08-080	REP	91-13-059
332-08-090	REP-P	91-08-066
332-08-090	REP	91-13-059
332-08-100	REP-P	91-08-066
332-08-100	REP	91-13-059
332-08-105	NEW-P	91-08-066
332-08-105	NEW	91-13-059
332-08-110	REP-P	91-08-066
332-08-110	REP	91-13-059
332-08-115	NEW-P	91-08-066
332-08-115	NEW	91-13-059
332-08-120	REP-P	91-08-066
332-08-120	REP	91-13-059
332-08-125	NEW-P	91-08-066
332-08-125	NEW	91-13-059
332-08-125	AMD-P	91-21-138A
332-08-125	AMD	92-01-027
332-08-130	REP-P	91-08-066
332-08-130	REP	91-13-059
332-08-140	REP-P	91-08-066
332-08-140	REP	91-13-059
332-08-150	REP-P	91-08-066
332-08-150	REP	91-13-059
332-08-160	REP-P	91-08-066
332-08-160	REP	91-13-059
332-08-170	REP-P	91-08-066
332-08-170	REP	91-13-059
332-08-180	REP-P	91-08-066
332-08-180	REP	91-13-059
332-08-190	REP-P	91-08-066
332-08-190	REP	91-13-059
332-08-200	REP-P	91-08-066
332-08-200	REP	91-13-059
332-08-210	REP-P	91-08-066
332-08-210	REP	91-13-059
332-08-220	REP-P	91-08-066
332-08-220	REP	91-13-059
332-08-230	REP-P	91-08-066
332-08-230	REP	91-13-059
332-08-240	REP-P	91-08-066
332-08-240	REP	91-13-059
332-08-250	REP-P	91-08-066
332-08-250	REP	91-13-059
332-08-260	REP-P	91-08-066
332-08-260	REP	91-13-059
332-08-270	REP-P	91-08-066
332-08-270	REP	91-13-059
332-08-280	REP-P	91-08-066
332-08-280	REP	91-13-059
332-08-290	REP-P	91-08-066
332-08-290	REP	91-13-059
332-08-300	REP-P	91-08-066
332-08-300	REP	91-13-059
332-08-305	NEW-P	91-08-066
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332-08-315	AMD-P	91-21-138A
332-08-315	AMD	92-01-027
332-08-320	REP-P	91-08-066
332-08-320	REP	91-13-059
332-08-330	REP-P	91-08-066
332-08-330	REP	91-13-059
332-08-340	REP-P	91-08-066
332-08-340	REP	91-13-059
332-08-350	REP-P	91-08-066
332-08-350	REP	91-13-059
332-08-360	REP-P	91-08-066
332-08-360	REP	91-13-059
332-08-370	REP-P	91-08-066
332-08-370	REP	91-13-059
332-08-380	REP-P	91-08-066
332-08-380	REP	91-13-059
332-08-390	REP-P	91-08-066
332-08-390	REP	91-13-059
332-08-400	REP-P	91-08-066
332-08-400	REP	91-13-059
332-08-405	NEW-P	91-08-066
332-08-405	NEW	91-13-059
332-08-410	REP-P	91-08-066
332-08-410	REP	91-13-059
332-08-420	REP-P	91-08-066
332-08-420	REP	91-13-059
332-08-430	REP-P	91-08-066
332-08-430	REP	91-13-059
332-08-440	REP-P	91-08-066
332-08-440	REP	91-13-059
332-08-450	REP-P	91-08-066
332-08-450	REP	91-13-059
332-08-460	REP-P	91-08-066
332-08-460	REP	91-13-059
332-08-470	REP-P	91-08-066
332-08-470	REP	91-13-059
332-08-480	REP-P	91-08-066
332-08-480	REP	91-13-059
332-08-500	REP-P	91-08-066
332-08-500	REP	91-13-059
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332-08-510	REP	91-13-059
332-08-515	NEW-P	91-08-066
332-08-515	NEW	91-13-059
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332-08-515	AMD	92-01-027
332-08-520	REP-P	91-08-066
332-08-520	REP	91-13-059
332-08-525	NEW-P	91-08-066
332-08-525	NEW	91-13-059
332-08-530	REP-P	91-08-066
332-08-530	REP	91-13-059
332-08-535	NEW-P	91-08-066
332-08-535	NEW	91-13-059
332-08-540	REP-P	91-08-066
332-08-540	REP	91-13-059
332-08-545	NEW-P	91-08-066
332-08-545	NEW	91-13-059
332-08-550	REP-P	91-08-066
332-08-550	REP	91-13-059
332-08-560	REP-P	91-08-066
332-08-560	REP	91-13-059
332-08-570	REP-P	91-08-066
332-08-570	REP	91-13-059
332-08-580	REP-P	91-08-066
332-08-580	REP	91-13-059
332-08-590	REP-P	91-08-066
332-08-590	REP	91-13-059
332-10-020	AMD-P	91-09-060
332-10-020	AMD	91-14-014
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332-18-010	AMD-P	91-21-140
332-18-130	NEW-P	91-21-140
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332-22-020	AMD-E	91-23-054
332-22-050	AMD-P	91-23-055
332-22-070	REP-P	91-23-055
332-22-100	AMD-P	91-23-055
332-22-105	AMD-P	91-23-055
332-22-160	NEW-P	91-23-053
332-22-160	NEW-E	91-23-054
332-22-170	NEW-P	91-23-053
332-22-170	NEW-E	91-23-054
332-22-180	NEW-P	91-23-053
332-22-180	NEW-E	91-23-054
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332-22-190	NEW-E	91-23-054
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332-22-210	NEW-P	91-23-053
332-22-210	NEW-E	91-23-054
332-22-220	NEW-P	91-23-053
332-22-220	NEW-E	91-23-054
332-22-230	NEW-P	91-23-053
332-22-230	NEW-E	91-23-054
332-22-240	NEW-P	91-23-053
332-22-240	NEW-E	91-23-054
332-24-005	AMD-P	91-15-107
332-24-005	AMD	91-20-060
332-24-201	AMD-P	91-15-107
332-24-201	AMD	91-20-060
332-24-211	AMD-P	91-15-107
332-24-211	AMD	91-20-060
332-24-225	REP-E	91-14-083
332-24-225	REP-P	91-15-107
332-24-225	REP	91-20-060
332-24-231	AMD-P	91-15-107
332-24-231	AMD	91-20-060
332-24-234	AMD-P	91-15-107
332-24-234	AMD	91-20-060
332-24-238	AMD-P	91-15-107
332-24-238	AMD	91-20-060
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332-24-409	NEW-P	91-15-107
332-24-409	NEW	91-20-060
332-24-600	AMD-P	91-15-107
332-24-600	AMD	91-20-060
332-26-010	NEW-E	91-15-001
332-26-015	NEW-E	91-20-059
332-26-015	REP-E	91-21-008
332-26-020	NEW-E	91-15-001
332-26-030	NEW-E	91-21-066
332-26-031	NEW-E	91-21-105
332-26-031	REP-E	91-22-001
332-26-040	NEW-E	91-15-001
332-26-050	NEW-E	91-15-001
332-26-060	NEW-E	91-15-001
332-26-080	NEW-E	91-09-029
332-26-081	NEW-E	91-10-067
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332-26-085	NEW-E	91-21-056
332-26-085	REP-E	91-22-007
332-26-086	NEW-E	91-21-127
332-26-086	REP-E	91-22-016
332-26-087	NEW-E	91-22-001
332-30-106	AMD-P	91-18-059
332-30-106	AMD-W	91-18-072
332-30-106	AMD-P	91-19-099
332-30-106	AMD	91-22-079
332-30-122	AMD-P	91-18-059
332-30-122	AMD-W	91-18-072
332-30-122	AMD-P	91-19-099
332-30-122	AMD	91-22-079
332-48-010	REP-P	91-15-107
332-48-010	REP	91-20-060
332-48-020	REP-P	91-15-107
332-48-020	REP	91-20-060
332-52-065	AMD-P	91-13-090
332-52-065	AMD-C	91-17-031
332-100-030	AMD-P	91-18-059
332-100-030	AMD-W	91-18-072
332-100-030	AMD-P	91-19-099
332-100-030	AMD	91-22-079
332-100-050	AMD-P	91-18-059
332-100-050	AMD-W	91-18-072
332-100-050	AMD-P	91-19-099
332-100-050	AMD	91-22-079
332-130-010	AMD-P	91-23-065
332-130-020	AMD-P	91-15-060
332-130-020	AMD	91-19-013
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332-130-060	AMD	91-19-013
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352-12-020	AMD-P	91-03-142
352-12-020	AMD	91-09-001
352-12-030	AMD-P	91-03-142
352-12-030	AMD	91-09-001
352-32-010	AMD-P	91-03-142
352-32-010	AMD	91-09-001
352-32-011	AMD-P	92-01-106
352-32-035	AMD-P	91-03-142
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352-32-045	AMD-P	91-03-142
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352-32-200	AMD-P	91-03-140
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352-32-210	AMD	91-07-014
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352-32-250	AMD	91-09-001
352-32-25001	AMD-P	91-19-095
352-32-25001	AMD	91-22-063
352-32-25002	AMD-P	91-19-095
352-32-25002	AMD-W	91-20-161
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352-44-060	AMD	91-19-068
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352-75-080	AMD	91-15-103
352-75-090	AMD-P	91-11-058
352-75-090	AMD	91-15-103
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356-05-493	NEW-P	91-16-043
356-05-493	NEW	91-20-032
356-06-040	AMD-C	91-03-068
356-06-040	AMD-W	91-05-081
356-06-055	AMD-P	91-15-077
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356-06-055	AMD	91-21-081
356-06-110	NEW-P	91-10-062
356-06-110	NEW-C	91-13-040
356-06-110	NEW-C	91-15-074
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356-18-230	NEW	91-14-044
356-22-090	AMD-P	91-16-049
356-22-090	AMD	91-20-036
356-22-120	AMD-P	91-12-034
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356-22-130	AMD	91-03-071
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356-26-120	AMD-P	91-21-089
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360-08-380	DECOD	91-18-057
360-08-390	DECOD-P	91-14-033
360-08-390	DECOD	91-18-057
360-08-400	DECOD-P	91-14-033
360-08-400	DECOD	91-18-057
360-08-420	DECOD-P	91-14-033
360-08-420	DECOD	91-18-057
360-08-520	DECOD-P	91-14-033
360-08-520	DECOD	91-18-057
360-08-530	DECOD-P	91-14-033
360-08-530	DECOD	91-18-057
360-08-540	DECOD-P	91-14-033
360-08-540	DECOD	91-18-057
360-08-550	DECOD-P	91-14-033
360-08-550	DECOD	91-18-057
360-08-560	DECOD-P	91-14-033
360-08-560	DECOD	91-18-057
360-08-570	DECOD-P	91-14-033
360-08-570	DECOD	91-18-057
360-08-580	DECOD-P	91-14-033
360-08-580	DECOD	91-18-057
360-08-590	DECOD-P	91-14-033
360-08-590	DECOD	91-18-057
360-10	DECOD-W	91-06-037
360-10-010	DECOD-P	91-14-033
360-10-010	DECOD	91-18-057
360-10-020	DECOD-P	91-14-033
360-10-020	DECOD	91-18-057
360-10-030	AMD-P	91-05-091
360-10-030	AMD	91-11-041
360-10-030	DECOD-P	91-14-033
360-10-030	DECOD	91-18-057
360-10-040	DECOD-P	91-14-033
360-10-040	DECOD	91-18-057
360-10-050	AMD-P	91-05-091
360-10-050	AMD	91-11-041
360-10-050	DECOD-P	91-14-033
360-10-050	DECOD	91-18-057
360-10-060	AMD-P	91-05-091
360-10-060	AMD	91-11-041
360-10-060	DECOD-P	91-14-033
360-10-060	DECOD	91-18-057
360-10-080	DECOD-P	91-14-033
360-10-080	DECOD	91-18-057
360-11	DECOD-W	91-06-037
360-11-005	NEW-P	91-19-026
360-11-010	DECOD-P	91-14-033
360-11-010	DECOD	91-18-057
360-11-010	AMD-P	91-19-026
360-11-020	DECOD-P	91-14-033
360-11-020	DECOD	91-18-057
360-11-020	AMD-P	91-19-026
360-11-023	DECOD-P	91-14-033
360-11-023	DECOD	91-18-057
360-11-023	AMD-P	91-19-026
360-11-027	DECOD-P	91-14-033
360-11-027	DECOD	91-18-057
360-11-027	AMD-P	91-19-026
360-11-030	DECOD-P	91-14-033
360-11-030	DECOD	91-18-057
360-11-030	AMD-P	91-19-026
360-11-033	DECOD-P	91-14-033
360-11-033	DECOD	91-18-057
360-11-033	REP-P	91-19-026
360-11-037	DECOD-P	91-14-033
360-11-037	DECOD	91-18-057
360-11-037	REP-P	91-19-026
360-11-040	DECOD-P	91-14-033

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WAC #		WSR #
360-11-040	DECOD	91-18-057
360-11-040	AMD-P	91-19-026
360-11-045	DECOD-P	91-14-033
360-11-045	DECOD	91-18-057
360-11-045	REP-P	91-19-026
360-11-060	DECOD-P	91-14-033
360-11-060	DECOD	91-18-057
360-11-060	REP-P	91-19-026
360-11-065	NEW-P	91-19-026
360-11-070	DECOD-P	91-14-033
360-11-070	DECOD	91-18-057
360-11-070	AMD-P	91-19-026
360-12	DECOD-W	91-06-037
360-12-015	DECOD-P	91-14-033
360-12-015	DECOD	91-18-057
360-12-050	DECOD-P	91-14-033
360-12-050	DECOD	91-18-057
360-12-065	DECOD-P	91-14-033
360-12-065	DECOD	91-18-057
360-12-110	DECOD-P	91-14-033
360-12-110	DECOD	91-18-057
360-12-120	DECOD-P	91-14-033
360-12-120	DECOD	91-18-057
360-12-125	DECOD-P	91-14-033
360-12-125	DECOD	91-18-057
360-12-128	AMD-P	91-08-078
360-12-128	AMD	91-13-002
360-12-128	DECOD-P	91-15-003
360-12-128	DECOD	91-19-028
360-12-130	DECOD-P	91-14-033
360-12-130	DECOD	91-18-057
360-12-140	DECOD-P	91-14-033
360-12-140	DECOD	91-18-057
360-12-150	DECOD-P	91-14-033
360-12-150	DECOD	91-18-057
360-12-160	DECOD-P	91-14-033
360-12-160	DECOD	91-18-057
360-13	DECOD-W	91-06-037
360-13-010	DECOD-P	91-14-033
360-13-010	DECOD	91-18-057
360-13-020	DECOD-P	91-14-033
360-13-020	DECOD	91-18-057
360-13-030	DECOD-P	91-14-033
360-13-030	DECOD	91-18-057
360-13-045	DECOD-P	91-14-033
360-13-045	DECOD	91-18-057
360-13-055	DECOD-P	91-14-033
360-13-055	DECOD	91-18-057
360-13-066	DECOD-P	91-14-033
360-13-066	DECOD	91-18-057
360-13-100	DECOD-P	91-14-033
360-13-100	DECOD	91-18-057
360-15	DECOD-W	91-06-037
360-15-010	DECOD-P	91-14-033
360-15-010	DECOD	91-18-057
360-15-020	DECOD-P	91-14-033
360-15-020	DECOD	91-18-057
360-15-030	DECOD-P	91-14-033
360-15-030	DECOD	91-18-057
360-15-040	DECOD-P	91-14-033
360-15-040	DECOD	91-18-057
360-15-050	DECOD-P	91-14-033
360-15-050	DECOD	91-18-057
360-15-060	DECOD-P	91-14-033
360-15-060	DECOD	91-18-057
360-15-070	DECOD-P	91-14-033
360-15-070	DECOD	91-18-057
360-16	DECOD-W	91-06-037
360-16-005	DECOD-P	91-14-033
360-16-005	DECOD	91-18-057
360-16-011	DECOD-P	91-14-033
360-16-011	DECOD	91-18-057
360-16-020	DECOD-P	91-14-033
360-16-020	DECOD	91-18-057
360-16-025	DECOD-P	91-14-033
360-16-025	DECOD	91-18-057
360-16-040	DECOD-P	91-14-033
360-16-040	DECOD	91-18-057
360-16-050	DECOD-P	91-14-033
360-16-050	DECOD	91-18-057
360-16-070	DECOD-P	91-14-033
360-16-070	DECOD	91-18-057
360-16-094	DECOD-P	91-14-033
360-16-094	DECOD	91-18-057
360-16-096	DECOD-P	91-14-033
360-16-096	DECOD	91-18-057
360-16-098	DECOD-P	91-14-033
360-16-098	DECOD	91-18-057
360-16-120	DECOD-P	91-14-033
360-16-120	DECOD	91-18-057
360-16-150	DECOD-P	91-14-033
360-16-150	DECOD	91-18-057
360-16-180	DECOD-P	91-14-033
360-16-180	DECOD	91-18-057
360-16-200	DECOD-P	91-14-033
360-16-200	DECOD	91-18-057
360-16-210	DECOD-P	91-14-033
360-16-210	DECOD	91-18-057
360-16-220	DECOD-P	91-14-033
360-16-220	DECOD	91-18-057
360-16-230	DECOD-P	91-14-033
360-16-230	DECOD	91-18-057
360-16-235	DECOD-P	91-14-033
360-16-235	DECOD	91-18-057
360-16-245	DECOD-P	91-14-033
360-16-245	DECOD	91-18-057
360-16-255	DECOD-P	91-14-033
360-16-255	DECOD	91-18-057
360-16-265	DECOD-P	91-14-033
360-16-265	DECOD	91-18-057
360-16-270	DECOD-P	91-14-033
360-16-270	DECOD	91-18-057
360-16-290	DECOD-P	91-14-033
360-16-290	DECOD	91-18-057
360-16-300	DECOD-P	91-14-033
360-16-300	DECOD	91-18-057
360-16A	DECOD-W	91-06-037
360-16A-010	DECOD-P	91-14-033
360-16A-010	DECOD	91-18-057
360-16A-020	DECOD-P	91-14-033
360-16A-020	DECOD	91-18-057
360-16A-030	DECOD-P	91-14-033
360-16A-030	DECOD	91-18-057
360-16A-040	DECOD-P	91-14-033
360-16A-040	DECOD	91-18-057
360-16A-060	DECOD-P	91-14-033
360-16A-060	DECOD	91-18-057
360-16A-070	DECOD-P	91-14-033
360-16A-070	DECOD	91-18-057
360-16A-080	DECOD-P	91-14-033
360-16A-080	DECOD	91-18-057
360-16A-090	DECOD-P	91-14-033
360-16A-090	DECOD	91-18-057
360-16A-100	DECOD-P	91-14-033
360-16A-100	DECOD	91-18-057
360-17	DECOD-W	91-06-037
360-17-010	AMD-W	91-05-049
360-17-010	DECOD-P	91-14-033
360-17-010	DECOD	91-18-057
360-17-020	DECOD-P	91-14-033
360-17-020	DECOD	91-18-057
360-17-030	DECOD-P	91-14-033
360-17-030	DECOD	91-18-057
360-17-040	AMD-W	91-05-049
360-17-040	DECOD-P	91-14-033
360-17-040	DECOD	91-18-057
360-17-050	DECOD-P	91-14-033
360-17-050	DECOD	91-18-057
360-17-055	DECOD-P	91-14-033
360-17-055	DECOD	91-18-057
360-17-060	DECOD-P	91-14-033
360-17-060	DECOD	91-18-057
360-17-070	AMD-W	91-05-049
360-17-070	DECOD-P	91-14-033
360-17-070	DECOD	91-18-057
360-17-075	NEW-W	91-05-049
360-17-080	DECOD-P	91-14-033
360-17-080	DECOD	91-18-057
360-17-090	DECOD-P	91-14-033
360-17-090	DECOD	91-18-057
360-17-095	NEW-W	91-05-049
360-17-100	AMD-W	91-05-049
360-17-100	DECOD-P	91-14-033
360-17-100	DECOD	91-18-057
360-18	DECOD-W	91-06-037
360-18-010	DECOD-P	91-15-003
360-18-010	DECOD	91-19-028
360-18-020	AMD-P	91-08-078
360-18-020	AMD	91-13-002
360-18-020	DECOD-P	91-15-003
360-18-020	DECOD	91-19-028
360-18-025	DECOD-P	91-15-003
360-18-025	DECOD	91-19-028
360-19	DECOD-W	91-06-037
360-19-010	DECOD-P	91-14-033
360-19-010	DECOD	91-18-057
360-19-020	DECOD-P	91-14-033
360-19-020	DECOD	91-18-057
360-19-030	DECOD-P	91-14-033
360-19-030	DECOD	91-18-057
360-19-040	DECOD-P	91-14-033
360-19-040	DECOD	91-18-057
360-19-050	DECOD-P	91-14-033
360-19-050	DECOD	91-18-057
360-19-060	DECOD-P	91-14-033
360-19-060	DECOD	91-18-057
360-19-070	DECOD-P	91-14-033
360-19-070	DECOD	91-18-057
360-19-080	DECOD-P	91-14-033
360-19-080	DECOD	91-18-057
360-19-090	DECOD-P	91-14-033
360-19-090	DECOD	91-18-057
360-19-100	DECOD-P	91-14-033
360-19-100	DECOD	91-18-057
360-20	DECOD-W	91-06-037
360-20-100	DECOD-P	91-14-033
360-20-100	DECOD	91-18-057
360-20-210	DECOD-P	91-14-033
360-20-210	DECOD	91-18-057
360-20-220	NEW-P	91-07-056
360-20-220	NEW-W	91-20-134
360-21	DECOD-W	91-06-037
360-21-010	DECOD-P	91-14-033
360-21-010	DECOD	91-18-057
360-21-020	DECOD-P	91-14-033
360-21-020	DECOD	91-18-057
360-21-030	DECOD-P	91-14-033
360-21-030	DECOD	91-18-057
360-21-040	DECOD-P	91-14-033
360-21-040	DECOD	91-18-057
360-21-050	DECOD-P	91-14-033
360-21-050	DECOD	91-18-057
360-21-060	DECOD-P	91-14-033
360-21-060	DECOD	91-18-057
360-21-070	DECOD-P	91-14-033
360-21-070	DECOD	91-18-057
360-21-080	DECOD-P	91-14-033
360-21-080	DECOD	91-18-057
360-21-090	DECOD-P	91-14-033
360-21-090	DECOD	91-18-057
360-23	DECOD-W	91-06-037
360-23-010	DECOD-P	91-14-033
360-23-010	DECOD	91-18-057
360-23-020	DECOD-P	91-14-033
360-23-020	DECOD	91-18-057
360-23-030	DECOD-P	91-14-033
360-23-030	DECOD	91-18-057
360-23-050	DECOD-P	91-14-033
360-23-050	DECOD	91-18-057
360-28-010	DECOD-P	91-14-033
360-28-010	DECOD	91-18-057

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WAC #		WSR #
360-32	DECOD-W	91-06-037
360-32-050	DECOD-P	91-14-033
360-32-050	DECOD	91-18-057
360-32-055	DECOD-P	91-14-033
360-32-055	DECOD	91-18-057
360-32-060	DECOD-P	91-14-033
360-32-060	DECOD	91-18-057
360-33	DECOD-W	91-06-037
360-33-050	DECOD-P	91-14-033
360-33-050	DECOD	91-18-057
360-35-010	NEW	91-04-056
360-35-010	DECOD-P	91-14-033
360-35-010	DECOD	91-18-057
360-35-020	NEW	91-04-056
360-35-020	DECOD-P	91-14-033
360-35-020	DECOD	91-18-057
360-35-030	NEW	91-04-056
360-35-030	DECOD-P	91-14-033
360-35-030	DECOD	91-18-057
360-35-040	NEW	91-04-056
360-35-040	DECOD-P	91-14-033
360-35-040	DECOD	91-18-057
360-35-050	NEW	91-04-056
360-35-050	DECOD-P	91-14-033
360-35-050	DECOD	91-18-057
360-35-060	NEW	91-04-056
360-35-060	DECOD-P	91-14-033
360-35-060	DECOD	91-18-057
360-35-070	NEW	91-04-056
360-35-070	DECOD-P	91-14-033
360-35-070	DECOD	91-18-057
360-35-080	NEW	91-04-056
360-35-080	DECOD-P	91-14-033
360-35-080	DECOD	91-18-057
360-35-090	NEW	91-04-056
360-35-090	DECOD-P	91-14-033
360-35-090	DECOD	91-18-057
360-35-100	NEW	91-04-056
360-35-100	DECOD-P	91-14-033
360-35-100	DECOD	91-18-057
360-35-110	NEW	91-04-056
360-35-110	DECOD-P	91-14-033
360-35-110	DECOD	91-18-057
360-36	DECOD-W	91-06-037
360-36-010	DECOD-P	91-14-033
360-36-010	DECOD	91-18-057
360-36-010	AMD-P	91-19-027
360-36-020	DECOD-P	91-14-033
360-36-020	DECOD	91-18-057
360-36-115	DECOD-P	91-14-033
360-36-115	DECOD	91-18-057
360-36-115	AMD-P	91-19-027
360-36-210	DECOD-P	91-14-033
360-36-210	DECOD	91-18-057
360-36-250	DECOD-P	91-14-033
360-36-250	DECOD	91-18-057
360-36-260	DECOD-P	91-14-033
360-36-260	DECOD	91-18-057
360-36-270	DECOD-P	91-14-033
360-36-270	DECOD	91-18-057
360-36-400	DECOD-P	91-14-033
360-36-400	DECOD	91-18-057
360-36-410	DECOD-P	91-14-033
360-36-410	DECOD	91-18-057
360-36-410	AMD-P	91-19-027
360-36-411	DECOD-P	91-14-033
360-36-411	DECOD	91-18-057
360-36-412	DECOD-P	91-14-033
360-36-412	DECOD	91-18-057
360-36-413	DECOD-P	91-14-033
360-36-413	DECOD	91-18-057
360-36-420	DECOD-P	91-14-033
360-36-420	DECOD	91-18-057
360-36-420	AMD-P	91-19-027
360-36-425	DECOD-P	91-14-033
360-36-425	DECOD	91-18-057
360-36-430	DECOD-P	91-14-033
360-36-430	DECOD	91-18-057
360-36-430	AMD-P	91-19-027
360-36-440	DECOD-P	91-14-033
360-36-440	DECOD	91-18-057
360-36-440	AMD-P	91-19-027
360-36-450	DECOD-P	91-14-033
360-36-450	DECOD	91-18-057
360-36-451	DECOD-P	91-14-033
360-36-451	DECOD	91-18-057
360-36-500	DECOD-P	91-14-033
360-36-500	DECOD	91-18-057
360-38	DECOD-W	91-06-037
360-38-010	DECOD-P	91-14-033
360-38-010	DECOD	91-18-057
360-38-020	DECOD-P	91-14-033
360-38-020	DECOD	91-18-057
360-38-030	DECOD-P	91-14-033
360-38-030	DECOD	91-18-057
360-40	DECOD-W	91-06-037
360-40-010	DECOD-P	91-14-033
360-40-010	DECOD	91-18-057
360-40-040	DECOD-P	91-14-033
360-40-040	DECOD	91-18-057
360-40-070	DECOD-P	91-14-033
360-40-070	DECOD	91-18-057
360-44	DECOD-W	91-06-037
360-44-010	DECOD-P	91-14-033
360-44-010	DECOD	91-18-057
360-44-020	DECOD-P	91-14-033
360-44-020	DECOD	91-18-057
360-44-030	DECOD-P	91-14-033
360-44-030	DECOD	91-18-057
360-44-040	DECOD-P	91-14-033
360-44-040	DECOD	91-18-057
360-44-050	DECOD-P	91-14-033
360-44-050	DECOD	91-18-057
360-44-060	DECOD-P	91-14-033
360-44-060	DECOD	91-18-057
360-44-070	DECOD-P	91-14-033
360-44-070	DECOD	91-18-057
360-44-080	DECOD-P	91-14-033
360-44-080	DECOD	91-18-057
360-44-090	DECOD-P	91-14-033
360-44-090	DECOD	91-18-057
360-44-100	DECOD-P	91-14-033
360-44-100	DECOD	91-18-057
360-44-110	DECOD-P	91-14-033
360-44-110	DECOD	91-18-057
360-44-120	DECOD-P	91-14-033
360-44-120	DECOD	91-18-057
360-44-130	DECOD-P	91-14-033
360-44-130	DECOD	91-18-057
360-44-140	DECOD-P	91-14-033
360-44-140	DECOD	91-18-057
360-44-150	DECOD-P	91-14-033
360-44-150	DECOD	91-18-057
360-44-990	DECOD-P	91-14-033
360-44-990	DECOD	91-18-057
360-45-010	DECOD-P	91-14-033
360-45-010	DECOD	91-18-057
360-46	DECOD-W	91-06-037
360-46-010	DECOD-P	91-14-033
360-46-010	DECOD	91-18-057
360-46-020	DECOD-P	91-14-033
360-46-020	DECOD	91-18-057
360-46-030	DECOD-P	91-14-033
360-46-030	DECOD	91-18-057
360-46-040	DECOD-P	91-14-033
360-46-040	DECOD	91-18-057
360-46-050	DECOD-P	91-14-033
360-46-050	DECOD	91-18-057
360-46-060	DECOD-P	91-14-033
360-46-060	DECOD	91-18-057
360-46-070	DECOD-P	91-14-033
360-46-070	DECOD	91-18-057
360-46-081	DECOD-P	91-14-033
360-46-081	DECOD	91-18-057
360-46-082	DECOD-P	91-14-033
360-46-082	DECOD	91-18-057
360-46-090	DECOD-P	91-14-033
360-46-090	DECOD	91-18-057
360-46-100	DECOD-P	91-14-033
360-46-100	DECOD	91-18-057
360-46-110	DECOD-P	91-14-033
360-46-110	DECOD	91-18-057
360-46-120	DECOD-P	91-14-033
360-46-120	DECOD	91-18-057
360-46-130	DECOD-P	91-14-033
360-46-130	DECOD	91-18-057
360-46-140	DECOD-P	91-14-033
360-46-140	DECOD	91-18-057
360-46-150	DECOD-P	91-14-033
360-46-150	DECOD	91-18-057
360-46-160	DECOD-P	91-14-033
360-46-160	DECOD	91-18-057
360-47	DECOD-W	91-06-037
360-47-010	DECOD-P	91-14-033
360-47-010	DECOD	91-18-057
360-47-020	DECOD-P	91-14-033
360-47-020	DECOD	91-18-057
360-47-030	DECOD-P	91-14-033
360-47-030	DECOD	91-18-057
360-47-040	DECOD-P	91-14-033
360-47-040	DECOD	91-18-057
360-47-050	DECOD-P	91-14-033
360-47-050	DECOD	91-18-057
360-48	DECOD-W	91-06-037
360-48-010	DECOD-P	91-14-033
360-48-010	DECOD	91-18-057
360-48-020	DECOD-P	91-14-033
360-48-020	DECOD	91-18-057
360-48-030	DECOD-P	91-14-033
360-48-030	DECOD	91-18-057
360-48-040	DECOD-P	91-14-033
360-48-040	DECOD	91-18-057
360-48-050	DECOD-P	91-14-033
360-48-050	DECOD	91-18-057
360-48-060	DECOD-P	91-14-033
360-48-060	DECOD	91-18-057
360-48-070	DECOD-P	91-14-033
360-48-070	DECOD	91-18-057
360-48-080	DECOD-P	91-14-033
360-48-080	DECOD	91-18-057
360-49	DECOD-W	91-06-037
360-49-010	DECOD-P	91-14-033
360-49-010	DECOD	91-18-057
360-49-020	DECOD-P	91-14-033
360-49-020	DECOD	91-18-057
360-49-040	DECOD-P	91-14-033
360-49-040	DECOD	91-18-057
360-49-050	NEW-P	91-05-090
360-49-050	NEW	91-13-004
360-49-050	DECOD-P	91-14-033
360-49-050	DECOD	91-18-057
360-52	DECOD-W	91-06-037
360-52-010	DECOD-P	91-14-033
360-52-010	DECOD	91-18-057
360-52-020	DECOD-P	91-14-033
360-52-020	DECOD	91-18-057
360-52-030	DECOD-P	91-14-033
360-52-030	DECOD	91-18-057
360-52-040	DECOD-P	91-14-033
360-52-040	DECOD	91-18-057
360-52-050	DECOD-P	91-14-033
360-52-050	DECOD	91-18-057
360-52-060	DECOD-P	91-14-033
360-52-060	DECOD	91-18-057
360-52-070	DECOD-P	91-14-033
360-52-070	DECOD	91-18-057
360-52-080	DECOD-P	91-14-033
360-52-080	DECOD	91-18-057
360-52-090	DECOD-P	91-14-033
360-52-090	DECOD	91-18-057
360-52-100	DECOD-P	91-14-033

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360-52-110	DECOD	91-18-057
360-52-120	NEW-P	91-05-092
360-52-120	NEW	91-11-040
360-52-120	DECOD-P	91-14-033
360-52-120	DECOD	91-18-057
360-54	DECOD-W	91-06-037
360-54-010	DECOD-P	91-14-033
360-54-010	DECOD	91-18-057
360-54-020	DECOD-P	91-14-033
360-54-020	DECOD	91-18-057
360-54-030	DECOD-P	91-14-033
360-54-030	DECOD	91-18-057
360-54-040	DECOD-P	91-14-033
360-54-040	DECOD	91-18-057
360-54-050	DECOD-P	91-14-033
360-54-050	DECOD	91-18-057
360-60	DECOD-W	91-06-037
360-60-010	DECOD-P	91-14-033
360-60-010	DECOD	91-18-057
360-60-020	DECOD-P	91-14-033
360-60-020	DECOD	91-18-057
360-60-030	DECOD-P	91-14-033
360-60-030	DECOD	91-18-057
360-60-040	DECOD-P	91-14-033
360-60-040	DECOD	91-18-057
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365-90-030	REP	91-04-017
365-90-040	AMD	91-04-017
365-90-050	REP	91-04-017
365-90-070	AMD	91-04-017
365-90-080	AMD	91-04-017
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365-200-040	NEW-P	91-24-081
365-200-050	NEW-P	91-24-081
371-08	AMD-C	91-03-027
371-08-001	NEW	91-03-028
371-08-002	NEW	91-03-028
371-08-005	AMD	91-03-028
371-08-010	AMD	91-03-028
371-08-015	REP	91-03-028
371-08-020	AMD	91-03-028
371-08-030	AMD	91-03-028
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371-08-075	AMD	91-03-028
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371-08-105	REP	91-03-028
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371-08-110	REP	91-03-028
371-08-115	REP	91-03-028
371-08-120	REP	91-03-028
371-08-125	AMD	91-03-028
371-08-130	AMD	91-03-028
371-08-131	REP	91-03-028
371-08-132	REP	91-03-028
371-08-135	REP	91-03-028
371-08-140	AMD	91-03-028
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371-08-147	NEW	91-03-028
371-08-148	NEW	91-03-028
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371-08-163	REP	91-03-028
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371-08-187	AMD	91-03-028
371-08-188	AMD	91-03-028
371-08-189	AMD	91-03-028
371-08-190	REP	91-03-028
371-08-195	AMD	91-03-028
371-08-196	AMD	91-03-028
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371-08-201	REP	91-03-028
371-08-205	REP	91-03-028
371-08-210	REP	91-03-028
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371-08-220	AMD	91-03-028
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371-12-020	REP	91-03-028
371-12-030	REP	91-03-028
371-12-040	REP	91-03-028
371-12-050	REP	91-03-028
371-12-060	REP	91-03-028
371-12-070	REP	91-03-028
371-12-080	REP	91-03-028
371-12-090	REP	91-03-028
371-12-100	REP	91-03-028
371-12-110	REP	91-03-028
371-12-120	REP	91-03-028
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374-50-030	NEW-W	91-21-055
374-50-040	NEW-P	91-08-033
374-50-040	NEW-W	91-21-055
374-50-050	NEW-P	91-08-033
374-50-050	NEW-W	91-21-055
374-50-060	NEW-P	91-08-033
374-50-060	NEW-W	91-21-055
374-50-070	NEW-P	91-08-033
374-50-070	NEW-W	91-21-055
374-50-080	NEW-P	91-08-033
374-50-080	NEW-W	91-21-055
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374-50-090	NEW-W	91-21-055
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374-60-010	NEW	91-24-048
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374-60-020	NEW	91-24-048
374-60-030	NEW-P	91-21-072
374-60-030	NEW	91-24-048
374-60-040	NEW-P	91-21-072
374-60-040	NEW	91-24-048
374-60-050	NEW-P	91-21-072
374-60-050	NEW	91-24-048
374-60-060	NEW-P	91-21-072
374-60-060	NEW	91-24-048
374-60-070	NEW-P	91-21-072
374-60-070	NEW	91-24-048
374-60-080	NEW-P	91-21-072
374-60-080	NEW	91-24-048
374-60-090	NEW-P	91-21-072
374-60-090	NEW	91-24-048
374-60-100	NEW-P	91-21-072
374-60-100	NEW	91-24-048
374-60-110	NEW-P	91-21-072
374-60-110	NEW	91-24-048
374-60-120	NEW-P	91-21-072
374-60-120	NEW	91-24-048
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381-10-010	NEW	91-14-028
381-10-020	NEW-P	91-10-009
381-10-020	NEW	91-14-028
381-10-030	NEW-P	91-10-009
381-10-030	NEW	91-14-028
381-10-040	NEW-P	91-10-009
381-10-040	NEW	91-14-028
381-10-050	NEW-P	91-10-009
381-10-050	NEW	91-14-028
381-10-060	NEW-P	91-10-009
381-10-060	NEW	91-14-028
381-10-070	NEW-P	91-10-009
381-10-070	NEW	91-14-028
381-10-080	NEW-P	91-10-009
381-10-080	NEW	91-14-028
381-10-090	NEW-P	91-10-009
381-10-090	NEW	91-14-028
381-10-100	NEW-P	91-10-009
381-10-100	NEW	91-14-028
381-10-110	NEW-P	91-10-009
381-10-110	NEW	91-14-028
381-10-120	NEW-P	91-10-009
381-10-120	NEW	91-14-028
381-10-130	NEW-P	91-10-009
381-10-130	NEW	91-14-028
381-10-140	NEW-P	91-10-009
381-10-140	NEW	91-14-028
381-10-150	NEW-P	91-10-009
381-10-150	NEW	91-14-028
381-10-160	NEW-P	91-10-009
381-10-160	NEW	91-14-028
381-10-170	NEW-P	91-10-009
381-10-170	NEW	91-14-028
381-20-010	NEW-P	91-10-009
381-20-010	NEW	91-14-028
381-20-020	NEW-P	91-10-009
381-20-020	NEW	91-14-028
381-20-030	NEW-P	91-10-009
381-20-030	NEW	91-14-028
381-20-040	NEW-P	91-10-009
381-20-040	NEW	91-14-028
381-20-050	NEW-P	91-10-009
381-20-050	NEW	91-14-028
381-20-060	NEW-P	91-10-009
381-20-060	NEW	91-14-028
381-20-070	NEW-P	91-10-009
381-20-070	NEW	91-14-028
381-20-080	NEW-P	91-10-009
381-20-080	NEW	91-14-028
381-20-090	NEW-P	91-10-009
381-20-090	NEW	91-14-028
381-20-100	NEW-P	91-10-009
381-20-100	NEW	91-14-028
381-20-110	NEW-P	91-10-009
381-20-110	NEW	91-14-028
381-20-120	NEW-P	91-10-009
381-20-120	NEW	91-14-028
381-20-130	NEW-P	91-10-009
381-20-130	NEW	91-14-028

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381-30-020	NEW	91-14-029
381-30-030	NEW	91-14-029
381-30-040	NEW	91-14-029
381-30-050	NEW	91-14-029
381-30-060	NEW	91-14-029
381-30-070	NEW	91-14-029
381-30-080	NEW	91-14-029
381-30-090	NEW	91-14-029
381-30-100	NEW	91-14-029
381-30-110	NEW	91-14-029
381-30-120	NEW	91-14-029
381-30-130	NEW	91-14-029
381-30-140	NEW	91-14-029
381-30-150	NEW	91-14-029
381-30-160	NEW	91-14-029
381-30-170	NEW	91-14-029
381-30-180	NEW	91-14-029
381-40-010	NEW	91-14-029
381-40-020	NEW	91-14-029
381-40-030	NEW	91-14-029
381-40-040	NEW	91-14-029
381-40-050	NEW	91-14-029
381-40-060	NEW	91-14-029
381-40-070	NEW	91-14-029
381-40-080	NEW	91-14-029
381-40-090	NEW	91-14-029
381-40-100	NEW	91-14-029
381-40-110	NEW	91-14-029
381-40-120	NEW	91-14-029
381-40-130	NEW	91-14-029
381-40-140	NEW	91-14-029
381-40-150	NEW	91-14-029
381-40-160	NEW	91-14-029
381-40-170	NEW	91-14-029
381-50-010	NEW	91-14-029
381-50-020	NEW	91-14-029
381-50-030	NEW	91-14-029
381-50-040	NEW	91-14-029
381-50-050	NEW	91-14-029
381-50-060	NEW	91-14-029
381-50-070	NEW	91-14-029
381-50-080	NEW	91-14-029
381-50-090	NEW	91-14-029
381-50-100	NEW	91-14-029
381-50-110	NEW	91-14-029
381-50-120	NEW	91-14-029
381-50-130	NEW	91-14-029
381-50-140	NEW	91-14-029
381-50-150	NEW	91-14-029
381-50-160	NEW	91-14-029
381-50-170	NEW	91-14-029
381-50-180	NEW	91-14-029
381-60-010	NEW	91-14-029
381-60-020	NEW	91-14-029
381-60-030	NEW	91-14-029
381-60-040	NEW	91-14-029
381-60-050	NEW	91-14-029
381-60-060	NEW	91-14-029
381-60-070	NEW	91-14-029
381-60-080	NEW	91-14-029
381-60-090	NEW	91-14-029
381-60-100	NEW	91-14-029
381-60-110	NEW	91-14-029
381-60-120	NEW	91-14-029
381-60-130	NEW	91-14-029
381-60-140	NEW	91-14-029
381-60-150	NEW	91-14-029
381-60-160	NEW	91-14-029
381-60-170	NEW	91-14-029
381-60-180	NEW	91-14-029
381-70-010	NEW	91-14-029
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381-70-030	NEW	91-14-029
381-70-040	NEW	91-14-029
381-70-050	NEW	91-14-029
381-70-060	NEW	91-14-029
381-70-070	NEW	91-14-029
381-70-080	NEW	91-14-029
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381-70-100	NEW	91-14-029
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381-70-160	NEW	91-14-029
381-70-170	NEW	91-14-029
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381-70-190	NEW	91-14-029
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381-70-220	NEW	91-14-029
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381-70-340	NEW	91-14-029
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381-70-370	NEW	91-14-029
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388-11-140	AMD-W	91-19-001
388-11-200	AMD-P	91-18-049
388-11-200	AMD-E	91-18-053
388-11-200	AMD-W	91-19-001
388-11-205	AMD-P	91-18-049
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388-11-205	AMD-W	91-19-001
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388-14-415	AMD-P	91-04-002
388-14-415	AMD-E	91-04-003
388-14-415	AMD	91-09-018
388-14-435	NEW-P	91-04-002
388-14-435	NEW-E	91-04-003
388-14-435	NEW	91-09-018
388-14-440	NEW-P	91-04-002
388-14-440	NEW-E	91-04-003
388-14-440	NEW	91-09-018
388-14-445	NEW-P	91-04-002
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388-14-445	NEW	91-09-018
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388-15-820	AMD-P	91-16-056
388-15-820	AMD-E	91-16-066
388-15-820	AMD-C	91-20-049
388-15-820	AMD	91-21-026
388-15-840	AMD-P	91-16-056
388-15-840	AMD-E	91-16-066
388-15-840	AMD-C	91-20-049
388-15-840	AMD	91-21-026
388-15-850	AMD-P	91-16-056
388-15-850	AMD-E	91-16-066
388-15-850	AMD-C	91-20-049
388-15-850	AMD	91-21-026
388-15-860	AMD-P	91-16-056
388-15-860	AMD-E	91-16-066
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388-15-860	AMD	91-21-026
388-15-870	AMD-P	91-16-056
388-15-870	AMD-E	91-16-066
388-15-870	AMD-C	91-20-049
388-15-870	AMD	91-21-026
388-15-880	AMD-P	91-16-056
388-15-880	AMD-E	91-16-066
388-15-880	AMD-C	91-20-049
388-15-880	AMD	91-21-026
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388-24-050	AMD-W	91-08-063
388-24-050	AMD-P	91-09-068
388-24-050	AMD-E	91-09-069
388-24-050	AMD	91-12-044
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392-122-270	AMD-P	91-21-007
392-122-275	AMD-P	91-21-007
392-122-300	NEW-P	91-24-071
392-122-301	NEW-P	91-24-071
392-122-302	NEW-P	91-24-071
392-122-303	NEW-P	91-24-071
392-122-304	NEW-P	91-24-071
392-122-320	NEW-P	91-24-071
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392-122-805	AMD	91-03-118
392-122-910	NEW	91-03-118
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392-123-071	AMD-P	91-22-071
392-123-072	AMD-P	91-22-071
392-123-074	AMD-P	91-22-071
392-123-078	AMD-P	91-22-071
392-123-079	AMD-P	91-22-071
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392-123-180	AMD-P	91-19-076
392-123-180	AMD	91-23-043
392-125-014	NEW-P	91-03-050
392-125-014	NEW	91-07-063
392-125-015	AMD-P	91-03-050
392-125-015	AMD	91-07-063
392-125-020	AMD-P	91-03-050
392-125-020	AMD	91-07-063
392-125-025	AMD-P	91-03-050
392-125-025	AMD	91-07-063
392-125-026	NEW-P	91-03-050
392-125-026	NEW	91-07-063
392-125-027	NEW-P	91-03-050
392-125-027	NEW	91-07-063
392-125-030	AMD-P	91-03-050
392-125-030	AMD	91-07-063
392-125-085	AMD-P	91-03-050
392-125-085	AMD	91-07-063
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392-127-004	AMD	91-16-011
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392-127-740	NEW	91-03-129
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392-127-750	NEW	91-03-129
392-127-755	NEW	91-03-129
392-127-760	NEW	91-03-129
392-127-765	NEW	91-03-129
392-127-770	NEW	91-03-129
392-127-775	NEW	91-03-129
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392-140-173	REP-P	91-21-097
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392-140-197	AMD-P	91-21-097
392-140-198	AMD-P	91-21-097
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392-140-201	AMD-P	91-21-097
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392-140-250	AMD-P	91-21-037
392-140-251	REP-P	91-21-037
392-140-252	AMD-P	91-21-037
392-140-253	AMD-P	91-21-037
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392-140-267	AMD-P	91-21-037
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392-140-337	AMD-P	91-12-006
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392-140-342	NEW	91-02-094
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392-140-352	NEW	91-02-094
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392-140-368	NEW	91-02-094
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392-140-477	NEW-P	91-21-097
392-140-478	NEW-P	91-21-097
392-140-480	NEW-P	91-21-097
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392-140-482	NEW-P	91-21-097
392-140-483	NEW-P	91-21-097
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392-140-486	NEW-P	91-21-097
392-140-490	NEW-P	91-21-097
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392-140-492	NEW-P	91-21-097
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392-140-497	NEW-P	91-21-097
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392-142-005	AMD	91-16-011
392-142-095	AMD-P	91-12-006
392-142-095	AMD	91-16-011
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392-142-220	REP	91-23-071
392-142-235	AMD-P	91-12-006
392-142-235	AMD	91-16-011
392-142-250	AMD-P	91-12-006
392-142-250	AMD	91-16-011
392-142-260	AMD-P	91-19-075
392-142-260	AMD-P	91-19-077
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392-142-260	AMD	91-23-071
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392-143-080	NEW-P	91-19-078
392-143-080	NEW	91-23-069
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392-145-015	AMD-W	91-16-032
392-145-020	AMD-P	91-19-079
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392-151-005	AMD-P	91-10-085
392-151-005	AMD	91-15-016
392-151-010	AMD-P	91-10-085
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392-151-150	REP-P	91-10-085
392-151-150	REP	91-15-016
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392-153-014	NEW-P	91-24-071
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392-160-015	AMD	91-17-008
392-160-020	AMD-P	91-07-062
392-160-020	AMD	91-17-008
392-160-040	AMD-P	91-07-062
392-160-040	AMD	91-17-008
392-162-095	AMD-P	91-13-052
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392-191-007	AMD-P	91-12-006
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392-191-030	AMD-P	91-12-006
392-191-030	AMD	91-16-011
392-191-035	AMD-P	91-12-006
392-191-035	AMD	91-16-011
392-191-040	AMD-P	91-12-006
392-191-040	AMD	91-16-011
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392-191-060	REP	91-16-026
392-191-065	REP-P	91-10-104
392-191-065	REP	91-16-026
392-191-070	REP-P	91-10-104
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392-191-085	AMD	91-16-011
392-191-085	REP	91-16-026
392-191-090	REP-P	91-10-104
392-191-090	REP	91-16-026
392-191-095	REP-P	91-10-104
392-191-095	REP	91-16-026
392-192-005	AMD-P	91-12-006
392-192-005	AMD	91-16-011
392-192-040	AMD-P	91-12-006
392-192-040	AMD	91-16-011
392-196-005	AMD-E	91-18-020
392-196-005	AMD-P	92-01-082
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392-196-045	AMD-P	92-01-082
392-196-080	AMD-E	91-18-020
392-196-080	AMD-P	92-01-082
392-196-085	AMD-E	91-18-020
392-196-085	AMD-P	92-01-082
392-196-090	REP-E	91-18-020
392-196-090	REP-P	92-01-082
392-196-100	AMD-E	91-18-020
392-196-100	AMD-P	92-01-082
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392-198-005	NEW	91-18-006
392-198-010	NEW-P	91-14-035
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392-198-020	NEW-P	91-14-035
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392-202-115	AMD-P	91-14-036
392-202-120	AMD-P	91-14-036
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399-30-042	AMD-P	91-14-093
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399-30-050	AMD-P	91-14-093
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399-30-065	AMD-P	91-14-093
399-40-020	AMD-P	91-14-092
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400-12-540	REP	91-22-096
400-12-545	NEW-P	91-15-090
400-12-545	NEW	91-22-096
400-12-550	REP-P	91-15-090
400-12-550	REP	91-22-096
400-12-555	NEW-P	91-15-090
400-12-555	NEW	91-22-096
400-12-560	REP-P	91-15-090
400-12-560	REP	91-22-096
400-12-565	NEW-P	91-15-090
400-12-565	NEW	91-22-096
400-12-570	REP-P	91-15-090
400-12-570	REP	91-22-096
400-12-600	REP-P	91-15-090
400-12-600	REP	91-22-096
400-12-605	NEW-P	91-15-090
400-12-605	NEW	91-22-096
400-12-610	REP-P	91-15-090
400-12-610	REP	91-22-096
400-12-615	NEW-P	91-15-090
400-12-615	NEW	91-22-096
400-12-620	REP-P	91-15-090
400-12-620	REP	91-22-096
400-12-625	NEW-P	91-15-090
400-12-625	NEW	91-22-096
400-12-630	REP-P	91-15-090
400-12-630	REP	91-22-096
400-12-635	NEW-P	91-15-090
400-12-635	NEW	91-22-096
400-12-640	REP-P	91-15-090
400-12-640	REP	91-22-096
400-12-650	REP-P	91-15-090
400-12-650	REP	91-22-096
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400-12-660	REP	91-22-096
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402-70-020	AMD-W	91-08-059
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402-70-045	NEW-W	91-08-059
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414-04-010	REP	91-24-061
414-08-010	REP-P	91-21-046
414-08-010	REP	91-24-061
414-08-020	REP-P	91-21-046
414-08-020	REP	91-24-061
414-08-030	REP-P	91-21-046
414-08-030	REP	91-24-061
414-08-040	REP-P	91-21-046
414-08-040	REP	91-24-061
414-08-050	REP-P	91-21-046
414-08-050	REP	91-24-061
414-08-060	REP-P	91-21-046
414-08-060	REP	91-24-061
414-08-070	REP-P	91-21-046
414-08-070	REP	91-24-061
414-08-080	REP-P	91-21-046
414-08-080	REP	91-24-061
414-08-090	REP-P	91-21-046
414-08-090	REP	91-24-061
414-08-100	REP-P	91-21-046
414-08-100	REP	91-24-061
414-12-010	REP-P	91-21-046
414-12-010	REP	91-24-061
414-12-020	REP-P	91-21-046
414-12-020	REP	91-24-061
414-12-030	REP-P	91-21-046
414-12-030	REP	91-24-061
414-20-010	REP-P	91-21-046
414-20-010	REP	91-24-061
414-20-020	REP-P	91-21-046
414-20-020	REP	91-24-061
414-20-030	REP-P	91-21-046
414-20-030	REP	91-24-061
414-20-040	REP-P	91-21-046
414-20-040	REP	91-24-061
414-20-050	REP-P	91-21-046
414-20-050	REP	91-24-061
414-20-060	REP-P	91-21-046
414-20-060	REP	91-24-061
414-24-010	REP-P	91-21-046
414-24-010	REP	91-24-061
414-24-020	REP-P	91-21-046
414-24-020	REP	91-24-061
414-24-030	REP-P	91-21-046
414-24-030	REP	91-24-061
414-24-040	REP-P	91-21-046
414-24-040	REP	91-24-061
414-24-050	REP-P	91-21-046
414-24-050	REP	91-24-061
414-24-060	REP-P	91-21-046
414-24-060	REP	91-24-061
414-24-070	REP-P	91-21-046
414-24-070	REP	91-24-061
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414-24-090	REP	91-24-061
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415-100-045	NEW	91-03-013
415-100-051	NEW	91-03-013
415-100-055	NEW	91-03-013
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415-104-108	AMD	91-19-063
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415-104-205	NEW	91-03-014
415-104-211	NEW	91-03-014
415-104-215	NEW	91-03-014
415-108-320	NEW	91-03-015
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415-112-727	NEW	91-03-016
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415-114-010	NEW	91-11-061
415-114-010	RE-AD	91-13-049
415-114-010	REP-P	91-16-091
415-114-010	REP	91-19-062
415-114-020	NEW-P	91-06-089
415-114-020	NEW-C	91-10-108
415-114-020	NEW	91-11-061
415-114-020	RE-AD	91-13-049
415-114-020	REP-P	91-16-091
415-114-020	REP	91-19-062
415-114-030	NEW-P	91-06-089
415-114-030	NEW-C	91-10-108
415-114-030	NEW	91-11-061
415-114-030	RE-AD	91-13-049
415-114-030	REP-P	91-16-091
415-114-030	REP	91-19-062
415-114-040	NEW-P	91-06-089
415-114-040	NEW-C	91-10-108
415-114-040	NEW	91-11-061
415-114-040	AMD	91-13-049
415-114-040	REP-P	91-16-091
415-114-040	REP	91-19-062
415-114-050	NEW-P	91-06-089
415-114-050	NEW-C	91-10-108
415-114-050	NEW	91-11-061
415-114-050	RE-AD	91-13-049
415-114-050	REP-P	91-16-091
415-114-050	REP	91-19-062
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415-114-055	REP-P	91-16-091
415-114-055	REP	91-19-062
415-114-060	NEW-P	91-06-089
415-114-060	NEW-C	91-10-108
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415-114-060	REP	91-19-062
415-114-070	NEW-C	91-10-108
415-114-070	NEW	91-13-049
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415-114-100	NEW	91-19-062
415-114-200	NEW-P	91-16-091
415-114-200	NEW	91-19-062
415-114-300	NEW-P	91-16-091
415-114-300	NEW	91-19-062
415-114-400	NEW-P	91-16-091
415-114-400	NEW	91-19-062
415-114-500	NEW-P	91-16-091
415-114-500	NEW	91-19-062
415-114-550	NEW-P	91-16-091
415-114-550	NEW	91-19-062
415-114-600	NEW-P	91-16-091
415-114-600	NEW	91-19-062
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415-114-700	NEW	91-19-062
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415-115-010	NEW	91-13-030
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415-115-040	NEW	91-13-030
415-115-050	NEW-P	91-10-109
415-115-050	NEW	91-13-030
415-115-060	NEW-P	91-10-109
415-115-060	NEW	91-13-030
415-115-070	NEW-P	91-10-109
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415-116-030	NEW-P	91-10-107
415-116-030	NEW	91-13-029
415-116-040	NEW-P	91-10-107
415-116-040	NEW	91-13-029
415-116-050	NEW-P	91-10-107
415-116-050	NEW	91-13-029
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417-01-100	NEW	91-20-006
417-01-105	NEW-E	91-09-052
417-01-105	NEW-P	91-15-028
417-01-105	NEW	91-20-006
417-01-110	NEW-E	91-09-052
417-01-110	NEW-P	91-15-028
417-01-110	NEW	91-20-006
417-01-115	NEW-E	91-09-052
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417-01-115	NEW	91-20-006
417-01-120	NEW-E	91-09-052
417-01-120	NEW-P	91-15-028
417-01-120	NEW	91-20-006
417-01-125	NEW-E	91-09-052
417-01-125	NEW-P	91-15-028
417-01-125	NEW	91-20-006
417-01-130	NEW-E	91-09-052
417-01-130	NEW-P	91-15-028
417-01-130	NEW	91-20-006
417-01-135	NEW-E	91-09-052
417-01-135	NEW-P	91-15-028
417-01-135	NEW	91-20-006
417-01-140	NEW-E	91-09-052
417-01-140	NEW-P	91-15-028
417-01-140	NEW	91-20-006
417-01-145	NEW-E	91-09-052
417-01-145	NEW-P	91-15-028
417-01-145	NEW	91-20-006
417-01-150	NEW-E	91-09-052
417-01-150	NEW-P	91-15-028
417-01-150	NEW	91-20-006
417-01-155	NEW-E	91-09-052
417-01-155	NEW-P	91-15-028
417-01-155	NEW	91-20-006
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417-02-100	NEW-E	91-20-005
417-02-105	NEW-E	91-13-020
417-02-105	NEW-P	91-15-028
417-02-105	NEW-W	91-20-004
417-02-105	NEW-E	91-20-005
417-02-110	NEW-E	91-13-020
417-02-110	NEW-P	91-15-028
417-02-110	NEW-W	91-20-004
417-02-110	NEW-E	91-20-005
417-02-115	NEW-E	91-13-020
417-02-115	NEW-P	91-15-028
417-02-115	NEW-W	91-20-004
417-02-115	NEW-E	91-20-005
417-02-120	NEW-E	91-13-020
417-02-120	NEW-P	91-15-028
417-02-120	NEW-W	91-20-004
417-02-120	NEW-E	91-20-005
417-02-125	NEW-E	91-13-020
417-02-125	NEW-P	91-15-028
417-02-125	NEW-W	91-20-004
417-02-125	NEW-E	91-20-005
417-02-130	NEW-E	91-13-020
417-02-130	NEW-P	91-15-028
417-02-130	NEW-W	91-20-004
417-02-130	NEW-E	91-20-005
417-02-135	NEW-E	91-13-020
417-02-135	NEW-P	91-15-028
417-02-135	NEW-W	91-20-004
417-02-135	NEW-E	91-20-005
417-02-140	NEW-E	91-13-020
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417-02-140	NEW-E	91-20-005
417-02-145	NEW-E	91-13-020
417-02-145	NEW-P	91-15-028
417-02-145	NEW-W	91-20-004
417-02-145	NEW-E	91-20-005
417-02-150	NEW-E	91-13-020
417-02-150	NEW-P	91-15-028
417-02-150	NEW-W	91-20-004
417-02-150	NEW-E	91-20-005
417-02-155	NEW-E	91-13-020
417-02-155	NEW-P	91-15-028
417-02-155	NEW-W	91-20-004
417-02-155	NEW-E	91-20-005
417-06-100	NEW-E	91-13-021
417-06-100	NEW-P	91-15-028
417-06-100	NEW	91-20-006
417-06-110	NEW-E	91-13-021
417-06-110	NEW-P	91-15-028
417-06-110	NEW	91-20-006
417-06-120	NEW-E	91-13-021
417-06-120	NEW-P	91-15-028
417-06-120	NEW	91-20-006
417-06-130	NEW-E	91-13-021
417-06-130	NEW-P	91-15-028
417-06-130	NEW	91-20-006
417-06-140	NEW-E	91-13-021
417-06-140	NEW-P	91-15-028
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417-06-150	NEW-P	91-15-028
417-06-150	NEW	91-20-006
417-06-160	NEW-E	91-13-021
417-06-160	NEW-P	91-15-028
417-06-160	NEW	91-20-006
417-06-170	NEW-E	91-13-021
417-06-170	NEW-P	91-15-028
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419-14-040	AMD	91-06-063
419-14-090	AMD-P	91-03-107
419-14-090	AMD	91-06-063
419-14-100	AMD-P	91-03-107
419-14-100	AMD	91-06-063
419-14-110	AMD-P	91-03-107
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434-15-020	REP	91-21-045
434-15-030	REP-P	91-17-054
434-15-030	REP	91-21-045
434-15-040	REP-P	91-17-054
434-15-040	REP	91-21-045
434-15-050	REP-P	91-17-054
434-15-050	REP	91-21-045
434-15-060	REP-P	91-17-054
434-15-060	REP	91-21-045
434-15-070	REP-P	91-17-054
434-15-070	REP	91-21-045
434-15-080	REP-P	91-17-054
434-15-080	REP	91-21-045
434-15-090	REP-P	91-17-054
434-15-090	REP	91-21-045
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434-15-100	REP	91-21-045
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434-15-99001	REP	91-21-045
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434-26-005	NEW	91-18-013
434-26-010	NEW-P	91-13-022
434-26-010	NEW	91-18-013
434-26-015	NEW-P	91-13-022
434-26-015	NEW	91-18-013
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434-26-020	NEW	91-18-013
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434-26-060	NEW-P	91-13-022
434-26-060	NEW	91-18-013
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434-26-065	NEW	91-18-013
434-26-900	NEW-P	91-13-022
434-26-900	NEW	91-18-013
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434-40-080	AMD-P	91-17-046
434-40-080	AMD	91-20-074
434-40-180	AMD-E	91-14-080
434-40-180	AMD-P	91-17-046
434-40-180	AMD	91-20-074
434-42-900	NEW-P	91-03-125
434-42-900	NEW-E	91-03-126
434-42-900	REP-E	91-07-002
434-42-900	NEW-W	91-07-003
434-42-905	NEW-P	91-03-125
434-42-905	NEW-E	91-03-126
434-42-905	REP-E	91-07-002
434-42-905	NEW-W	91-07-003
434-42-910	NEW-P	91-03-125
434-42-910	NEW-E	91-03-126
434-42-910	REP-E	91-07-002
434-42-910	NEW-W	91-07-003
434-42-915	NEW-P	91-03-125
434-42-915	NEW-E	91-03-126
434-42-915	REP-E	91-07-002
434-42-915	NEW-W	91-07-003
434-42-920	NEW-P	91-03-125
434-42-920	NEW-E	91-03-126
434-42-920	REP-E	91-07-002
434-42-920	NEW-W	91-07-003
434-42-925	NEW-P	91-03-125
434-42-925	NEW-E	91-03-126
434-42-925	REP-E	91-07-002
434-42-925	NEW-W	91-07-003
434-42-930	NEW-P	91-03-125
434-42-930	NEW-E	91-03-126
434-42-930	REP-E	91-07-002
434-42-930	NEW-W	91-07-003
434-42-935	NEW-P	91-03-125
434-42-935	NEW-E	91-03-126
434-42-935	REP-E	91-07-002
434-42-935	NEW-W	91-07-003
434-42-940	NEW-P	91-03-125
434-42-940	NEW-E	91-03-126
434-42-940	REP-E	91-07-002
434-42-940	NEW-W	91-07-003
434-42-945	NEW-P	91-03-125
434-42-945	NEW-E	91-03-126
434-42-945	REP-E	91-07-002
434-42-945	NEW-W	91-07-003
434-42-950	NEW-P	91-03-125
434-42-950	NEW-E	91-03-126
434-42-950	REP-E	91-07-002
434-42-950	NEW-W	91-07-003
434-42-955	NEW-P	91-03-125
434-42-955	NEW-E	91-03-126
434-42-955	REP-E	91-07-002
434-42-955	NEW-W	91-07-003
434-42-960	NEW-P	91-03-125
434-42-960	NEW-E	91-03-126
434-42-960	REP-E	91-07-002
434-42-960	NEW-W	91-07-003
434-42-965	NEW-P	91-03-125
434-42-965	NEW-E	91-03-126
434-42-965	REP-E	91-07-002
434-42-965	NEW-W	91-07-003
434-42-970	NEW-P	91-03-125
434-42-970	NEW-E	91-03-126
434-42-970	REP-E	91-07-002
434-42-970	NEW-W	91-07-003
434-42-975	NEW-P	91-03-125
434-42-975	NEW-E	91-03-126
434-42-975	REP-E	91-07-002
434-42-975	NEW-W	91-07-003
434-42-980	NEW-P	91-03-125
434-42-980	NEW-E	91-03-126
434-42-980	REP-E	91-07-002
434-42-980	NEW-W	91-07-003
434-42-985	NEW-P	91-03-125
434-42-985	NEW-E	91-03-126
434-42-985	REP-E	91-07-002
434-42-985	NEW-W	91-07-003
434-53-010	NEW-P	91-23-097
434-53-020	NEW-P	91-23-097
434-53-030	NEW-P	91-23-097
434-53-040	NEW-P	91-23-097
434-53-050	NEW-P	91-23-097
434-53-060	NEW-P	91-23-097
434-53-070	NEW-P	91-23-097
434-53-080	NEW-P	91-23-097
434-53-090	NEW-P	91-23-097
434-53-100	NEW-P	91-23-097
434-53-110	NEW-P	91-23-097
434-53-120	NEW-P	91-23-097
434-53-130	NEW-P	91-23-097
434-53-140	NEW-P	91-23-097
434-53-150	NEW-P	91-23-097
434-53-160	NEW-P	91-23-097
434-53-170	NEW-P	91-23-097
434-53-180	NEW-P	91-23-097
434-53-190	NEW-P	91-23-097
434-53-200	NEW-P	91-23-097
434-53-210	NEW-P	91-23-097
434-53-220	NEW-P	91-23-097
434-53-230	NEW-P	91-23-097
434-53-240	NEW-P	91-23-097
434-53-250	NEW-P	91-23-097

WAC #		WSR #
434-53-260	NEW-P	91-23-097
434-53-270	NEW-P	91-23-097
434-53-280	NEW-P	91-23-097
434-53-290	NEW-P	91-23-097
434-53-300	NEW-P	91-23-097
434-53-310	NEW-P	91-23-097
434-53-320	NEW-P	91-23-097
434-53-330	NEW-P	91-23-097
434-53-340	NEW-P	91-23-097
434-61-010	NEW-P	91-23-097
434-61-020	NEW-P	91-23-097
434-61-030	NEW-P	91-23-097
434-61-040	NEW-P	91-23-097
434-61-050	NEW-P	91-23-097
434-61-060	NEW-P	91-23-097
434-62-150	NEW-P	91-23-097
434-62-160	NEW-P	91-23-097
434-62-170	NEW-P	91-23-097
434-62-180	NEW-P	91-23-097
434-62-190	NEW-P	91-23-097
434-62-200	NEW-P	91-23-097
434-75-010	NEW-P	91-13-016
434-75-010	NEW	91-18-012
434-75-020	NEW-P	91-13-016
434-75-020	NEW	91-18-012
434-75-030	NEW-P	91-13-016
434-75-030	NEW	91-18-012
434-75-040	NEW-P	91-13-016
434-75-040	NEW	91-18-012
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434-75-060	NEW-P	91-13-016
434-75-060	NEW	91-18-012
434-75-070	NEW-P	91-13-016
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434-75-080	NEW-P	91-13-016
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434-75-120	NEW-P	91-13-016
434-75-120	NEW	91-18-012
434-75-130	NEW-P	91-13-016
434-75-130	NEW	91-18-012
434-75-140	NEW-P	91-13-016
434-75-140	NEW	91-18-012
434-75-150	NEW-P	91-13-016
434-75-150	NEW	91-18-012
434-75-160	NEW-P	91-13-016
434-75-160	NEW	91-18-012
434-75-170	NEW-P	91-13-016
434-75-170	NEW	91-18-012
434-75-180	NEW-P	91-13-016
434-75-180	NEW	91-18-012
434-75-190	NEW-P	91-13-016
434-75-190	NEW	91-18-012
434-75-200	NEW-P	91-13-016
434-75-200	NEW	91-18-012
434-75-210	NEW-P	91-13-016
434-75-210	NEW	91-18-012
434-75-220	NEW-P	91-13-016
434-75-220	NEW	91-18-012
434-75-230	NEW-P	91-13-016
434-75-230	NEW	91-18-012
434-75-240	NEW-P	91-13-016
434-75-240	NEW	91-18-012
434-75-250	NEW-P	91-13-016
434-75-250	NEW	91-18-012
434-75-260	NEW-P	91-13-016
434-75-260	NEW	91-18-012
434-75-270	NEW-P	91-13-016
434-75-270	NEW	91-18-012
434-75-280	NEW-P	91-13-016
434-75-280	NEW	91-18-012
434-75-290	NEW-P	91-13-016
434-75-290	NEW	91-18-012
434-75-300	NEW-P	91-13-016
434-75-300	NEW	91-18-012
434-75-310	NEW-P	91-13-016
434-75-310	NEW	91-18-012
434-75-320	NEW-P	91-13-016
434-75-320	NEW	91-18-012
434-75-330	NEW-P	91-13-016
434-75-330	NEW	91-18-012
434-75-340	NEW-P	91-13-016
434-75-340	NEW	91-18-012
434-75-350	NEW-P	91-13-016
434-75-350	NEW	91-18-012
434-690-010	NEW-P	91-20-147
434-690-010	NEW	91-23-024
434-690-020	NEW-P	91-20-147
434-690-020	NEW	91-23-024
434-690-030	NEW-P	91-20-147
434-690-030	NEW	91-23-024
434-690-040	NEW-P	91-20-147
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434-690-050	NEW-P	91-20-147
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434-690-060	NEW-P	91-20-147
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434-690-070	NEW-P	91-20-147
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434-690-080	NEW-P	91-20-147
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434-690-090	NEW-P	91-20-147
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434-690-100	NEW-P	91-20-147
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434-690-110	NEW-P	91-20-147
434-690-110	NEW	91-23-024
434-690-120	NEW-P	91-20-147
434-690-120	NEW	91-23-024
434-690-130	NEW-P	91-20-147
434-690-130	NEW	91-23-024
434-690-140	NEW-P	91-20-147
434-690-140	NEW	91-23-024
434-690-990	NEW-P	91-20-147
434-690-990	NEW	91-23-024
434-690-99001	NEW-P	91-20-147
434-690-99001	NEW	91-23-024
434-840-001	NEW-P	91-17-046
434-840-001	NEW	91-20-074
434-840-005	NEW-P	91-17-046
434-840-005	NEW	91-20-074
434-840-010	NEW-P	91-17-046
434-840-010	NEW	91-20-074
434-840-020	NEW-P	91-17-046
434-840-020	NEW	91-20-074
434-840-030	NEW-P	91-17-046
434-840-030	NEW	91-20-074
434-840-040	NEW-P	91-17-046
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434-840-050	NEW-P	91-17-046
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434-840-060	NEW-P	91-17-046
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434-840-070	NEW-P	91-17-046
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434-840-080	NEW-P	91-17-046
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434-840-090	NEW-P	91-17-046
434-840-090	NEW	91-20-074
434-840-100	NEW-P	91-17-046
434-840-100	NEW	91-20-074
434-840-110	NEW-P	91-17-046
434-840-110	NEW	91-20-074
434-840-120	NEW-P	91-17-046
434-840-120	NEW	91-20-074
434-840-130	NEW-P	91-17-046
434-840-130	NEW	91-20-074
434-840-200	NEW-P	91-17-046
434-840-200	NEW	91-20-074
434-840-210	NEW-P	91-17-046
434-840-210	NEW	91-20-074
434-840-220	NEW-P	91-17-046
434-840-220	NEW	91-20-074
434-840-230	NEW-P	91-17-046
434-840-230	NEW	91-20-074
434-840-240	NEW-P	91-17-046
434-840-240	NEW	91-20-074
434-840-300	NEW-P	91-17-046
434-840-300	NEW	91-20-074
434-840-310	NEW-P	91-17-046
434-840-310	NEW	91-20-074
434-840-320	NEW-P	91-17-046
434-840-320	NEW	91-20-074
434-840-330	NEW-P	91-17-046
434-840-330	NEW	91-20-074
434-840-340	NEW-P	91-17-046
434-840-340	NEW	91-20-074
434-840-350	NEW-P	91-17-046
434-840-350	NEW	91-20-074
434-840-360	NEW-P	91-17-046
434-840-360	NEW	91-20-074
434-840-370	NEW-P	91-17-046
434-840-370	NEW	91-20-074
434-840-900	NEW-E	91-14-079
434-840-901	NEW-E	91-14-079
434-840-902	NEW-E	91-14-079
434-840-903	NEW-E	91-14-079
434-840-904	NEW-E	91-14-079
434-840-905	NEW-E	91-14-079
434-840-906	NEW-E	91-14-079
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434-840-908	NEW-E	91-14-079
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434-840-910	NEW-E	91-14-079
434-840-920	NEW-E	91-14-079
434-840-921	NEW-E	91-14-079
434-840-922	NEW-E	91-14-079
434-840-923	NEW-E	91-14-079
434-840-930	NEW-E	91-14-079
434-840-931	NEW-E	91-14-079
434-840-932	NEW-E	91-14-079
434-840-933	NEW-E	91-14-079
434-840-934	NEW-E	91-14-079
434-840-940	NEW-E	91-14-079
434-840-941	NEW-E	91-14-079
434-840-942	NEW-E	91-14-079
434-840-943	NEW-E	91-14-079
434-840-944	NEW-E	91-14-079
434-840-945	NEW-E	91-14-079
434-840-946	NEW-E	91-14-079
434-840-947	NEW-E	91-14-079
440-44-050	REP-W	91-08-059
440-44-057	REP-W	91-08-059
440-44-058	REP-W	91-08-059
440-44-059	REP-W	91-08-059
440-44-060	REP-W	91-08-059
440-44-062	REP-W	91-08-059
440-44-085	REP-P	91-15-061
440-44-085	REP-E	91-15-064
440-44-085	REP	91-19-025
440-44-090	AMD-P	91-20-096
440-44-090	AMD-E	91-20-111
440-44-090	AMD	91-23-089
446-16-080	AMD-P	91-16-099
446-16-080	AMD	91-22-055
446-20-020	AMD-P	91-19-012
446-20-020	AMD-C	91-23-033
446-20-020	AMD	91-24-099
446-20-280	AMD-P	91-19-012
446-20-280	AMD-C	91-23-033
446-20-280	AMD	91-24-099
446-20-285	AMD-P	91-19-012
446-20-285	AMD-C	91-23-033
446-20-285	AMD	91-24-099
446-20-290	AMD-P	91-19-012

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WAC #		WSR #
446-20-290	AMD-C	91-23-033
446-20-290	AMD	91-24-099
446-20-310	AMD-P	91-19-012
446-20-310	AMD-C	91-23-033
446-20-310	AMD	91-24-099
446-20-500	AMD-P	91-15-045
446-20-500	AMD	91-20-045
446-20-510	AMD-P	91-15-045
446-20-510	AMD	91-20-045
446-20-515	AMD-P	91-15-045
446-20-515	AMD	91-20-045
446-20-530	AMD-P	91-19-012
446-20-530	AMD-C	91-23-033
446-20-530	AMD	91-24-099
446-65	AMD-P	91-16-098
446-65	AMD-W	91-19-107
446-65-005	NEW-E	91-06-050
446-65-005	NEW	91-06-066
446-65-005	AMD-P	91-16-098
446-65-005	AMD-W	91-19-107
446-65-010	NEW-E	91-06-050
446-65-010	NEW	91-06-066
446-65-010	AMD-P	91-16-098
446-65-010	AMD-W	91-19-107
446-75-010	NEW-P	91-07-045
446-75-010	NEW-E	91-07-046
446-75-010	NEW	91-11-046
446-75-020	NEW-P	91-07-045
446-75-020	NEW-E	91-07-046
446-75-020	NEW	91-11-046
446-75-030	NEW-P	91-07-045
446-75-030	NEW-E	91-07-046
446-75-030	NEW	91-11-046
446-75-040	NEW-P	91-07-045
446-75-040	NEW-E	91-07-046
446-75-040	NEW	91-11-046
446-75-050	NEW-P	91-07-045
446-75-050	NEW-E	91-07-046
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446-75-060	NEW-E	91-07-046
446-75-060	NEW	91-11-046
446-75-070	NEW-P	91-07-045
446-75-070	NEW-E	91-07-046
446-75-070	NEW	91-11-046
446-75-080	NEW-P	91-07-045
446-75-080	NEW-E	91-07-046
446-75-080	NEW	91-11-046
448-12-010	REP-S	91-03-123
448-12-010	REP	91-06-022
448-12-015	REP-S	91-03-123
448-12-015	REP	91-06-022
448-12-016	REP-S	91-03-123
448-12-016	REP	91-06-022
448-12-020	REP-S	91-03-123
448-12-020	REP	91-06-022
448-12-030	REP-S	91-03-123
448-12-030	REP	91-06-022
448-12-040	REP-S	91-03-123
448-12-040	REP	91-06-022
448-12-050	REP-S	91-03-123
448-12-050	REP	91-06-022
448-12-055	REP-S	91-03-123
448-12-055	REP	91-06-022
448-12-060	REP-S	91-03-123
448-12-060	REP	91-06-022
448-12-070	REP-S	91-03-123
448-12-070	REP	91-06-022
448-12-075	REP-S	91-03-123
448-12-075	REP	91-06-022
448-12-080	REP-S	91-03-123
448-12-080	REP	91-06-022
448-12-090	REP-S	91-03-123
448-12-090	REP	91-06-022
448-12-100	REP-S	91-03-123
448-12-100	REP	91-06-022
448-12-210	REP-S	91-03-123
448-12-210	REP	91-06-022
448-12-220	REP-S	91-03-123
448-12-220	REP	91-06-022
448-12-230	REP-S	91-03-123
448-12-230	REP	91-06-022
448-12-240	REP-S	91-03-123
448-12-240	REP	91-06-022
448-12-250	REP-S	91-03-123
448-12-250	REP	91-06-022
448-12-260	REP-S	91-03-123
448-12-260	REP	91-06-022
448-12-270	REP-S	91-03-123
448-12-270	REP	91-06-022
448-12-280	REP-S	91-03-123
448-12-280	REP	91-06-022
448-12-290	REP-S	91-03-123
448-12-290	REP	91-06-022
448-12-300	REP-S	91-03-123
448-12-300	REP	91-06-022
448-12-320	REP-S	91-03-123
448-12-320	REP	91-06-022
448-12-330	REP-S	91-03-123
448-12-330	REP	91-06-022
448-12-340	REP-S	91-03-123
448-12-340	REP	91-06-022
448-13-010	NEW-S	91-03-123
448-13-010	NEW	91-06-022
448-13-020	NEW-S	91-03-123
448-13-020	NEW	91-06-022
448-13-020	AMD-E	91-18-033
448-13-020	AMD-P	91-18-034
448-13-020	AMD	91-21-040
448-13-030	NEW-S	91-03-123
448-13-030	NEW	91-06-022
448-13-040	NEW-S	91-03-123
448-13-040	NEW	91-06-022
448-13-040	AMD-E	91-18-033
448-13-040	AMD-P	91-18-034
448-13-040	AMD	91-21-040
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448-13-050	NEW	91-06-022
448-13-060	NEW-S	91-03-123
448-13-060	NEW	91-06-022
448-13-070	NEW-S	91-03-123
448-13-070	NEW	91-06-022
448-13-080	NEW-S	91-03-123
448-13-080	NEW	91-06-022
448-13-080	AMD-E	91-18-033
448-13-080	AMD-P	91-18-034
448-13-080	AMD	91-21-040
448-13-090	NEW-S	91-03-123
448-13-090	NEW	91-06-022
448-13-100	NEW-S	91-03-123
448-13-100	NEW	91-06-022
448-13-110	NEW-S	91-03-123
448-13-110	NEW	91-06-022
448-13-120	NEW-S	91-03-123
448-13-120	NEW	91-06-022
448-13-130	NEW-S	91-03-123
448-13-130	NEW	91-06-022
448-13-140	NEW-S	91-03-123
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448-13-150	NEW-S	91-03-123
448-13-150	NEW	91-06-022
448-13-160	NEW-S	91-03-123
448-13-160	NEW	91-06-022
448-13-170	NEW-S	91-03-123
448-13-170	NEW	91-06-022
448-13-170	AMD-E	91-18-033
448-13-170	AMD-P	91-18-034
448-13-170	AMD	91-21-040
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448-13-190	NEW-S	91-03-123
448-13-190	NEW	91-06-022
448-13-200	NEW-S	91-03-123
448-13-200	NEW	91-06-022
448-13-210	NEW-S	91-03-123
448-13-210	NEW	91-06-022
448-13-220	NEW-S	91-03-123
448-13-220	NEW	91-06-022
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448-14-030	REP-P	91-03-124
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